



# SOUTHERN DOWNS REGIONAL COUNCIL

## GENERAL MEETING OF COUNCIL

Dear Councillors

Your attendance is hereby requested at the General Meeting of Council to be held in the Council Chambers, Southern Downs Regional Council, 64 Fitzroy Street, Warwick on **Wednesday, 29 April 2015 at 9:00AM.**

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

**David Keenan**

**CHIEF EXECUTIVE OFFICER**

22 April 2015

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- 1. ATTENDANCE**
- 2. APOLOGIES**
- 3. CONDOLENCES**
- 4. READING AND CONFIRMATION OF MINUTES**
  - 4.1 General Council Meeting - 25 March 2015**
  - 4.2 Special Council Meeting - 13 April 2015**



## 5. ACTIONS FROM COUNCIL MEETINGS

### 5.1 Actions from Previous Council Meeting

#### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 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 March General Council Meeting.


A copy of the Actions report is attached.


#### Attachments

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

<div>  <div> <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b> <div> Date From: 25/03/2015  Date To: 25/03/2015 </div> </div> </div>					
MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
25 March 2015	5.1	Actions from Previous General Council Meeting	David Keenan	25 Mar 2015 - 8:42 AM - Cheree Noble Noted.	26/03/2015
25 March 2015	7.1	Correspondence	David Keenan	25 Mar 2015 - 11:27 AM - Cheree Noble Noted	26/03/2015
25 March 2015	8.1	Joint Letter - Request for Extending the Blusman - Pratten Street Between Palmerin & Guy Street, Warrick	Peter See	25 Mar 2015 - 7:47 AM - Barb Fagan Noted	26/03/2015
25 March 2015	9.1	Memorandum of Understanding - SDRC and University of Southern Queensland	David Keenan	31 Mar 2015 - 11:27 AM - Cheree Noble Signed Memorandum of Understanding forwarded to USQ.	31/03/2015
25 March 2015	10.1	BCS - National General Assembly of Local Government	David Tuxford	17 Apr 2015 - 1:50 PM - Sue Harold Further report to be provided to a Special Meeting of Council on Monday 13 April 2015.	13/04/2015
25 March 2015	10.2	BCS - Financial Report as at 28 February 2015	James Overstone	17 Apr 2015 - 2:00 PM - Sue Harold No further action required.	13/04/2015
25 March 2015	10.3	BCS - Executive Performance Report - February 2015	Keith Clarke	17 Apr 2015 - 1:52 PM - Sue Harold No further action required.	13/04/2015
25 March 2015	10.4	BCS - March 2015 Policy Reviews	Peter Gribbin	17 Apr 2015 - 2:02 PM - Sue Harold Adopted policies amended as required and final version placed on SDRC website and intranet.	13/04/2015
25 March 2015	11.1.1	Review of Gravel Report	Peter See	17 Apr 2015 - 9:25 AM - Barb Fagan Letters sent to those that submitted quotations for Gravel Assessment advising of Council's decision	17/04/2015
25 March 2015	11.1	Engineering Department Monthly Report	Peter See	26 Mar 2015 - 8:23 AM - Barb Fagan Noted	26/03/2015
25 March 2015	11.2	Naming of Unnamed Roads	Barb Fagan	26 Mar 2015 - 8:02 AM - Barb Fagan Letters sent to property owners fronting the unnamed roads advising that Council resolved at the General Meeting of Council on the 25 March to seek community input into the naming of two unnamed roads in Leyburn	26/03/2015

 <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b>					<b>Date From:</b> 25/03/2015 <b>Date To:</b> 25/03/2015
25 March 2015	11.3	Request to Name Allora Cricket Oval	Barb Fagan	<i>26 Mar 2015 - 8:13 AM - Barb Fagan</i> Internal memo sent to the Maintenance Overseer requesting that a sign ("Keith K.O. Masters Memorial Oval") to be purchased for the new name of the Allora Cricket Oval as per Council's Resolution. Letter was also sent to Kate Gordon advising of Council's decision.	26/03/2015
25 March 2015	11.4	Proposed Budget Amendment - Transfer \$168,000 from Engineering Operations Budget to Capital Budget for the Replacement of Kadoes Road Bridge	Chris Whitaker	<i>26 Mar 2015 - 8:54 AM - Barb Fagan</i> Budget Amendment Request form sent to the Manager Finance requesting a transfer of money to enable the work to be carried out on the replacement of the Kadoes Road Bridge.	17/04/2015
25 March 2015	11.5	Contract No. 15/055 - Tender for the Supply & Delivery of One (1) Multi-Tyred Roller	Ian Fletcher	<i>26 Mar 2015 - 8:45 AM - Cheree Noble</i> Motion lost. No action required.	26/03/2015
25 March 2015	11.5.1	Deferral of Contract No. 15/055	Peter See	<i>06 Apr 2015 - 8:28 AM - Barb Fagan</i> Letters sent to the offerors of Contract No. 15/055 - Offer for the Supply & Delivery of One (1) Multi-Tyred Roller advising that Council had resolved to not go through with the contract.	6/04/2015
25 March 2015	12.1	Pest Management Working Group Minutes from meeting held 17 February 2015	Tim O'Brien	<i>26 Mar 2015 - 11:20 AM - Cheree Noble</i> Memo sent to Manager Environmental Services, Local Laws Coordinator and Local Laws Officer (Pest Management) to action in accordance with Council resolution.	26/03/2015
25 March 2015	12.2.1	Proposed Amendments to the Flood Hazard Overlay Code	Annette Doherty	<i>26 Mar 2015 - 11:30 AM - Cheree Noble</i> Motion lapsed for want of a seconder.	25/03/2015
25 March 2015	12.2	Proposed Amendments to the Flood Hazard Overlay Code	Annette Doherty	<i>26 Mar 2015 - 11:31 AM - Cheree Noble</i> Memo sent to Principal Town Planner to action in accordance with Council resolution.	26/03/2015
25 March 2015	12.3	Reconfiguration of Lot - Med Investment Trust & Temgate Pty Ltd, and Temgate Pty Ltd as Trustee, 18 Ruby Street & 69 High Street, Stanthorpe	Cheree Noble	<i>26 Mar 2015 - 11:32 AM - Cheree Noble</i> Decision Notice sent to applicant and copy sent to DSDP as a concurrence agency.	26/03/2015
25 March 2015	12.4	Material Change of Use - Gregory Butler, 9 Curtin Road, Lym	Cheree Noble	<i>26 Mar 2015 - 11:33 AM - Cheree Noble</i> Decision Notice sent to applicant and copy sent to DSDP as a concurrence agency.	26/03/2015

 <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b>					<b>Date From:</b> 25/03/2015 <b>Date To:</b> 25/03/2015
25 March 2015	12.5	Reconsideration of Change to Defined Waste Collection Area - 4 Curran Lane, Applethorpe	Cheree Noble	25 Mar 2015 - 11:34 AM - Cheree Noble Letter sent to property owners to advise Council refusal of their request for removal of their property from the Defined Waste Collection Area.	26/03/2015
25 March 2015	12.5.1	Review of Defined Waste Collection Area, Curran Lane, Applethorpe, as part of contract renewal	Tim O'Brien	26 Mar 2015 - 11:35 AM - Cheree Noble Memo sent to Manager Environmental Services, Senior Environmental Health Officer and Senior Environmental Officer to note Council's request for a review of the Defined Waste Collection Area around Curran Lane, Applethorpe when waste collection contract is next due for renewal.	26/03/2015
25 March 2015	13.1	Overview of Current Business of Regional Development Australia Committee	David Keenan	25 Mar 2015 - 11:36 AM - Cheree Noble Noted.	25/03/2015
25 March 2015	15.1	Roundabouts	Michael Bell	17 Apr 2015 - 2:04 PM - Sue Harold The Acting Manager Community Facilities advised the Property Maintenance Co-Ordinator of the council resolution to action accordingly.	13/04/2015
25 March 2015	15.2	Warwick Potters Association	Peter See	17 Apr 2015 - 8:02 AM - Barb Fagan Letter sent to the Warwick Potters Association advising of Council's decision. Internal memo sent to the Overseer Maintenance requesting tourism signage to be ordered.	17/04/2015
25 March 2015	15.3	Review of Traffic Study for Warwick State High School	Peter See	25 Mar 2015 - 8:42 AM - Barb Fagan Noted	25/03/2015
25 March 2015	15.5	Items to be considered under public agenda	David Keenan	25 Mar 2015 - 11:38 AM - Cheree Noble Noted.	25/03/2015
25 March 2015	16.1	BCS - Maintenance of Council's Sporting Fields	David Tuxford	20 Apr 2015 - 3:18 PM - Sue Harold Items 2 & 4 - Will form part of the budget discussions. Item 3 - Briefing Session on 4 May 2015. Item 5 - Information is being collated.	20/04/2015
25 March 2015	16.3	BCS - Proposed Freehold Lease to Community Organisations	Peter Gribbin	20 Apr 2015 - 3:17 PM - Sue Harold No further action required.	20/04/2015
25 March 2015	16.4	BCS - Parks Rationalisation	Michael Bell	20 Apr 2015 - 3:18 PM - Sue Harold At the Parks Rationalisation Committee meeting being held on 28 April 2015, the Committee will discuss the appropriate consultation action to progress these 6 identified parks.	20/04/2015

 <b>ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING</b>					<b>Date From:</b> 25/03/2015 <b>Date To:</b> 25/03/2015
25 March 2015	16.4.1	Parks Rationalisation	Michael Bell	20 Apr 2015 - 3:19 PM - Sue Harold The work will continue to meet the deadline for a final report to be presented to Council by 30 June 2017.	20/04/2015
25 March 2015	16.4.2	Parks Rationalisation	Cheree Noble	26 Mar 2015 - 8:50 AM - Cheree Noble Motion lapsed for want of a seconder.	26/03/2015
25 March 2015	16.4.3	Parks Rationalisation	Cheree Noble	26 Mar 2015 - 8:51 AM - Cheree Noble Motion lapsed for want of a seconder.	26/03/2015
25 March 2015	16.2	BCS - Rating Consultation Group (RCG)	Sue Harold	17 Apr 2015 - 2:09 PM - Sue Harold Derydd Westlake advised of his appointment to the RCG and when the next meeting is to be held.	13/04/2015
25 March 2015	16.5	Tender Assessment Report - Request for Tender 15/046 "Construction of Beret Forest Springs Road Bridge"	Jaya Jayaratne	02 Apr 2015 - 6:46 AM - Barb Fagan Letters sent to successful & unsuccessful offerors of RFT 15/046 - Construction of Beret Forest Springs Road Bridge advising of Council's decision	2/04/2015
25 March 2015	16.6	Notice of Appeal to the Planning and Environment Court, Sarah Gordon, 2081 Inveremsey Road, Goomburra	Matthew Lund	26 Mar 2015 - 11:50 AM - Cheree Noble Memo sent to Planning Officer to action in accordance with Council resolution.	26/03/2015
25 March 2015	16.7	CH Property Holdings Pty Ltd, 11 Rowland Street, Warwick	Angela O'Mara	31 Mar 2015 - 11:40 AM - Cheree Noble Letter sent to solicitors advising Council resolution and providing conditions.	31/03/2015
25 March 2015	16.8	Release of Silt into Quat Pot Creek, Proposed Legal Action	Annette Doherty	26 Mar 2015 - 11:41 AM - Cheree Noble Memo to Principal Town Planner and Environmental Health Officer to action in accordance with Council resolution.	26/03/2015

**6. DECLARATIONS OF CONFLICTS OF INTEREST**

**7. READING AND CONSIDERATION OF CORRESPONDENCE**

Nil


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

Nil

## 9. EXECUTIVE

### 9.1 Submission to the Senate Standing Committee

#### Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 29 April 2015
	Chief Executive Officer	File Ref: 14.16

#### Recommendation

THAT Council endorse the submission to the Senate Standing Committees on Rural and Regional Affairs and Transport in relation to the role of Regional Capitals.

#### Report

On 11 February 2015, the Senate moved that the following matters be referred to the Senate Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 December 2015;

*The future role and contribution of Regional Capitals to Australia, including:*

- *an assessment of current demographic trends and the changing role of Regional Capitals;*
- *an analysis of current funding provided to Regional Capitals;*
- *an analysis of the benefit of additional funding Regional Capitals could receive based on population, demand for services and their strategic importance for the region, state or country;*
- *investment challenges and opportunities to maintain or grow Regional Capitals, including infrastructure, community and human services, communications and natural resources;*
- *incentives and policy measures that would support sustainable growth in Regional Capitals;*
- *the impact the changing environment will have on Regional Capitals; and any other related matters.*

The terms of reference do not define 'Regional Capitals'. It is noted that the Committee is interested in receiving submissions not just from representatives of regional capitals, but also from other towns and cities that have relevant views to express about the current and future role of Regional Capitals.

The closing date for submissions is 30 April 2015.

Council officers have prepared a submission responding to the terms of reference that the Committee has based its investigations upon. It is acknowledged that the terms of reference are wide and open to interpretation. Council's submission indicates that both Warwick and Stanthorpe have the potential to be recognised as Regional Capitals based on specific criteria.

The submission prepared by Council officers outlines some of the issues facing towns that service broader population catchments in relation to service delivery and the replacement of infrastructure.

### **Budget Implications**

The submission highlights the need for consistent and relevant funding from both State and Federal Government to deliver services to regional communities. The submission also emphasizes that the timing of funding or grants has a significant impact on the ability of local governments to successfully access funding.

### **Policy Consideration**

Community Plan

4.14 Lobby for appropriate regionalisation and decentralisation outcomes for the Southern Downs

8.9 Build partnerships with all levels of government. Increase the involvement of state and federal government in local projects.

### **Community Engagement**

There has been no direct community engagement in the preparation of this submission, however document and strategies that have been prepared with community consultation have been used in formulating this submission.

### **Legislation/Local Law**

Nil

### **Options**

1. That Council endorse the submission to the Senate Standing Committees on Rural and Regional Affairs and Transport in relation to the role of Regional Capitals.
2. That Council not provide a submission to the Senate Standing Committees on Rural and Regional Affairs and Transport in relation to the role of Regional Capitals.

### **Attachments**

1. Southern Downs Regional Council Submission to Senate Standing Committees on Rural and Regional Affairs and Transport in relation to the role of Regional Capitals [View](#)



Our Ref: PB/DK/RK

Wednesday, 22 April 2015

Committee Secretary  
Senate Standing Committees on Rural and Regional Affairs and Transport  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Committee Secretary,

**RE: FUTURE ROLE AND CONTRIBUTION OF REGIONAL CAPITALS TO AUSTRALIA**

Southern Downs Regional Council welcomes the opportunity to provide input into the review of Regional Capitals being undertaken by the Senate Standing Committee on Rural and Regional Affairs and Transport.

Council notes that on 11 February 2015, the Senate moved that the following matters be referred to the Senate Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 December 2015.

*The future role and contribution of Regional Capitals to Australia, including:*

- *an assessment of current demographic trends and the changing role of Regional Capitals;*
- *an analysis of current funding provided to Regional Capitals;*
- *an analysis of the benefit of additional funding Regional Capitals could receive based on population, demand for services and their strategic importance for the region, state or country;*
- *investment challenges and opportunities to maintain or grow Regional Capitals, including infrastructure, community and human services, communications and natural resources;*
- *incentives and policy measures that would support sustainable growth in Regional Capitals;*
- *the impact the changing environment will have on Regional Capitals; and any other related matters.*

Southern Downs Regional Council is situated within the greater Darling Downs and South West region of Queensland, on the border with New South Wales. Southern Downs Regional Council has two main urban or city centres that may be classified as

**Regional Capitals, namely Warwick and Stanthorpe. The municipality is located less than two hours from Brisbane.**

**It may be submitted that neither of these settlements or towns are in fact Regional Capitals and that the Regional Capital for this area is Toowoomba, however given that the Senate Committee has not supported a definition of what a Regional Capital is or is not, Southern Downs Regional Council would like both Warwick and Stanthorpe recognised as Regional Capitals.**

**Southern Downs Regional Council will make this submission on the basis that both Warwick and Stanthorpe are Regional Capitals, with identifiable and distinct population catchments and communities with significant economic and community infrastructure, as well as higher order services from a health, education and recreation perspective.**

**The submission by Southern Downs Regional Council will provide an outline of the challenges facing the region and some proactive solutions the Senate Committee may wish to consider in the formulation of their review and a response to the Terms of Reference.**

**Please do not hesitate to contact myself or David Keenan, Chief Executive Officer, Southern Downs Regional Council should you require further information or clarification.**

**Yours faithfully**

**Or Peter Blundell  
Mayor, Southern Downs Regional Council**

### **Defining Regional Capitals**

An area defined as a Regional Capital is viewed by Southern Downs Regional Council as a town, settlement or urban centre that contains the following characteristics:

- A sizeable population experiencing growth within a defined regional population catchment
- Community Infrastructure, such as hospitals, medical facilities, youth centres and community housing
- Educational Infrastructure, such as public and private primary and secondary schools, TAFE and off site University campuses
- Economic Infrastructure, such as saleyards, aerodromes, populated larger industrial estates, substantive retail footprints that include a recognised retail hierarchy with supermarkets and discount department stores
- Recreational Infrastructure such as the capacity to host International, National, State or regional events across a number of sporting disciplines in quality facilities
- Cultural Infrastructure, such as art galleries and museums, that attract visitors from within and outside the region
- Hard Infrastructure, such as reticulated water, sewer treatment facilities, access to National Highways, energy, reticulated gas and high order access to telecommunications
- Government Infrastructure, such as representation and service delivery from all three levels of Government, in the form of Centrelink, Transport and Main Roads, etc

Should an area possess the majority of these characteristics then it is likely to be viewed as a Regional Capital by Southern Downs Regional Council.

## **Population and the Community**

As indicated, Southern Downs Regional Council believes that there are two urban centres that can be classified as Regional Capitals in the municipality, meeting the criteria outlined.

Of the two towns in the Southern Downs Regional Council area, Warwick has the larger population and higher forecast population growth. In 2013 Warwick had a population of 15,541 with growth rate of 2.2%, whilst Stanthorpe had a population of 5,579 with a lower growth rate of 0.3%.

Whilst population growth is important and it is beneficial to the existing businesses and service providers, not all types of population growth are sustainable. Population growth in different age sectors provides challenges for service providers and the local economy.

In the Southern Downs scenario, there appears to be considerable population growth in the older age groups, indicating that additional older people or retirees are moving towards the urban centres. This includes current residents from the rural parts of the municipality moving to the urban centres to access medical, service and recreational facilities, as well as new residents relocating to the municipality to take advantage of the same services and facilities but moreover to access affordable housing.

Between 2007 and 2012, there was an increase in the total population share of the Southern Downs in the 20-24 years, 50-54 years, 60-64 years, 65-69 years, 70-74 years, 80-84 years and 85 years and older age brackets. The average age of a Southern Downs' resident increased by 1.4 years to 40.8 years in 2012, by comparison the average age for the rest of Queensland was 37.1 years.<sup>1</sup>

In 2012 the average age of a Warwick resident was 38.9, whilst the average age of a Stanthorpe resident was 43.2 years. It should be noted that for the 18,320 residents residing in the rural areas of the municipality the average age was 41.8 years. It is likely that the majority of these residents will seek to reside in the towns or urban centres as they retire from the land to access facilities and services increasing both the population and the average age.

Of note within the demographics for the Southern Downs is the low percentage of residents aged between 25-49 years. To allow future financial sustainability and support the local economy it is imperative that people within this age group are attracted to the municipality.

People will be attracted to areas where there is modern and relevant community, educational, economic, recreational, cultural, hard and Government infrastructure that facilitates a good standard of living.

### **Southern Downs Regional Industry**

The economy of the Southern Downs Region is based upon investment and employment in horticulture, agriculture, commerce, manufacturing and tourism.

The top five industry subdivisions of employment for Southern Downs Regional Council LGA in 2011) were:

- Agriculture (13.0%)
- Preschool and School Education (5.9%)
- Other Store-Based Retailing (6.1%)
- Food and Beverage Services (5.4%)
- Food Retailing (4.5%)

Based around the main centres of Warwick and Stanthorpe, there are over 16,000 residents currently in the workforce. These residents work in the estimated 3,700 business within the Region. The majority of Southern Downs businesses are classified as small to medium enterprises (SME's) and cover a wide range of industry types. Given the rural location of the Region, almost 50% of businesses are involved in primary production, followed by construction (10%), retail (9%) and property and business services (8.7%).

Both Stanthorpe and Warwick each have Industrial Estates with easy B-double access to major highways in close proximity to the town centres.

Warwick is located under two hours from Brisbane and is fortunate to have a diversified economic base. Whilst agriculture remains the key economic driver for the town, other aspects of the economy attract investment and continue to employ people. Retail is an important factor in the local Warwick economy, with the central business district containing four supermarkets (BI-Lo, Foodworks, Super IGA and Woolworths), an ALDI, and three discount department stores (Big W, Country Target and Harvey Norman).

In defining a Regional Capital, consideration may wish to be given by the Committee as to how major retailers approach investment in towns or urban centres and the relevance of the population catchment. For example with ALDI, the criteria for potential locations usually require a site that has "an immediate catchment population in excess of 20,000 and are situated on major roads with good access and exposure".<sup>11</sup> Whilst this is not always put into practice by ALDI, with Stanthorpe being a good example as an Aldi is currently under construction, it does provide guidance on characteristics or defining features that can be attributed to recognised regional centres. For Coles and Woolworths supermarkets, the accepted norm is one supermarket per 10,000 people.

The larger employers within Warwick include amongst others Southern Downs Regional Council, the Big W Distribution Centre, Wickham's Transport, the Warwick Hospital, Frasers Transport, Groove Juice and John Dee Abattoirs. The Warwick economy is intrinsically linked to the success or otherwise of the agricultural sector. There are a significant number of businesses that are supported by the agricultural sector and the challenge in the longer term will be to reduce this reliance by diversifying the local economy.

The Stanthorpe economy is similar to the Warwick economy in some ways but possesses some different characteristics. Stanthorpe has two supermarkets (Super IGA and Woolworths), an ALDI under construction, and one discount department store, being Target Country, and a significant number of small businesses with a focus on food, hospitality and tourism.

The Stanthorpe economy differs again from the Warwick economy in that there is a concentrated focus on intensive horticulture and fruit and vegetable production in the region surrounding Stanthorpe, rather than broad acre farming and animal production, which is the case in the region surrounding Warwick. There is also perhaps a larger focus on tourism in the Stanthorpe region due to the large number of wineries and the opportunities for overseas travellers to undertake seasonal fruit picking. It would appear that the tourism product is more defined in the Stanthorpe region, with events more the focus in Warwick.

Major employers in Stanthorpe include the Southern Downs Regional Council, the Stanthorpe Hospital, the retail sector and the Queensland College of Wine Tourism. The other major employers are located outside the town centre and are involved in food production, such as mushroom farming, and fruit and vegetable production.

Much of what is produced in Warwick and Stanthorpe from a food and agricultural production perspective is exported out of the region to larger domestic and international marketplaces.

Each of these towns contain the necessary and existing community and economic infrastructure to service the immediate population as well as provide services to a broader regional catchment to be recognised as undertaking the role of a Regional Capital.

Each of the centres retains a strong mix of businesses with a broad suite of professional services providing support to small, medium and large businesses.

### **Southern Downs Education**

The Southern Downs has thirty government and seven private primary schools, ranging in size from 15 pupils to 320.

There are government secondary schools in Warwick, Stanthorpe, Allora and Killarney.

The Southern Downs region also boasts seven private high schools, with two of these offering P-12, and two government special schools. Warwick is home to Scots PGC private boarding school which attracts students from all over Australia. Additionally there is Assumption College and the Total Education Centre, as well as St Joseph's School in Stanthorpe.

The University of Southern Queensland and TAFE Qld South West have a strong presence in Stanthorpe and Warwick.

The University of Southern Queensland has established the Queensland College of Wine Tourism at Stanthorpe.

TAFE Queensland South West develops and runs innovative, industry-generated courses from its campuses in Stanthorpe and Warwick. Both facilities are well known for their industry and community collaboration.

Education in a safe environment, with access to quality recreational and cultural infrastructure is a significant comparative advantage for consideration by Regional Capitals such as Warwick and Stanthorpe. The provision of educational services from Regional Capitals has the opportunity to generate employment and investment in Regional Capitals. Moreover, it has the potential to establish "Centres of Excellence" in specific fields of expertise that can be linked back to the strong industries of the region.

Southern Downs Regional Council would also welcome co-investment in libraries and learning centres by both tiers of Government and the tertiary sector to facilitate distance learning. The "Deakin at your Doorstep" program is perhaps a practical example of where local government and universities has pooled their resources to retain young people in rural or remote areas through effective learning in virtual environments. It is suggested that models like the Deakin model be replicated in Regional Capitals.<sup>1</sup>

### **Southern Downs Housing**

One of the comparative and competitive advantages of Regional Capitals is the potential to supply a diversity of affordable housing options to new and existing residents. As housing prices in capital cities has increased, housing prices in areas serviced by Regional Capitals such as Warwick and Stanthorpe have remained affordable.

For the Southern Downs Regional Council local government area there were 600 existing residential dwelling sales in the 12 months ending 30 September 2014, representing a median sale price of \$265,000. This is in comparison to the rest of Queensland average which was \$410,000.

For the Southern Downs Regional Council local government area there were 17 new house sales in the 12 months ending 30 September 2014, resulting in a median new house sale price of \$303,000. This is in comparison to the rest of Queensland average which was \$437,500.

Finally, for the Southern Downs Regional Council local government area there were 90 vacant land sales in the 12 months ending 30 September 2014, resulting in a median vacant land sale price of \$72,000. This is in comparison to the rest of Queensland average which was \$205,000.<sup>iv</sup>

In relation to affordability there is clearly an advantage that Regional Capitals have in relation to attracting residents and businesses. There is however little advantage in having only one competitive advantage.

The issue of affordability is a double edged sword providing advantages to people seeking cost effective accommodation, often then creating new demands on services, especially from a medical and community well being perspective. Managing affordability is a key responsibility of local government, best managed through planning schemes and strategic planning for the future. Planning for the future can often be a challenging exercise when there is limited direction from the other two tiers of government on settlement patterns, infrastructure development and industry policy.

From a Warwick and Stanthorpe perspective, there is a significant supply of affordable housing, from both a purchasing and rental aspect. The key is to create employment and investment that lessens the supply of affordable housing or creates a justification for local government to release more land for housing.



## **Opportunities for Regional Capitals**

### **Affordability and Ageing Populations**

If Regional Capitals are to be successful in the future, consideration needs to be given to how these locations can provide quality services and infrastructure to the population catchments whilst operating in an environment that is restricted by limited funds and ageing infrastructure.

It is clear that people of all ages are relocating to Regional Capitals and the areas within close proximity for a more relaxed lifestyle. There are many reasons why people are moving to these areas; however there is one predominant reason, affordability. The majority of people relocating to these areas are doing so to access affordable housing, whether that be from a purchasing or rental perspective, whilst still seeking to access the medical and recreational services that would be found in the suburbs of a major capital city or a regional city.

The high cost of living in many of the metropolitan and outer suburban suburbs of cities such as Brisbane, Melbourne, and Sydney, combined with issues associated with congestion and safety has caused many older or retiring people to rethink where they retire and how they can maximise their retirement savings.

In the past this was seen as a Sea Change or a Tree Change, perhaps what is occurring now is *I am Keeping the Change*, with the major appeal of a destination not necessarily being the amenity of an area, but rather the potential to cost effectively purchase or rent in an area that contains the services needed to sustain a person into retirement. For the retirees and older people Regional Capitals therefore offer the opportunity to maximize their retirement benefits or any pensions, and in many cases offer a higher standard of living.

From a Southern Downs Regional Council perspective it is again a double edged sword. New residents and sustained population growth are of benefit, creating larger catchments that ultimately lead to improved services from all levels of government.

Population growth that is dominated however by only the older age groups has the potential to impact on the availability and supply of employees for the local economy. Older age group population growth also has the potential to increase the level of services that are needed to be supplied to by all levels of government. Income to fund these services is often limited.

### **Recommendation 1**

That both levels of Governments must recognise that there are opportunities and constraints that are associated with affordable housing, with many of these linked to employment and investment policy

### **Recommendation 2**

That consideration must be given to attracting people aged between 25-49 to Regional Capitals, to ensure that there is a skilled and experienced work force to meet the needs of ageing Australians.

### **Recommendation 3**

**Consideration must be given to the level of services that can be sustained if the average population age of Regional Capitals continues to increase.**

### **Southern Downs Tourism and Events**

The mantra from both Government and economists is to diversify local economies to ensure risk is spread and minimized. There has been and remains a consistent focus on developing tourism and events in the regions, noting that the majority of Regional Capitals by their definition will be located outside of Capital Cities and therefore be experiencing or involved in tourism of some kind, supported by retail and hospitality.

There is an expectation from all levels of government that Regional Capitals will provide tourism and retail services to immediate and regional population catchments. The typical visitor has an expectation that in addition to tourism businesses there will be an offering a full suite of retail services across a seven day time span. This is not the case for visitors to the Southern Downs Region.

At present there is escape retail expenditure leaving the municipality as retail and hospitality businesses close on a Saturday afternoon and do not re-open until Monday. This escape expenditure, from both residents and visitors, is either lost to other Regional Capitals, such as Toowoomba, or is lost completely with the visitor unable to expend their funds.

The tourism and major events in Regional Capitals have the potential to add value to local economies. The decision of businesses not to open can almost always be linked to the high cost of employing staff under the existing regime of penalty rates. Many businesses simply cannot operate under the current conditions. At present the cost to local businesses through the payment of penalty rates to staff means that it is prohibitive to open retail and hospitality related businesses on weekends, yet this is the part of the economy that businesses in Regional Capitals are being encouraged to become involved in to diversify employment and investment.

The prohibitive cost of opening means that potential tourism and retail expenditure is not being captured by the businesses operating in the Regional Capitals. It also means that residents of the Regional Capitals are leaving the area to undertake retail activities in areas with a more complex hierarchy of retail activities.

In the Southern Downs scenario, the amount of retail expenditure leaving the region on weekends to Toowoomba is substantial. With escape expenditure goes the potential to grow employment in the Regional Capitals.

#### **Recommendation 4**

That the Committee consider policies that may exempt businesses operating in Regional Capitals from the full impact of the payment of penalty rates

#### **Recommendation 5**

That the Committee consider recommending the days which penalty rates apply to be during the week, such as Monday/Tuesday or Thursday/Friday, instead of weekends.

### **Reward Cultural Infrastructure In Regional Capitals**

There are very few cultural facilities in Regional Capitals that provide a financial return; most are heavily subsidized primarily by local government. In the majority of cases whilst facilities such as art galleries, museums and cultural centres provide a valuable service to the local community, it is noted these facilities also provide a quality service to the broader community being visitors from Intra/Interstate and overseas.

It is submitted that if there is a broader service being provided above and beyond the existing catchment of the Regional Capital consideration should be given to rewarding these facilities that attract visitors from outside the catchment.

People seeking a rich experience of community life often want cultural facilities as part of that dream. Many of the more successful tree change destinations that have attracted 'less needy' new residents that have a strong culture of arts, crafts, community activity, innovation etc.

These people often bring small artisan businesses also, that further contribute to the appeal of the district for visitors. In this way, our cultural services become both socially and economically beneficial for the region.

The level of funding allocated to cultural facilities by both State and Federal Government is low and in most scenarios is discretionary.

It may be that cultural facilities in the areas managed by Regional Capitals should be funded based on the number of visitors from outside the catchment to each of these facilities. Increased visitation results in increased visitor expenditure which should directly relate to increased employment. At present there is no incentive for a cultural facility to increase numbers to increase the likelihood of funding from any level of government.

#### **Recommendation 6**

That the Committee establish funding programs that reward cultural facilities, events or infrastructure that attract increased visitor numbers and patronage from outside the area directly managed by Regional Capitals.

#### **Recommendation 7**

That the Committee recognise the important role cultural infrastructure plays in attracting new residents to Regional Capitals.

### **Recreational Infrastructure In the Regional Capitals**

The Regional Capitals of Warwick and Stanthorpe are fortunate to possess quality recreational infrastructure that can host a range of State, National and International events. Some of the Infrastructure Includes the polo cross facility at Morgan Park, which will host the World Championships in 2019, as well as then highly regarded Morgan Park Raceway and Super Bike Tracks. Additionally Southern Downs Regional Council either directly manages or is involved indirectly in the management and operation of a number of quality sporting facilities that are either of a Commonwealth or Olympic standard. For example there is a world class hockey facility at Warwick.

With regard to shooting and pistol related training the Rilsdon Shooting Complex is one of the premier training facilities in the State. The Branch complex consists of a 50yd range for rimfire silhouette, a 50, 100, 200 and 300 yard range for rimfire/centrefire disciplines, which will include hunter class, benchrest and rimfire varmint. Two trap field shotgun ranges adjacent to the centrefire range have also been constructed to cater for the large following trap shooting has at the club. In the past the Warwick has hosted the Southern Downs Benchrest Championships, Narrabri and Warwick Super Shoot and the Queensland State Hunter class Championships. At Stanthorpe there is another shooting facility, the Stanthorpe Pistol Club. The range features include a 50 metre static pistol range, a 25 metre range with electronic controlled pneumatic turning targets (15 bays), reactive steel plate targets, and a 50 metre bench rest rifle range.

In relation to swimming, there is 50 metre 8 lane heated outdoor pool at Stanthorpe and an indoor 25 metre pool at Warwick, with hydrotherapy facilities available. Other facilities include the basketball, netball and badminton facilities that are available at the Warwick and Stanthorpe Indoor Recreation facilities.

Regional Capitals develop quality recreational infrastructure to meet the needs of existing communities within the catchments, as well as hosting regional, State and National events. As indicated in some circumstances, international events are also hosted by Regional Capitals. Whilst the recreational infrastructure is of benefit to the local community, it is also of benefit to the region and the State, yet the funding for the infrastructure and the services is only sourced from local government. In limited instances, local government may receive "one off" funding but this is rare.

In determining how Regional Capitals can be supported, the Committee needs to recognise that funding for recreational and sporting events needs to be shared by all three levels of government.

#### **Recommendation 8**

That the Committee recognise the substantial role Regional Capitals play in promoting well being through recreation and physical activities at local, State and National level.

#### **Recommendation 9**

That the Committee consider a new specific stream of funding that can support Regional Capitals to maintain and operate major sporting facilities and events that service users outside their primary catchments.

### **Hard Infrastructure supporting Regional Capitals**

Regional Capitals are often destinations that are serviced by "hard" infrastructure, infrastructure that is core to the servicing of residential community, commercial and industrial development. Roads, water, sewer, gas communications and gas are key components of this hard infrastructure. Without the necessary capacity in the hard infrastructure to accommodate the existing and future needs of the residents and businesses of Regional Capitals the prospects for both sustainability and growth in Regional Capitals is limited.

In many ways the planning for the operation and delivery of hard infrastructure is a complex process with different parties relying on each other for strategic advice and data prior to committing funds for the maintenance or delivery of new infrastructure. The lower levels of Government rely heavily upon the higher levels of government to forecast or envisage future populations, extensions to networks and an analysis of the needs of business, as well as identifying industry trends.

At present there is very little strategic planning undertaken by State and Federal Government, and it is submitted that local government perhaps undertakes the largest level of strategic planning, through the management of the Planning Scheme and the delivery of services such as roads, waste management water and sewer.

There exists a real opportunity for a whole of government approach for the delivery of infrastructure that meets the needs of Regional Capitals. Done properly, such an approach would allow Regional Capitals to design, deliver and diversify the hard infrastructure made available to the community and business.

Visionary and co-operative strategic planning between the different levels of government would allow for budgets to be optimised and services improved. Facilitating a united and seamless approach to hard infrastructure planning, could bring, deliver significant benefits.

### **Recommendation 10**

That the Committee consider mechanisms that better align the planning, funding and provision of "hard" infrastructure between the three levels of government.

### **Recommendation 11**

That the Committee encourage Regional Capitals to create an "Infrastructure Inventory" that can be utilized in strategic planning for the development and funding of State and Federal services or assets.

### **Government Infrastructure In Regional Capitals**

Successive governments have raised the potential of decentralising large government offices and exporting these jobs to Regional Cities and perhaps Regional Capitals. There have been some great success stories, with Regional Cities such as Ballarat, Bendigo and Geelong all attracting a plethora of different public authorities through various incentives or as a result of leveraging political marginality.

For Regional Capitals the challenge of attracting large scale government services is more difficult. In Regional Capitals it is often more a matter of ensuring that existing services are maintained. From a Southern Downs Regional Council perspective the presence of Federal and State Government Offices, such as the Centrelink, the Department of Natural Resources and Mines and the Department of Transport and Main Roads, in Warwick has diversified the local economy and the skill base of the labour force. In Stanthorpe, there is a Centrelink and a number of individuals representing Government agencies and Departments.

Regional Capitals need to be proactive in maintaining and attracting government agencies. Additionally, Regional Capitals need to consider how the needs of various government agencies can be met.

For example, local government authorities should consider how Government agencies can secure office space in municipal offices. The potential income could support existing community infrastructure. Moreover, members of State and Federal Parliament could consider using Council buildings or facilities to lease as office space for electoral offices, ensuring that rental costs that emanate from taxpayers are maintained or captured in the region. It would also mean that residents seeking a meeting with their elected officials could do so in one venue.

The challenge for Regional Capitals is to continue to encourage a diversity of government services that meet the needs of the community. It is important that if the services cannot be delivered through Federal or State Government, that consideration be given to delivering services through local government, without cost shifting.

### **Recommendation 12**

That the Committee consider the role of Federal and State Government offices and services in Regional Capitals.

### **Recommendation 13**

That the Committee actively consider if local government can deliver services on behalf of State and Federal Government.

## **The Terms of Reference**

### ***An Assessment of Current Demographic Trends and the Changing Role of Regional Capitals***

The demographic trends for Southern Downs Regional Council have been outlined earlier in this submission.

The changing role of Regional Capitals has also been referred to, especially with regard to the different types of soft and hard infrastructure that contributes to a town or city being defined as a Regional Capital.

### ***An Analysis of Current Funding Provided to Regional Capitals***

The current funding allocated to areas viewed as Regional Capitals is in essence no different to other local government areas. The standard funding streams of Financial Assistance Grants, Roads to Recovery and Blackspot funding are applicable to Regional Capitals as they are to other local government authorities. It is debatable if there is any benefit derived to local government authorities from Disaster Recovery funding given the recent changes to criteria of what will be funded and what is eligible. From a Southern Downs Regional Council perspective, the most recent major flooding experience resulted in Council and many flood affected local businesses being substantially worse off from a financial point of view than prior to the flood.

Perhaps the major difference from Regional Capitals and local government authorities in capital city or regional cities environments is the ability to generate income from avenues other than rates. Larger local government authorities in urban environments have the opportunity to derive income from other activities such as leasing of Council land, car parking, special rates and increases in fees and charges for the use of recreational, civic and cultural facilities. This is in addition to large rates bases. Additionally, many of the larger local government authorities have the opportunity to leverage more from developer contributions or partnerships with the public or private sector.

In relation to other funding that is available from other levels of Government this is often discretionary and competitive. Moreover, the timelines for applying for funding are often fluid, meaning that Regional Capitals are unsure when to quarantine or reserve funds that are required which are usually matching funds. This level of uncertainty means that local government authorities will often not have the financial capacity to apply for grants, nor are there the required levels of human resources to prepare the submissions for grant funding.

In simple terms it is unreasonable for the other levels of Government to assume that local government authorities can carry surplus funding within operating budgets to meet discretionary funding programs. It is the expectation of ratepayers and those who use local government services that funds will be expended in any given financial year, rather than local government authorities carrying through funds on the hope of gaining funding for specific projects or initiatives.

This issue is exemplified through the funding programs offered through Regional Development Australia and other arms and agencies of the Federal Government that have no established timeframes attached to the application process.



***An Analysis of the Benefit of Additional Funding Regional Capitals could Receive Based on Population, Demand for Services and their Strategic Importance for the Region, State or Country;***

Southern Downs Regional Council supports the premise that funding should be based on existing and future populations and directly linked related to the utilisation of facilities or the level of service required by both ratepayers and those visiting the region.

Moreover, Southern Downs Regional Council believes that funding should be made available for the continued operation and upgrade of facilities that support a broader regional demand. This is especially the case in regard to facilities such as sale yards, art galleries, high order recreational facilities, libraries and aerodromes.

At present local government authorities support these varied types of regional infrastructure to deliver a greater community good, which is funded by a relatively small base of ratepayers. Southern Downs Regional Council would prefer to have these types of facilities and infrastructure recognised as being of regional significance and funded accordingly.

Likewise, Southern Downs Regional Council contends that it should be funded for activities, such as tourism, based on the number of visitors that are attracted to the region, rather than one off grants for marketing or major events.

Is it possible that government funding could also be based on a 'spend now, save later' policy, to attract more residents from a demographic that will 'pay their own way'? The trajectory Regional Capitals are now on will require a disproportionate amount of health services to a population that is ageing and/or on benefits. The big question remains, how can Regional Capitals attract residents that will provide both economic and social enrichment for our region, so that the desirability of the region snowballs?

***Investment Challenges and Opportunities to Maintain or Grow Regional Capitals, including Infrastructure, Community and Human Services, Communications and Natural Resources***

With regard to the challenges and opportunities to maintain or grow Regional Capitals there are significant challenges and a plethora of opportunities, but many of these can only be realised through changes to policy settings.

The obvious challenge for local government authorities is the capacity to generate the necessary revenue streams to maintain and upgrade existing infrastructure, whilst maintaining core services. In recent years the levels of funding for infrastructure upgrades and maintenance have declined dramatically. There is in fact more funding available for the construction of new assets and infrastructure than there is for the maintenance and upgrading of existing infrastructure. The majority of local government authorities would prefer to upgrade existing facilities and infrastructure to meet population growth, rather than develop new assets that will require replacement or upgrading in future years.

A further challenge for local government and those areas viewed as Regional Capitals is managing responsibilities for service delivery that were previously undertaken by State or Federal Government agencies. This level of cost shifting has impacted considerably on the ability of normal operations or the "core business" of local government.

Some opportunities that present, relate primarily to growing regional economies. If a local government can work in co-operation with the other levels of government, the public and private sectors to generate employment then there is a real opportunity to create an environment that delivers sustainable prosperity.

It is vital that private sector investment has access to infrastructure. Infrastructure does not have to be delivered immediately, but the private sector needs to know when hard infrastructure will be available. For example businesses considering investing in Regional Capitals need to know when water mains will be upgraded, when sewerage is available, the potential for connection to gas and the timeframes associated with connections to the National Broadband Network. In most Regional Capitals there is no level of surety in relation to when any of these services or infrastructure will be made available.

As indicated, Regional Capitals have the opportunity to provide affordable housing options at a number of levels. The advantage of affordable housing can only be fully realised with the expedition of employment opportunities.

Additionally, the cost of employment generating land is substantially less than in other areas that are more densely populated.

Further opportunities exist in relation to funding Regional Capitals to deliver services across broader catchments on behalf of other local governments. This opportunity needs to build on the skills, expertise and capacity of the Regional Capitals to deliver these services, acknowledging the preference of local communities as to who is best placed to deliver such services.

Additional opportunities exist for Regional Capitals to deliver services on behalf of the other two tiers of Government, but not on a cost neutral basis. If the services are to be delivered

by local government, there should be no cost impact on local government and in most circumstances there should be the provision for local government to return a dividend for ratepayers. Areas where these services could be delivered include enforcement, management of national parks, valuations and road maintenance.

### ***Incentives and Policy Measures that would Support Sustainable Growth in Regional Capitals***

In reference to incentives to support Regional Capitals there has been a great deal of research undertaken in relation to the role incentives play in attracting businesses to regions. The majority of the research indicates that there are higher levels of investment and employment generation achieved through providing support and incentives to businesses already located in areas than seeking to attract "footloose" businesses or industries to areas through incentives. The incentives offered by local government traditionally revolve around rate holidays, affordable land and subsidised access to services, such as water and sewer.

Incentives provided by State Government typically revolve around deferral of pay roll tax which is then directed to infrastructure and training for new work forces. Federal Government incentives are traditionally reserved for the larger businesses and are focused on capital cities.

Rather than focussing on incentives, Southern Downs Regional Council supports the timely delivery of infrastructure to support existing and new businesses. The confirmed delivery timeframes for the commissioning of infrastructure will provide greater certainty for existing and future business and the community than any form of incentives.

Southern Downs Regional Council supports the continuing decentralising of government departments and agencies. De-centralisation of government departments and agencies increases the level of "white collar" employment which in turn diversifies the local economy and increases the skills base of the region.

The promotion of Regional Capitals as a destination of choice for those who currently live in metropolitan centres, as a new place to live or establish a business in, is an initiative supported by Southern Downs Regional Council. Awareness of the opportunities in Regional Capitals is low amongst people and businesses in capital cities and metropolitan areas, as is the awareness of the cost of undertaking business in Regional Capitals.

Rather than incentives, strong policy and funding for infrastructure will support Regional Capitals into the future.

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<sup>1</sup> Southern Downs Economic Brief June 2014

<sup>2</sup> <https://corporate.sldl.com.au/en/property>

<sup>3</sup> <http://www.deakin.edu.au/study-at-deakin/study-options-and-pathways/pathways-to-deakin/associate-degree>


<sup>4</sup>

<https://statistics.oestr.sldl.gov.au/profiles/gra/resident/pdf/30VC35PDXEYBACKEIAGABOTILWA7SLZVGBQWVQIMU2DAIGZKRT9TYUEZGWBX9ELU7LYF1OAKQ5S3OPKQFDSGRN7EXT1D2VTEBFM4YTJBMHAPX1YA2ULMFZXR/sld-regional-profiles-residentview=fr&page=mode=bookmarks>

## 10. BUSINESS & COMMUNITY SERVICES DEPARTMENT REPORTS

### 10.1 BCS - Financial Assistance Grants (FAGs) Advocacy

#### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Director Business & Community Services	<b>File Ref:</b> 15.02; 15.04; 15.05; 15.19

#### Recommendation

THAT Council :

1. Acknowledges the importance of federal funding through the Financial Assistance Grants (FAGs) program for the continued delivery of councils services and infrastructure.
2. Acknowledge that the Council will receive \$7,046,977 in 2014/2015.
3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports.

#### Report

FAGs are a vital part of the revenue base of all councils, and this year councils will receive \$2.3 billion from the Australian Government under this important program.

The Government's decision in the 2014 Federal Budget to freeze the indexation of FAGs for three years beginning in 2014/2015 will unfortunately cost councils across Australia an estimated \$925 million by 2017/2018.

Australian Local Government Association (ALGA) and the state local government associations are seeking the support of Council for advocacy to have the Federal Government reverse the decision to freeze the indexation of FAGs.

While the FAGs are paid through each state's Local Government Grants Commission, funding originates with the Commonwealth and it is important it is recognised as such. Council, and every other council in Australia, have been asked to pass a resolution acknowledging the importance of the Commonwealth's Financial Assistance Grants in assisting Council to provide important community infrastructure.

Council is also being asked to acknowledge the receipt of Financial Assistance Grants from the Commonwealth in media releases and council publications, including our annual report and to highlight to the media a council project costing a similar size to the FAGs received by Council so that the importance and impact of the grants can be more broadly appreciated.

**Budget Implications**

Freezing FAGs at their current level until 2017/2018 will result in a permanent reduction in Council's FAGs base by 13%.

**Policy Consideration**

Nil.

**Community Engagement**

Nil.

**Legislation/Local Law**

Nil.

**Options**


1. Adopt the recommendation.
2. Do not adopt the recommendation.

**Attachments**

Nil

## 10.2 BCS - Financial Report as at 31 March 2015

### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Accountant	<b>File Ref:</b> 12.13

### Recommendation

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

### Report

A review of Council's operating performance against forecast shows that the net operating position of \$10.5m is \$639k above the estimated position for the financial year to date.

### Income Statement

Total operating revenue of \$56.1m exceeds the expected year to date estimate of \$55.1m by \$1m. Capital revenue of \$3.1m is over the year to date estimate of \$2.7m (\$413k).

Overall operating expenditure of \$48.8m is \$809k above the year to date estimate of \$47.9m with employee costs being around 5.1% (\$1.02m) under budget and materials and services being around 13.3% (\$2m) over the year to date estimate.

### Capital Works in Progress

Capital works expenditure to 31 March 2015 is \$10.5m with \$2.1m of commitments bringing the total YTD figure to \$12.76m which is 73.6% 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	% Spent	Committed	Spent & Committed	% Spent & Committed
Land & Land Improvements	-	110,000	110,000	37,554	34.1%	27,370	64,924	59.0%
Buildings	193,000	11,491	204,491	180,291	88.2%	5,227	185,518	90.7%
Plant & Equipment	4,400,000	(326,328)	4,073,672	2,688,726	66.0%	578,502	3,267,228	80.2%
Roads, Drains & Bridges	6,845,000	521,123	7,366,123	4,338,686	58.9%	653,469	4,992,155	67.8%
Water	2,610,000	272,934	2,882,934	1,958,042	67.9%	492,118	2,450,160	85.0%
Wastewater	240,000	(24,694)	215,306	88,680	41.2%	4,156	92,836	43.1%
Other Assets	1,450,000	844,465	2,294,465	1,162,513	50.7%	404,001	1,566,514	68.3%
<b>Total</b>	<b>15,738,000</b>	<b>1,408,991</b>	<b>17,146,991</b>	<b>10,454,493</b>	<b>61.0%</b>	<b>2,164,842</b>	<b>12,619,335</b>	<b>73.6%</b>

### Budget Implications

A quarterly budget review has been undertaken up to the end of March 2015. The budget review report is included in this agenda for the April meeting.

## **Policy Consideration**

### Operational Plan 2014/2015

8.3.3 Implement and Review the following agreed Plans and Strategies:

- 8.3.3.1 Review and update the 10 year Financial Plan.
- 8.3.3.2 Annual Review of Debt policy, Procurement Policy, Revenue Policy and Investment Policy.
- 8.3.3.3 Review of Council's internal on-cost charges.

## **Community Engagement**

Nil.

## **Legislation/Local Law**

Local Government Act 2009 and Local Government Regulation 2012

## **Options**

Nil.

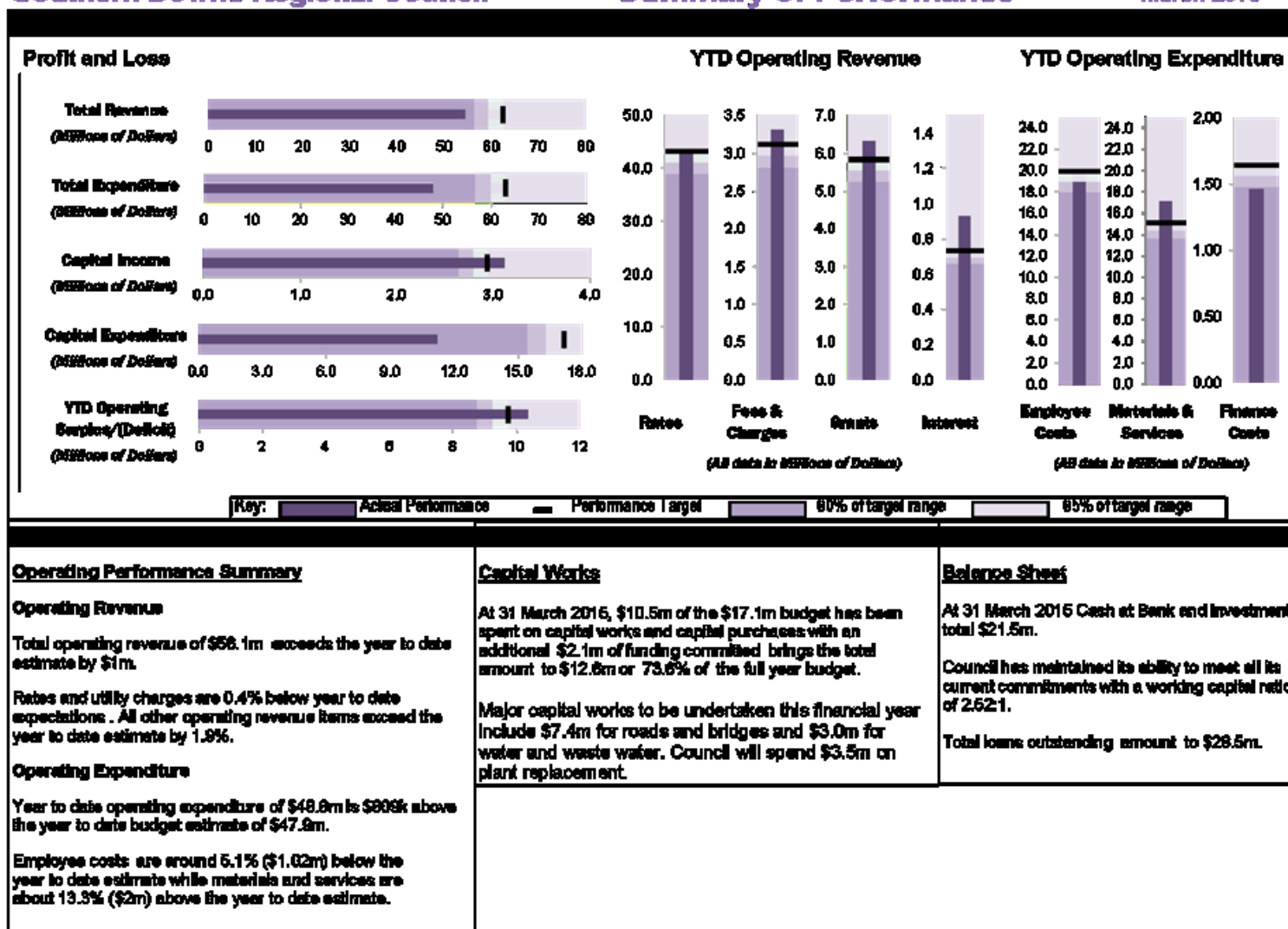
## **Attachments**

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

## Southern Downs Regional Council

## Summary of Performance

March 2015





## Southern Downs Regional Council Income Statement March 2015

2014 Actual \$		Annual 2013 Budget \$	Planned 2013 YTD Budget \$	Planned 2013 YTD Actual \$
<b>Revenue from ordinary activities</b>				
26,320,000	General Rates	27,232,038	27,232,038	27,191,974
20,092,000	Utility Rates and Charges	20,973,700	18,753,700	18,639,214
(3,953,000)	Lease Discounts	(2,886,566)	(2,741,056)	(2,781,584)
<b>42,459,000</b>		<b>44,321,192</b>	<b>43,244,782</b>	<b>43,049,604</b>
4,623,000	Fees and Charges	4,310,489	3,120,973	3,312,918
1,051,000	Interest	828,000	732,300	929,913
2,219,000	Contract & Sales Revenue	2,590,000	1,735,221	1,917,933
805,000	Rent and Other Income	533,087	403,788	539,874
19,008,000	Government Grants and Subsidies	9,488,087	3,836,673	6,321,220
<b>78,165,000</b>	<b>Total Operating Revenue</b>	<b>63,898,855</b>	<b>55,875,658</b>	<b>56,111,466</b>
<b>Expenses from ordinary activities</b>				
27,476,000	Employee Costs	23,043,115	19,932,818	18,912,481
35,411,000	Materials and Services	20,819,518	15,119,951	17,131,916
15,322,000	Depreciation and Amortisation	14,999,433	11,249,892	11,250,223
1,854,000	Finance Costs	2,148,896	1,644,904	1,462,380
<b>60,063,000</b>	<b>Total Operating Expenses</b>	<b>61,012,962</b>	<b>47,947,565</b>	<b>48,757,000</b>
<b>(9,898,000)</b>	<b>Operating Surplus/(Deficit) before capital items</b>	<b>77,893</b>	<b>7,128,093</b>	<b>7,354,466</b>
<b>Other Capital Amounts</b>				
14,004,000	Capital Grants, Contributions and Donations	2,736,806	2,704,306	3,117,036
(7,611,000)	Other capital income and (expenses)	200,000	-	-
<b>(3,585,000)</b>	<b>Net Result Surplus/(Deficit)</b>	<b>3,014,699</b>	<b>9,832,399</b>	<b>10,471,522</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 March 2015

2014 Actual \$		Annual 2013 Budget \$	Planned 2013 YTD Actual \$
<b>Current Assets</b>			
6,541,000	Cash assets & Investments	4,100,191	21,538,471
10,589,000	Receivables (includes Rates & Utilities receivable)	9,828,906	8,562,111
916,000	Assets held for sale	304,181	915,300
321,000	Inventories	245,732	340,058
<b>18,367,000</b>		<b>14,479,010</b>	<b>31,756,140</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	760,216,806	774,224,236
3,700,000	Other Financial Assets	468,107	377,164
9,851,000	Capital works in progress	6,979,689	17,157,221
970,000	Intangible Assets	855,220	970,006
<b>799,565,000</b>		<b>769,465,822</b>	<b>793,674,646</b>
<b>817,932,000</b>	<b>TOTAL ASSETS</b>	<b>783,944,832</b>	<b>825,430,786</b>
<b>Current Liabilities</b>			
8,212,000	Creditors and other payables	4,863,866	4,366,475
3,914,000	Provisions	1,606,275	6,337,119
1,905,000	Interest bearing liabilities	2,222,149	1,904,798
<b>14,031,000</b>		<b>8,692,290</b>	<b>12,608,392</b>
<b>Non-Current Liabilities</b>			
29,958,000	Interest bearing liabilities	27,697,990	28,526,307
4,139,000	Provisions	6,574,724	3,792,092
-	Other Payables	907,316	-
<b>34,097,000</b>		<b>35,180,030</b>	<b>32,318,399</b>
<b>48,128,000</b>	<b>TOTAL LIABILITIES</b>	<b>43,872,320</b>	<b>44,926,791</b>
<b>769,804,000</b>	<b>NET COMMUNITY ASSETS</b>	<b>740,072,512</b>	<b>780,503,995</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	535,019,005	543,485,561
<b>769,804,000</b>	<b>Retained surplus</b>	<b>740,072,512</b>	<b>780,503,995</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> (Current Assets / Current Liabilities)				<b>Interest Coverage Ratio</b> (Net Interest Expense / Total Operating Revenue) (%)			
	1.67 : 1	2.52 : 1	✓		2.09%	0.95%	✓
<b>Target Ratio</b>	> 1:1	> 1:1		<b>Target Ratio Upper Limit (%)</b>	10.0%	10.0%	
This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.				This ratio indicates the extent to which a Council's operating revenues are committed to interest expenses. As principal repayments are not operating expenses, this ratio demonstrates the extent to which operating revenues are being used to meet the financing charges associated with debt servicing obligations.			
<b>Operating Surplus Ratio</b> (Net Operating Surplus / Total Operating Revenue) (%)				<b>Asset Sustainability Ratio</b> (Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)			
	4.8%	18.7%	✓		114.3%	76.7%	✗
<b>Target Ratio</b>	0.0% to 15.0%	0.0% to 15.0%		<b>Target Ratio Lower Limit (%)</b>	> 00%	> 00%	
This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes.  A positive ratio indicates the percentage of total rates available to help fund proposed capital expenditure. If the relevant amount is not required for this purpose in a particular year, it can be held for future capital expenditure needs by either increasing financial assets or preferably, where possible, reducing debt.				This is an approximation of the extent to which the infrastructure assets managed by the Council are being replaced as these reach the end of their useful lives. Depreciation expense represents an estimate of the extent to which the infrastructure assets have been consumed in a period. Capital expenditure on renewals (replacing assets that the Council already has) is an indicator of the extent to which the infrastructure assets are being replaced.			
<b>Net Financial Liabilities Ratio</b> ((Total Liabilities - Current Assets) / Total Operating Revenue)				<b>Comments on Ratio Results.</b>			
	52.4%	23.5%	✓	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.			
<b>Target Ratio Upper Limit (%)</b>	≤60%	≤60%		Whilst changes to the legislation have amended the required ratios, the ratios listed will continue to be reported on.			
This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.  A positive value of less than 60 per cent is the benchmark as determined by the Department of Local Government. It indicates that Council has the capacity to fund liabilities and to have the capacity to increase its loan borrowings. A positive value greater than 60 per cent but less than a 100% indicates that Council has the capacity to fund liabilities but has limited capacity to increase its loan borrowings.  A ratio less than zero (negative) indicates that current assets exceed total liabilities and; therefore, Council has the capacity to increase its loan borrowings.				For the year to date, all ratios are within expected guidelines.			

## **INVESTMENTS REGISTER**

**as at 31 March 2015**

### **CASH MANAGEMENT**

10.30mm CALL ACCOUNT

		<b><u>PRINCIPAL</u></b>	<b><u>INTEREST RATE</u></b>
GENERAL	QTC SDRG Acct	\$ 2,321,400.07	3.95%
TOTAL	QTC	<u>\$ 2,321,400.07</u>	

### **BANK BILLS AND BCD**

<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>
18-Oct-14	WCU	\$ 804,868.71	3.80%	15-Apr-15
30-Oct-14	QCCU	\$ 804,758.16	3.55%	29-Apr-15
27-Nov-14	SUNCORP	\$ 808,700.85	3.50%	1-Apr-15
27-Nov-14	SUNCORP	\$ 808,830.41	3.50%	2-Apr-15
27-Nov-14	BANK OF QLD	\$ 808,830.41	3.50%	29-Apr-15
4-Dec-14	BANK OF QLD	\$ 807,228.40	3.80%	4-Jun-15
23-Dec-14	QCCU	\$ 809,440.00	3.35%	23-Apr-15
23-Dec-14	QCCU	\$ 808,152.88	3.35%	27-May-15
7-Jan-15	WCU	\$ 810,775.87	3.40%	8-Apr-15
8-Jan-15	WCU	\$ 810,218.74	3.40%	18-Apr-15
15-Jan-15	QCCU	\$ 811,508.50	3.50%	16-Jul-15
21-Jan-15	BANKWEST	\$ 811,510.46	3.40%	30-Apr-15
29-Jan-15	BANKWEST	\$ 811,504.43	3.40%	30-Apr-15
6-Feb-15	WCU	\$ 812,168.14	3.25%	7-May-15
12-Feb-15	BENDIGO	\$ 813,873.90	3.10%	13-May-15
12-Feb-15	BANK OF QLD	\$ 813,887.90	3.15%	14-May-15
18-Feb-15	BANKWEST	\$ 808,781.87	3.05%	21-May-15
18-Feb-15	SUNCORP	\$ 808,858.71	3.05%	28-May-15
28-Feb-15	NAB	\$ 814,075.83	3.10%	28-May-15
4-Mar-15	NAB	\$ 814,300.88	3.10%	10-Jun-15
10-Mar-15	WCU	\$ 816,380.33	3.10%	11-Jun-15
11-Mar-15	BANKWEST	\$ 814,333.45	3.00%	28-May-15
12-Mar-15	QCCU	\$ 816,441.14	3.16%	12-Jun-15
18-Mar-15	NAB	\$ 816,281.80	3.02%	18-Jun-15
17-Feb-15	SUNCORP T	\$ 300,000.00	3.00%	18-May-15
TOTAL		<u>\$ 19,757,288.74</u>		
GRAND TOTAL			<u>\$ 22,078,735.81</u>	

### **FUNDS BREAKDOWN**

<b><u>FUND</u></b>	<b><u>PRINCIPAL</u></b>
GENERAL	\$ 21,778,735.81
RESERVE	\$ -
TRUST	\$ 300,000.00
GRAND TOTAL	<u>\$ 22,078,735.81</u>


### **INSTITUTION BREAKDOWN**

(30% MAXIMUM AT ANY ONE INSTITUTION)

<b><u>INSTITUTION</u></b>	<b><u>PRINCIPAL</u></b>
CBA	0%
BENDIGO	4%
WCU	18%
SUNCORP	12%
QCCU	18%
HERITAGE	0%
BANK OF QLD	11%
QTC	11%
NAB	11%
CITIBANK	0%
BANK WEST	15%
	100%
GRAND TOTAL	<u>\$ 22,078,735.81</u>

### 10.3 BCS - Quarterly Budget Review to 31 March 2015

#### Document Information

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Accountant	<b>File Ref:</b> 12.3

#### Recommendation

THAT Council adopt the 2014/2015 third quarter budget review amendments as per Attachment 1.

#### Report

A review of actual to budget results has been undertaken in order to identify potential budget adjustments arising out of events and activities for nine months of the financial year ending 31 March 2015. The impact of the operating result from this review is summarised in the following table:

<b>2014-15 Income Statement Budget</b>	<b>Current Budget (Annual)</b>	<b>Increase / (Decrease)</b>	<b>Proposed Amended Budget</b>
<b>Revenue from ordinary activities</b>			
Rates & utility charges	\$45.32 M	-	\$45.32 M
Fees and charges	\$4.31 M	(\$0.314) M	\$4.00 M
Interest	\$0.83 M	\$0.160 M	\$0.99 M
Contract and sales revenue	\$2.59 M	(\$0.117) M	\$2.47 M
Rent and other income	\$0.55 M	\$0.326 M	\$0.88 M
Government Grants and Subsidies	\$9.49 M	\$0.014 M	\$9.5 M
<b>Total operating revenue</b>	<b>\$63.09 M</b>	<b>\$0.069 M</b>	<b>\$63.15 M</b>
<b>Expenses from ordinary activities</b>			
Employee Costs	\$25.04 M	\$0.123 M	\$25.17 M
Materials and services	\$20.82 M	(\$0.184) M	\$20.64 M
Depreciation and amortisation	\$14.99 M	-	\$14.99 M
Finance costs	\$2.15 M	-	\$2.15 M
<b>Total operating expenses</b>	<b>\$63.01 M</b>	<b>(\$0.061) M</b>	<b>\$62.95 M</b>
<b>Capital amounts</b>			
Capital grants, contributions and donations	\$2.74 M	-	\$2.74 M
Other capital income and (expenses)	\$0.20 M	-	\$0.20 M
<b>Net result surplus (deficit)</b>	<b>\$3.01 M</b>	<b>\$0.13 M</b>	<b>\$3.14 M</b>

## **Budget Implications**

The budget net surplus will increase from \$3.01m to \$3.14m.

This increase is due to a net increase in the operating surplus of \$130k made up of a \$69k increase in revenue and a \$61k decrease in expenses.

The impact of these amendments on the balance sheet will be a \$130k increase in cash assets and retained surplus.

## **Policy Consideration**

Nil.

## **Community Engagement**

Nil.

## **Legislation/Local Law**

Local Government Act 2009 and Local Government Regulation 2012.

## **Options**

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

## **Attachments**

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

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

Quarter 3 revision: 9 months to 31 March 2015

	Current Budget (Amend) \$	Proposed Amended Budget \$	Increase / (Decrease) \$
<b>Revenue from ordinary activities</b>			
General Rates	27,232,058	27,232,058	-
Utility Rates and Charges	20,975,700	20,975,700	-
Less Discounts	(2,886,566)	(2,886,566)	-
	45,321,192	45,321,192	-
Fees and Charges	4,310,489	4,310,489	-
Interest	828,000	988,000	160,000
Contract & Sales Revenue	2,590,000	2,472,341	(117,659)
Rent and Other Income	553,067	564,958	11,871
Government Grants and Subsidies	9,486,067	9,502,983	14,896
<b>Total Operating Revenue</b>	63,894,855	63,189,962	(69,188)
<b>Expenses from ordinary activities</b>			
Employee Costs	25,045,115	25,168,165	123,050
Materials and Services	20,819,518	20,635,181	(184,337)
Depreciation and Amortisation	14,999,433	14,999,433	-
Finance Costs	2,148,896	2,148,896	-
<b>Total Operating Expenses</b>	63,012,961	62,951,674	(61,287)
<b>Operating Surplus/(Deficit) before capital items</b>	77,893	288,288	198,395
<b>Other Capital Amounts</b>			
Capital Grants, Contributions and Donations	2,736,806	2,736,806	-
Other capital income and (expenses)	200,000	200,000	-
<b>Net Result Surplus/(Deficit)</b>	3,014,699	3,148,694	138,395

# **Southern Downs Regional Council** **Revised 2014-15 Budget** **Balance Sheet**

Quarter 3 revision: 9 months to 31 March 2015

	Current Budget (Annual) \$	Proposed Amended Budget \$	Increase / (Decrease) \$
<b>Current Assets</b>			
Cash assets & Investments	4,100,191	4,230,586	130,395
Receivables (Includes Rates & Utilities receivable)	9,828,906	9,828,906	-
Assets held for sale	304,181	304,181	-
Inventories	245,732	245,732	-
	<u>14,479,010</u>	<u>14,609,405</u>	<u>130,395</u>
<b>Non-Current Assets</b>			
Trade & Other Receivables			
Investment Property	946,000	946,000	-
Property, plant and equipment	760,216,806	760,216,806	-
Other Financial Assets	468,107	468,107	-
Capital works in progress	6,979,689	6,979,689	-
Intangible Assets	855,220	855,220	-
	<u>769,465,822</u>	<u>769,465,822</u>	<u>-</u>
<b>TOTAL ASSETS</b>	<u>783,944,832</u>	<u>784,075,227</u>	<u>130,395</u>
<b>Current Liabilities</b>			
Creditors and other payables	4,863,866	4,863,866	-
Provisions	1,606,273	1,606,273	-
Interest bearing liabilities	2,222,149	2,222,149	-
	<u>8,692,288</u>	<u>8,692,288</u>	<u>-</u>
<b>Non-Current Liabilities</b>			
Interest bearing liabilities	27,697,990	27,697,990	-
Provisions	6,574,724	6,574,724	-
Other Payables	907,316	907,316	-
	<u>35,180,030</u>	<u>35,180,030</u>	<u>-</u>
<b>TOTAL LIABILITIES</b>	<u>43,872,320</u>	<u>43,872,320</u>	<u>-</u>
<b>NET COMMUNITY ASSETS</b>	<u>740,072,512</u>	<u>740,202,907</u>	<u>130,395</u>
<b>Community Equity</b>			
General Reserves	3,375,511	3,375,511	-
Asset Revaluation Reserve	201,677,996	201,677,996	-
Retained surplus	535,019,005	535,149,400	130,395
<b>TOTAL COMMUNITY EQUITY</b>	<u>740,072,512</u>	<u>740,202,907</u>	<u>130,395</u>



**QUARTERLY BUDGET REVIEW - March 2015****Business and Community Services - David Tuxford****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
<b>Total revenue:</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Expenses:</b>				
Contracts & Services	14,700	(11,000)	3,700	1
Employee Costs	217,800		217,800	
Internal Charges	(631,000)		(631,000)	
Materials	12,000	(7,000)	5,000	1
Plant Hire	21,760		21,760	
<b>Total expenses:</b>	<b>(364,740)</b>	<b>(18,000)</b>	<b>(382,740)</b>	
<b>Net Surplus (Deficit)</b>	<b>364,740</b>		<b>382,740</b>	
<b>Note:</b>				
1	Manager advised reduction in expenditure budget	(18,000)		

**QUARTERLY BUDGET REVIEW - March 2015****Community Facilities - Michael Bell****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Notes
<b>Revenue</b>	\$	\$	\$	
Fees and Charges	1,508,939		1,508,939	
Interest Received	185,000		185,000	
Leasing Income	178,800		178,800	
Sundry Revenue	135,682		135,682	
<b>Total revenue:</b>	<b>2,008,379</b>	<b>0</b>	<b>2,008,379</b>	
<b>Expenses</b>				
Asset Disposal (Profit) / Loss	(200,000)		(200,000)	
Contracts & Services	780,114	(93,500)	746,614	1
Depreciation	961,192		961,192	
Employee Costs	3,250,666		3,250,666	
Finance Costs	193,327		193,327	
Internal Charges	2,000,581	(6,380)	1,994,201	2
Materials	1,899,997	(257,196)	1,642,201	1 & 2
Other Expenses	109,700		109,700	
Plant Hire	920,679		920,679	
<b>Total expenses:</b>	<b>9,815,656</b>	<b>(297,076)</b>	<b>9,818,580</b>	
<b>Net Surplus (Deficit)</b>	<b>(7,987,284)</b>		<b>(7,610,210)</b>	

**Note:**

- 1 Manager advised reduction in expenditure budget (272,964)
- 2 Washpool Reserve Project & associated budget transferred to Corporate Services Department
 

- Internal Charges	(6,380)
- Materials	(17,712)
	<u>(24,092)</u>

**QUARTERLY BUDGET REVIEW - March 2015****Community Services - Sheila Stebbings****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Fees and Charges	12,050		12,050	
Operating Grants and Subsidies	301,137	14,896	316,033	1
Leasing Income	290,200		290,200	
<b>Total revenue:</b>	<b>603,387</b>	<b>14,896</b>	<b>618,283</b>	
<b>Expenses</b>				
Contracts & Services	50,460	(9,700)	40,760	2
Depreciation	113,226		113,226	
Employee Costs	1,096,776		1,096,776	
Finance Costs	38,010		38,010	
Internal Charges	1,509,990		1,509,990	
Materials	662,648	(45,750)	616,898	2
Other Expenses	640,682	(11,000)	629,682	2
Plant Hire	136,420		136,420	
<b>Total expenses:</b>	<b>4,248,213</b>	<b>(66,450)</b>	<b>4,181,763</b>	
<b>Net Surplus (Deficit)</b>	<b>(3,644,826)</b>		<b>(3,563,480)</b>	
<b>Note:</b>				
1. Manager advised reduction in revenue budget		(20,000)		
Addition of Best Start Grant from QLD State Library		34,896		
		<b>14,896</b>		
2. Manager advised reduction in expenditure budget		(66,450)		

## QUARTERLY BUDGET REVIEW - March 2015

## Corporate Services - Peter Gribbin

## OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Leading Income	53,000		53,000	
Recoverable Works	2,000		2,000	
<b>Total revenue:</b>	<b>55,000</b>	<b>0</b>	<b>55,000</b>	
<b>Expenses</b>				
Contracts & Services	195,000	(36,700)	158,300	1
Depreciation	16,297		16,297	
Employee Costs	1,177,952		1,177,952	
Finance Costs	60,205		60,205	
Internal Charges	1,072,010	6,380	1,078,390	
Materials	778,560	(4,768)	773,792	
Plant Hire	79,102		79,102	
<b>Total expenses:</b>	<b>3,879,126</b>	<b>(35,068)</b>	<b>3,844,058</b>	
<b>Net Surplus (Deficit)</b>	<b>(3,824,126)</b>		<b>(3,289,058)</b>	
<b>Note:</b>				
<b>1</b>	<b>Contracts &amp; Services:</b>			
	Manager advised reduction in expenditure budget	(36,700)		
<b>2</b>	<b>Internal Charges:</b>			
	Washpool Reserve Project transferred from Community Facilities	6,380		
<b>3</b>	<b>Materials:</b>			
	Manager advised reduction in expenditure budget	(22,000)		
	Transfer of funds to HR for training	(480)		
	Washpool Reserve Project transferred from Community Facilities	17,712		
		<b>(4,768)</b>		

**QUARTERLY BUDGET REVIEW - March 2015****Finance - James Owenstone****OPERATING BUDGET**

	Current Budget (Annual)	Increase/ (Decrease)	Proposed Amended Budget	Notes
<b>Revenue</b>	\$	\$	\$	
Capital Revenue	130,000		130,000	
Fees and Charges	207,000		207,000	
Operating Grants and Subsidies	5,109,000		5,109,000	
Interest Received	828,000	160,000	988,000	1
Rates & Utility Charges	25,603,892		25,603,892	
Recoverable Works	20,000		20,000	
Sundry Revenue	6,000		6,000	
<b>Total revenue:</b>	<b>31,903,892</b>	<b>160,000</b>	<b>32,063,892</b>	
<b>Expenditure</b>				
Contracts & Services	191,560	20,374	211,934	2
Employee Costs	8,061,381		8,061,381	
Finance Costs	356,900		356,900	
Internal Charges	(10,871,300)		(10,871,300)	
Materials	459,164	(9,374)	449,790	3
Plant Hire	67,560		67,560	
<b>Total expenditure:</b>	<b>(1,794,795)</b>	<b>11,000</b>	<b>(1,723,795)</b>	
<b>Net Surplus (Deficit)</b>	<b>33,638,627</b>		<b>33,787,627</b>	

**Notes:**

<b>1</b>	Adjustment reflects increased actual interest received	160,000
<b>2</b>	<b>Contracts &amp; Services:</b>	
	Transfer from materials to cover professional fees for valuation	20,000
	Transfer from materials for repair of timer switch on Emulsion Tank	374
		<u>20,374</u>
<b>3</b>	<b>Materials:</b>	
	Transfer to contracts and revenue	(20,374)
	Additional budget for cost of sale of premises to Main Roads	11,000
		<u>(9,374)</u>

**QUARTERLY BUDGET REVIEW - March 2015**  
**Information Technology - Cassie Martinez**

**OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Sundry Revenue	1,000		1,000	
<b>Total revenue:</b>	<b>1,000</b>	<b>0</b>	<b>1,000</b>	
<b>Expenses</b>				
Contracts & Services	187,350	(10,000)	177,350	1
Depreciation	607,341		607,341	
Employee Costs	678,988		678,988	
Internal Charges	(2,441,900)		(2,441,900)	
Materials	1,671,612	(316,000)	1,355,612	1
Plant Hire	21,136		21,136	
<b>Total expenses:</b>	<b>724,527</b>	<b>(326,000)</b>	<b>398,527</b>	
<b>Net Surplus (Deficit)</b>	<b>(724,527)</b>		<b>(397,527)</b>	

**Note:**

- 1 Manager advised reduction in expenditure budget

**QUARTERLY BUDGET REVIEW - March 2015****CEO Office - David Keenan****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Notes
<b>Revenue</b>	\$	\$	\$	
Sundry Revenue		11,871	11,871	1
<b>Total revenue:</b>	<b>0</b>	<b>11,871</b>	<b>11,871</b>	
<b>Expenses</b>				
Contracts & Services	20,800	13,040	33,840	2 & 3
Employee Costs	318,520		318,520	
Internal Charges	135,700		135,700	
Materials	43,708	(7,122)	36,586	2
Other Expenses	755,000	(15,550)	739,450	3
<b>Total expenses:</b>	<b>1,273,728</b>	<b>(9,632)</b>	<b>1,264,096</b>	
<b>Net Surplus (Deficit)</b>	<b>(1,273,728)</b>		<b>(1,252,225)</b>	

**Notes:**

1	Manager advised increase in sundry revenue estimate	11,871
2	Manager advised reduction in expenditure budget	(9,632)
3	Transfer to Professional Fees (Contracts & Services)	15,500
	Transfer from Conference Expenses (Other Expenses)	(15,500)
		<u>0</u>

## QUARTERLY BUDGET REVIEW - March 2015

## Human Resources and Organisational Development - Brook March

## OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Operating Grants and Subsidies	4,230		4,230	
<b>Total revenue:</b>	<u>4,230</u>	<u>0</u>	<u>4,230</u>	
<b>Expenses</b>				
Contracts & Services	99,460	(44,260)	55,200	1
Employee Costs	852,573	(48,630)	803,943	2
Internal Charges	(149,600)		(149,600)	
Materials	154,146	(8,740)	145,406	3
Plant Hire	11,518		11,518	
<b>Total expenses:</b>	<u>908,097</u>	<u>(101,630)</u>	<u>806,467</u>	
<b>Net Surplus (Deficit)</b>	<u>(99,867)</u>		<u>(302,237)</u>	
<b>Notes:</b>				
1	<b>Contracts &amp; Services</b>			
	Manager advised reduction in expenditure budget			
	(44,260)			
2	<b>Employee Costs</b>			
	Manager advised reduction in expenditure budget			
	(50,000)			
	Transfer of funds for training from Corp Services			
	480			
	Transfer of funds for training from Planning & Development			
	850			
	(48,630)			
3	<b>Materials</b>			
	Manager advised reduction in expenditure budget			
	(8,740)			



**QUARTERLY BUDGET REVIEW - March 2015**  
**Engineering Services Directorate - Peter See**

**OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Fees and Charges	12,500		12,500	
Operating Grants and Subsidies	275,700		275,700	
Sundry Revenue	4,000		4,000	
<b>Total revenue:</b>	<b>292,200</b>	<b>0</b>	<b>292,200</b>	
<b>Expenses</b>				
Contracts & Services	133,800		133,800	
Depreciation	16,614		16,614	
Employee Costs	335,300		335,300	
Internal Charges	(515,700)		(515,700)	
Materials	51,706		51,706	
Plant Hire	113,174		113,174	
<b>Total expenses:</b>	<b>134,894</b>	<b>0</b>	<b>134,894</b>	
<b>Net Surplus (Deficit)</b>	<b>157,306</b>		<b>157,306</b>	

**Note:** No amendments

**QUARTERLY BUDGET REVIEW - March 2015****Infrastructure Services - Peter See****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Capital Revenue	388,810		388,810	
Fees and Charges	7,000		7,000	
Operating Grants and Subsidies	134,000		134,000	
<b>Total revenue:</b>	<b>529,810</b>	<b>0</b>	<b>529,810</b>	
<b>Expenses</b>				
Contracts & Services	322,000	(15,000)	307,000	1
Depreciation	1,613,962		1,613,962	
Employee Costs	1,318,250		1,318,250	
Finance Costs	52,836		52,836	
Internal Charges	756,950		756,950	
Materials	2,964,900	(47,500)	2,917,400	1
Other Expenses	118,000		118,000	
Plant Hire	(8,591,790)		(8,591,790)	
<b>Total expenses:</b>	<b>(1,444,882)</b>	<b>(62,500)</b>	<b>(1,507,382)</b>	
<b>Net Surplus (Deficit)</b>	<b>1,974,702</b>		<b>2,037,202</b>	

**Note:**

1. Manager advised reduction in expenditure budget

**QUARTERLY BUDGET REVIEW - March 2015****Maintenance Operations - Chris Whittaker****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Fees and Charges	2,000		2,000	
Operating Grants and Subsidies	1,954,000		1,954,000	
Recoverable Works	2,080,000		2,080,000	
Sundry Revenue	45,000		45,000	
<b>Total revenue:</b>	<b>4,061,000</b>	<b>0</b>	<b>4,061,000</b>	
<b>Expenses</b>				
Contracts & Services	1,094,760	(220,000)	874,760	1
Depreciation	6,822,140		6,822,140	
Employee Costs	3,301,850	(99,049)	3,202,801	1
Finance Costs	393,566		393,566	
Internal Charges	2,946,390		2,946,390	
Materials	1,590,772	(51,000)	1,539,772	1
Plant Hire	3,201,082		3,201,082	
<b>Total expenses:</b>	<b>19,950,560</b>	<b>(970,049)</b>	<b>18,980,511</b>	
<b>Net Surplus (Deficit)</b>	<b>(15,269,560)</b>		<b>(14,899,511)</b>	

**Note:**

1. Manager advised reduction in expenditure budget

## QUARTERLY BUDGET REVIEW - March 2015

## Water and Wastewater - Tandedal Niagara

## OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
<b>Revenue</b>	\$	\$	\$	
Fees and Charges	249,000		249,000	
Rates & Utility Charges	16,447,600		16,447,600	
<b>Total revenue</b>	<b>15,596,600</b>	<b>0</b>	<b>15,596,600</b>	
<b>Expenses</b>				
Contracts & Services	515,708	(51,388)	584,320	1
Depreciation	4,668,484		4,668,484	
Employee Costs	2,028,400	45,000	2,074,400	2
Finance Costs	906,728		906,728	
Internal Charges	2,292,520		2,292,520	
Materials	2,355,084	3,000	2,358,084	3
Plant Hire	423,695	(35,000)	388,695	4
<b>Total expenses</b>	<b>18,490,549</b>	<b>(57,588)</b>	<b>18,423,181</b>	
<b>Net Surplus (Deficit)</b>	<b>3,206,051</b>		<b>3,273,419</b>	
<b>Notes:</b>				
1	<b>Contracts &amp; Services:</b>			
	Manager advised reduction in expenditure budget	(13,388)		
	Transfer for reservoir roof replacement at WWTP File Ref 12.05.03	(58,000)		
	Transfer to water metre reading wages budget	(10,000)		
		<b>(81,388)</b>		
2	<b>Employee Costs:</b>			
	Increase wages budget for water metre reading	45,000		
3	<b>Materials:</b>			
	Transfer to water metre reading wages budget	(1,000)		
	Manager advised reduction in expenditure budget	34,000		
	Transfer for reservoir roof replacement at WWTP File Ref 12.05.03	(30,000)		
		<b>3,000</b>		
4	<b>Plant Hire:</b>			
	Transfer to water metre reading wages budget	(35,000)		

## QUARTERLY BUDGET REVIEW - March 2015

## Works Construction - Eric Kraak

## OPERATING BUDGET

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
	\$	\$	\$	
<b>Revenue</b>				
Capital Revenue	2,067,996		2,067,996	
Recoverable Works	500,000	(129,659)	370,341	1
Operating Grants and Subsidies	1,710,000		1,710,000	
<b>Total revenue:</b>	<b>4,277,996</b>	<b>(129,659)</b>	<b>4,148,337</b>	
<b>Expenses</b>				
Contracts & Services	1,734,400	27,781	1,762,181	2
Employee Costs	27,700	224,729	252,429	3
Internal Charges	11,700	94,214	105,914	4
Materials	207,000	(148,669)	58,331	5
Plant Hire	87,620	32,160	119,780	6
<b>Total expenses:</b>	<b>2,068,420</b>	<b>230,215</b>	<b>2,298,635</b>	
<b>Net Surplus (Deficit)</b>	<b>2,209,576</b>		<b>1,849,702</b>	

## Note:

TMR contracts to the value of \$500k will not proceed.  
Stanhope Texas Rd clearing and signage works to the value of \$370,341 will be undertaken.

1	Net decrease TMR Contracts	(129,659)
2	Increase in contractors	27,781
3	Increase in Works Construction Management	99,000
	Increase staff costs	125,729
		224,729
4	Increase staff related oncosts	51,644
	Increase in staff related oncosts for Works Construction Management	42,570
		94,214
5	Decrease in materials	(148,669)
6	Increase in plant hire	32,160

**QUARTERLY BUDGET REVIEW - March 2015****Planning and Environment Directorate - Ken Harris****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Note
Revenue	\$	\$	\$	
<b>Total revenue:</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Expenses</b>				
Contracts & Services	700		700	
Employee Costs	225,272		225,272	
Internal Charges	(200,700)		(200,700)	
Materials	44,000	(20,000)	24,000	1
Plant Hire	4,000		4,000	
<b>Total expenses:</b>	<b>73,272</b>	<b>(20,000)</b>	<b>53,272</b>	
<b>Net Surplus (Deficit)</b>	<b>(73,272)</b>		<b>(53,272)</b>	

**Note:**

- 1 Manager advised reduction in expenditure budget

**QUARTERLY BUDGET REVIEW - March 2015****Environmental Services - Tim O'Brien****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Notes
<b>Revenue</b>	\$	\$	\$	
Fees and Charges	842,500		842,500	
Rates & Utility Charges	3,269,700		3,269,700	
Sundry Revenue	150,000		150,000	
<b>Total revenue:</b>	<b>4,262,200</b>	<b>0</b>	<b>4,262,200</b>	
<b>Expense</b>				
Contracts & Services	3,622,375	1,266,600	4,888,975	1
Depreciation	166,854		166,854	
Employee Costs	1,103,476		1,103,476	
Finance Costs	147,324		147,324	
Internal Charges	1,172,970		1,172,970	
Materials	612,568	(125,700)	486,868	2
Plant Hire	361,952		361,952	
<b>Total expenses:</b>	<b>7,187,519</b>	<b>1,140,900</b>	<b>8,328,419</b>	
<b>Net Surplus (Deficit)</b>	<b>(2,925,319)</b>		<b>(4,066,219)</b>	

**Notes:**

<b>1</b>	<b>Contracts &amp; Services:</b>	
	Transfer from materials for Wild Dog Bounty	6,000
	Transfer from materials to cover mulching costs	35,000
	Correction to budget. Original budget upload understated the cost of waste disposal contracts	1,225,600
		<b>1,266,600</b>
<b>2</b>	<b>Materials:</b>	
	Transfer to contracts and services	(41,000)
	Manager advised reduction in expenditure budget	(84,700)
		<b>(125,700)</b>

**QUARTERLY BUDGET REVIEW - March 2015****Planning and Development - Cedl Barnard****OPERATING BUDGET**

	Current Budget (Annual)	Increase / (Decrease)	Proposed Amended Budget	Notes
	\$	\$	\$	
<b>Revenue</b>				
Capital Revenue				
Fees and Charges	1,155,500		1,155,500	
Sundry Revenue	3,455		3,455	
<b>Total revenue:</b>	<b>1,158,955</b>	<b>0</b>	<b>1,158,955</b>	
<b>Expenses</b>				
Contracts & Services	229,700	39,800	269,500	1
Depreciation	13,373		13,373	
Employee Costs	1,050,209		1,050,209	
Internal Charges	1,438,830		1,438,830	
Materials	168,192	(101,890)	66,302	2
Other Expenses	499,500		499,500	
Plant Hire	135,442		135,442	
<b>Total expenses:</b>	<b>3,535,246</b>	<b>(62,090)</b>	<b>3,473,156</b>	
<b>Net Surplus (Deficit)</b>	<b>(2,376,291)</b>		<b>(2,314,201)</b>	


**Notes:**

<b>1</b>	<b>Contracts &amp; Services:</b>	
	Transfer from materials	39,800
<b>2</b>	<b>Materials:</b>	
	Budget reduction in subscription to use for staff training	(890)
	Transfer to Contracts and Services	(39,800)
	Manager advised reduction in expenditure budget	(61,200)
		<b>(62,090)</b>



## 10.4 BCS - SDRC Operational Plan Quarterly Review - January to March 2015

### Document Information

 Southern Downs REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Temporary Governance Officer	<b>File Ref:</b> 12.05; 13.34

### Recommendation

THAT Council receive and note the contents of the Southern Downs Regional Council's Operational Plan third Quarterly Review – January to March 2015 as per Section 174(3) Local Government Regulation 2012.

### Report

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

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

### Budget Implications

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

### Policy Consideration

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

### Community Engagement

Nil.

### Legislation/Local Law

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

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

### Options

Nil.

### Attachments

1. Operational Plan Quarterly Review - January to March 2015 [View](#)

## Office of the CEO

Office of the CEO						
4.1.1.1 Provide Overall guidance and direction on Council's operations						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
4.1.1.1 Provide Overall guidance and direction on Council's operations	CEO Office	Chief Executive Officer	In Progress	15%	30/09/2015	Governance model improved. Multiple briefing sessions conducted monthly. Improved electronic communication. Annual plans and reports prepared and submitted in a timely manner.
4.1.1.2 Support for Elected Members	Elected Members	Chief Executive Officer	In Progress	15%	30/09/2015	Matters discussed at briefings that are relevant to the ongoing operation of Council, core services to be discussed in the second quarter of 2014/2015. As well as calendar for budget deliberation.
8.8.1.1 Negotiate a new Enterprise Certified Agreement						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.8.1.1 Negotiate a new Enterprise Certified Agreement	Human Resources and Organisational Development	Manager Human Resources	In Progress	20%	30/09/2015	Continued engagement with LGMD towards EB negotiation strategy.
8.8.1.2 Provision of timely and accurate Council information to the community.	Communications & Public Relations	Manager Human Resources	In Progress	70%	30/09/2015	Continue to provide information to the community by way of media releases, weekly Council News page and Council Face book site. Raising profile of MYSDRC App.
8.8.2.1 Implement the recommendations of the external safety audit to ensure full compliance.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.8.2.1 Implement the recommendations of the external safety audit to ensure full compliance.	Human Resources and Organisational Development	Manager Human Resources	In Progress	10%	30/09/2015	Quarterly safety report (number of incidents and cost of lost time injuries) issued to the Senior Leadership Team. Inspector Recommendations report developed and issued to the Senior Leadership Team monthly. Work Health and Safety forms currently being reviewed to ensure consistency.
8.8.6.1 Provide proactive effective HR services to the organisation.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.8.6.1 Provide proactive effective HR services to the organisation.	Human Resources and Organisational Development	Manager Human Resources	In Progress	15%	30/09/2015	Wellness initiatives (18,000 Steps, Quit Smoking) introduced successfully with significant uptake of staff. Ongoing industrial relations advice provided across Council departments. Training and professional development opportunities made available to staff.

Business & Community Services						
1.6.1.1 Review the Community Development Policy and ensure it is up to date and relevant.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.6.1.1 Review the Community Development Policy	Community Development	Manager Community Services	In Progress	0%	30/08/2015	Project postponed indefinitely. No capacity from CPS to be the lead agency at this time.
1.8.1.1 Review the Art, Cultural and Heritage Policy						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.8.1.1 Complete the Public Art Policy	Arts & Culture	Manager Community Services	In Progress	50%	30/08/2015	Project changed. No longer a legal requirement to have separate public Art Policy. Will now incorporate when Art Cultural & Heritage Policy is reviewed.
1.8.1.2 Engage with Arts Queensland over new directions for RADF	Arts & Culture	Community Services Officer	Completed	100%	31/03/2015	Engagement with Arts Qld over RADF future completed.
1.8.1.3 Review the Art, Cultural and Heritage Policy	Arts & Culture	Manager Community Services	In Progress	50%	30/08/2015	Project changed. No longer a legal requirement to have separate public Art Policy. Will now incorporate when Art Cultural & Heritage Policy is reviewed.
1.8.1.4 Provide support for the Region's art galleries and develop opportunities for cultural activities.	Arts & Culture	Manager Community Services	In Progress	75%	30/08/2015	Continue to provide assistance and information as required.
1.8.1.5 Manage an effective RADF program for the region.	Arts & Culture	Community Services Officer	In Progress	80%	30/08/2015	Application for new RADF funding for 2015/16 to be lodged by 3 May 2016. Local program development underway.
1.8.1.6 Work with local community volunteers on delivering civic events in Stanthorpe for 2014/15	Arts & Culture	Manager Community Services	In Progress	75%	30/08/2015	Carols in Australia Day delivery completed. Planning well advanced for Blacktop Asiac Day.
1.7.2.1 Review the 2030 Community Plan						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.7.2.1 Review the 2030 Community Plan	Community Services	Manager Community Services	Not Progressing	25%	30/08/2016	Project delayed. Not progressing this financial year.
1.7.3.1 Provide opportunities and support for members of the community to become engaged in issues which affect the Region.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.7.3.1 Provide opportunities and support for members of the community to become engaged in issues which affect the Region.	Community Engagement	Manager Community Services	In Progress	75%	30/08/2015	Community Development Team has undertaken a range of strategies with local residents in the Southern Downs on a diverse range of topics.
1.7.3.2 Review the Community Engagement Policy	Community Engagement	Manager Community Services	Not Started	10%	30/08/2016	Scheduled for 2016.
1.7.3.3 Review and refine the Youth Mentoring program between Councilors and Young Leaders	Youth Services	Youth Development Officer	Completed	100%	31/03/2014	Finalised

1.1.3.2.1 Develop a model for future youth services following the changes in expectations and funding from the department.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.1.3.2.1 Develop a model for future youth services following the changes in expectations and funding from the department.	Youth Services	Youth Development Officer	Completed	100%	30/08/2015	Budget for 2016/2017 year has been completed including service delivery and Youth Development Officer position. All funding is from existing Youth Services and Community Development Budgets. Program will be finalised after final budget approval.
1.1.3.2.2 Provide opportunities and activities to enhance the well being of young people, people with a disability and our residents.	Community Services	Manager Community Services	In Progress	75%	30/08/2015	A number of actions delivered to meet this Action including Youth Action Plan, Sustainable Gardening Workshops, Grant Writing Workshops, practical support for local organisations and individuals.
1.1.3.2.3 Progress the decisions made on Council's long term involvement in Seniors Housing.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.1.3.2.3 Progress the decisions made on Council's long term involvement in Seniors Housing.	Pensioner Units	Manager Community Services	In Progress	50%	30/08/2015	Council is currently engaging with a number of parties regarding the future of Community Housing.
1.1.4.3.1 Introduce new Funding to Community Programs along with the associated education and information processes.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.1.4.3.1 Introduce new Funding to Community Programs along with the associated education and information processes.	Community Grants	Community Development Officer	In Progress	10%	30/08/2015	Council and the Multicultural Development Association partnered to offer a FREE grant writing workshop for community groups on August 21, with 18 representatives attending the workshop.
1.1.4.3.2 Renew and promote the Community Directory to be a valuable source of information.	Community Services	Training and Support Officer	In Progress	10%	30/08/2015	Completed 2 project plans and added actions to them. Started working through the actions. Currently integrating the data in the SCOD database.
1.1.4.3.3 Manage and maintain cemeteries across the region.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
1.1.4.3.3 Manage and maintain cemeteries across the region.	Cemeteries	Manager Community Facilities	In Progress	75%	30/08/2015	Cemeteries are being managed and maintained across the region. Council is currently reviewing cemetery operations after meeting with stakeholders.
1.1.4.3.2 Assess the viability of above ground vault construction.	Cemeteries	Manager Community Facilities	In Progress	100%	30/08/2015	Construction of Block A of Stage 2 of the Stanthorpe Outdoor Burial Wall was approved by Council on 17 December 2014. Tenders received and being evaluated.
2.2.8.1.1 Manage and maintain Council's parks and gardens, sporting fields and open space areas.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
2.2.8.1.1 Manage and maintain Council's parks and gardens, sporting fields and open space areas.	Parks, Gardens, sporting fields and open space	Manager Community Facilities	In Progress	75%	30/08/2015	Council's parks and gardens, sporting fields and open space areas are being managed and maintained.
2.2.8.1.2 Identify and develop opportunities for improved Recreation facilities within the region.	Parks, Gardens, sporting fields and open space	Manager Community Facilities	In Progress	75%	30/08/2015	Parks Rationalisation Committee looking at opportunities of decreasing overall maintenance rate and enhancing some of the remaining facilities. Rationalisation.
2.2.8.1.3 Manage and maintain Council's swimming pools including WAFAC.	Swimming Pools	Manager Community Facilities	In Progress	75%	30/08/2015	Council's seasonal swimming pools are being managed under a process and maintained by Council. Council is still involved in capital works and minor maintenance works of WAFAC as per contract arrangements.

ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
3.2.1.1 Engage with affected communities re: alternative library service delivery following the mobile library decision.	Libraries	Manager Community Services	In Progress	40%	30/09/2016	Continued discussion with affected communities regarding possibilities of service delivery.
3.2.1.2 Develop and deliver appropriate IT training for library staff and customers.	Libraries	Training and Support Officer	In Progress	75%	30/09/2016	All staff training update completed. Some community training delivery to occur before end of the financial year.
<b>Key Deliverables:</b> <i>Library Service Development - Mobile Library Decision</i>						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
3.3.1.1 Complete and begin implementation of the Library Strategic Plan.	Libraries	Principal Librarian	In Progress	80%	30/09/2016	Draft Library Strategic Plan prepared following consultation to be submitted to Council prior to 30 June 2016.
3.3.1.2 Operate a range of library services across the Region.	Libraries	Principal Librarian	In Progress	75%	30/09/2016	Library service currently successfully delivered through Warwick, Stratford-upon-Avon and mobile library.
3.3.1.3 Complete Collection Development Policy for the Libraries.	Libraries	Principal Librarian	In Progress	80%	30/09/2016	Draft prepared by Library staff for review by Manager Community Services.
<b>Key Deliverables:</b> <i>Library Service Development - Collections Development</i>						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
4.3.1.1 Overall direction of the Business and Community Services Directorate.	Director Business & Community Services	Director Business & Community Services	Ongoing	-	30/09/2015	Continuous support provided to the organisation as well as leadership and advice.
4.3.1.1 Implementation of recommendations from Council's Audit and Risk Management Committee.	Risk and Insurance	Manager Corporate Services	In Progress	80%	30/09/2016	Implementation of the AFMC recommended one continues throughout the year following completion of internal audit projects.
4.3.1.2 Implement a Local Government Legislation compliance service.	Risk and Insurance	Manager Corporate Services	Completed	100%	30/09/2016	Projected has been completed.
4.3.1.3 Maintain compliance with legislation and manage the corporate governance functions of Council.	Governance	Manager Corporate Services	In Progress	75%	30/09/2016	Compliance is monitored through the LGQA legislative compliance service.
<b>Key Deliverables:</b> <i>Council Governance Support - Compliance with Legislation</i>						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
4.13.2.1 Progress the parks rationalisation program.	Parks, Gardens, sporting fields and open spaces	Manager Community Facilities	In Progress	75%	30/09/2016	182 parks have been inspected by the Parks Rationalisation Committee. Council resolved that six parks be placed into a land register and that community consultation take place in relation to those parks.
<b>Key Deliverables:</b> <i>Park Review and Rationalisation - Land Register</i>						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
6.1.1.1 Review residential rate to different geographical areas within the region.	Financial Services	Manager Finance	In Progress	5%	30/09/2016	Initial review of current charges has commenced. Project put on hold due to review of residential general rate category deemed more important.

7.10.1.1 Manage and maintain aerodrome facilities at Warwick and Stanthorpe.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
7.10.1.1 Manage and maintain aerodrome facilities at Warwick and Stanthorpe.	Aerodromes	Manager Community Facilities	In Progress	76%	30/09/2016	Aerodrome facilities at Warwick and Stanthorpe are being managed and maintained. Augas facility installed and operational at the Warwick Aerodrome.
8.3.1.1 Manage Council's land portfolio to maximise opportunities for development, leasing and sale.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.3.1.1 Manage Council's land portfolio to maximise opportunities for development, leasing and sale.	Governance	Manager Corporate Services	In Progress	76%	30/09/2016	Details of potential parcels of land for sale to be presented to Council at briefing session on 7 April 2016.
8.3.1.1.1 Manage and maintain Council buildings and facilities.	CMC Facilities	Manager Community Facilities	In Progress	75%	30/09/2016	Council buildings and facilities are being managed and maintained. The Asset Management Plan for Buildings was adopted in principle by Council on 20 November 2014.
8.3.1.1.2 Manage and maintain Warwick Saleyards.	Saleyards	Manager Community Facilities	In Progress	76%	30/09/2016	Warwick Saleyards are being managed and maintained. Safety improvements are underway as identified in the Warwick Saleyards Master Plan e.g. covered saleyards rolling ring and public walkways over rolling pens.
8.3.3.1 Review and update the 10 year Financial Plan.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.3.3.1 Review and update the 10 year Financial Plan.	Financial Services	Manager Finance	In Progress	6%	30/09/2016	Budget process begun which will feed into the 10 year financial plan.
8.3.3.2 Annual review of Debt Policy, Procurement Policy, Revenue Policy and Investment Policy.	Financial Services	Manager Finance	In Progress	26%	30/09/2016	Investment Policy has been reviewed and adopted at the 26 February 2016 Council meeting. The balance of policies will be reviewed and submitted to Council with the draft Budget in June 2016.
8.3.3.3 Review of Council's internal oncost charges.	Financial Services	Manager Finance	In Progress	60%	30/09/2016	Once the budget process is complete the on costs will be allocated.
8.8.1.2 Operate the Community Contact Centre and expand Council's Community Contact presence in rural regions.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.8.1.2 Operate the Community Contact Centre and expand Council's Community Contact presence in rural regions.	Community Contact Centre	Manager Corporate Services	In Progress	75%	30/09/2016	The CCC's resolution rate was 87% for the March 2016 quarter. The expansion of customer service to rural areas will be dependent on the future of Council's mobile library service.

Appendix 10.4 - SDRC Operational Plan Quarterly Review - January to March 2015						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.6.1 IT Case Council realignment.	Information Technology	Manager Information Services	In Progress	50%	30/08/2016	HRP Agrol underway with myDetails and my Leave the next modules to go live. Property & Rating Complete. Fleet, Eproperty and Enact are completed.
8.6.6.2 Archive Stanthorpe's Town Planning Files.	Records Management	Records Management Project Officer	In Progress	10%	30/08/2016	A fresh quote has been obtained from the scanning service provider. The remaining applications that were stored in the Stanthorpe Storage Shed have been transferred to Mill Street so all of the Town Planning Files for Stanthorpe Shire Council are now in the one location ready for scanning. These should be sent to scanning service provider in April. Content is being uploaded.
8.6.6.3 SDRC Website.	Information Technology	Manager Information Services	In Progress	90%	30/08/2016	Content is being uploaded.
8.6.6.4 Archive Stanthorpe's Building Files.	Records Management	Records Management Project Officer	In Progress	20%	30/08/2016	A fresh quote has been obtained from the scanning service provider. The remaining applications that were stored in the Stanthorpe Storage Shed have been transferred to the Records Management office for prepping for the courier to collect. Due to staff changes this project will now be completed by PA to DP&E.
8.6.6.5 SDRC Intranet.	Information Technology	Manager Information Services	In Progress	58%	20/12/2014	Ready for final testing by staff
8.6.6.6 Upgrade and improve ECM.	Information Technology	Manager Information Services	Not Started	1%	30/08/2016	Project has been deferred to next financial year
8.6.6.7 Implement a cemetery system.	Information Technology	Manager Information Services	In Progress	30%	30/08/2016	TechOne One have been contacted to assist in the implementation. Internal Meeting arranged for late January 2016 to keep the implementation going and allocate tasks and target dates. TechOne consultant engaged to start building the system.
8.6.6.8 Implement Corporate Performance Management Systems.	Information Technology	Manager Information Services	Completed	100%	30/08/2016	Completed.
Appendix 10.5 - SDRC Operational Plan Quarterly Review - January to March 2015						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.7.1 Implement Contracts Administration.	Governance	Manager Corporate Services	In Progress	75%	30/08/2016	Council's Contract's Administrator is implementing procedures and processes in relation to procurement planning, contract formation and contract management.
Appendix 10.6 - SDRC Operational Plan Quarterly Review - January to March 2015						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.8.1 Implement a video solution between Stanthorpe and Warwick offices.	Information Technology	Senior Infrastructure Officer	In Progress	60%	31/07/2014	Product was implemented, and is now being relocated due to the temporary placement of Planning staff in the "Red table" room.
Appendix 10.7 - SDRC Operational Plan Quarterly Review - January to March 2015						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.10.1 Implement Wi-Fi in council administration building.	Information Technology	Senior Infrastructure Officer	In Progress	50%	1/1/2014	Initial access points have been installed, and software policies are being tuned to ensure that the Wi-Fi is used appropriately

Appendix 10.4.1 - BCS - SDRC Operational Plan Quarterly Review - January to March 2015						
ACTION	SERVICE PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
8.6.11.1 Replace existing wireless network links.	Information Technology	Senior Infrastructure Officer	In Progress	40%	20122514	Due to High costs of initial proposals, these links were scoldered and new proposals sought. Proposals have been re/used and should be signed early April. A proposal for the Stanthorpe links was received by the local fibre supplier, and we are currently waiting on his legal advice to finalise the terms of the contract.



WATER SUPPLY AND WASTE WATER SERVICES - WATER SUPPLY AND WASTE WATER SERVICES						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
B.11.1.1 Provide rating and revenue services to Council.	Rating and Revenue	Acting Revenue Accountant	In Progress	75%	30/09/2015	First half yearly water consumption rates issued in October with 85% collected. Supplementary rates issued in December with a extra week given to allow for the Christmas period and a further supplementary rate issue in March due 3 April. Second half yearly water consumption rates in progress with an estimated issue date 14 April. Current rates outstanding are approximately \$2.4m or 6.3% of the rates issued.
B.11.1.2 Review of rating categories and classifications.	Rating and Revenue	Acting Revenue Accountant	In Progress	75%	30/09/2015	Rating Consultation Group meetings are held on a monthly basis to continue discussions on rating categories.
WATER SUPPLY AND WASTE WATER SERVICES - RISK AND INSURANCE						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
B.11.3.1 Manage the insurance and risk functions of Council.	Risk and Insurance	Manager Corporate Services	In Progress	75%	30/09/2015	Council's risk functions are regularly reviewed, currently with a particular emphasis on insurance liability mitigation, including making stakeholders aware of their responsibilities in this area.
Develop Council's Business Continuity Plan	Risk and Insurance	Manager Corporate Services	In Progress	75%	30/09/2015	The draft business continuity framework and sub-plans were presented to the December 2014 meeting of the AFMC. Updated draft documents were presented at the March 2015 AFMC meeting.
WATER SUPPLY AND WASTE WATER SERVICES - INFORMATION TECHNOLOGY						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
B.11.4.1 Security Cameras for Stanhope Waste Facility Management	Information Technology	Senior Infrastructure Officer	Completed	100%	1/09/2015	Additional Cameras installed on a next generation network and DVR, allowing for future expansion of digital cameras.
B.11.4.2 Security Cameras for Waste Water Facility	Information Technology	Senior Infrastructure Officer	Not Progressing	0%	N/A	Project will not occur this year.
WATER SUPPLY AND WASTE WATER SERVICES - COMMUNITY RECOVERY SERVICES						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENT
B.16.1.1 Provide disaster recovery services to residents in the event of a disaster.	Community Recovery	Manager Community Services	In Progress	75%	30/09/2015	No actual disaster events requiring recovery action. Get ready project in support of vulnerable community members to copy personal documents to USB for disaster preparedness. Evacual on Sub Plan completed.
B.16.1.2 Complete MOU's with the Salvation Army and Operating Red Cross for future recovery needs.	Community Recovery	Community Development Officer	In Progress	100%	30/09/2015	Memorandum of understanding completed. Signed by both parties. Local Disaster Management Group informed.

## Engineering Services

1.4.1.1 Review & adopt customer service standards for Water and Wastewater						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
1.4.1.1 Review & adopt customer service standards for Water and Wastewater.	Water re/collection	Manager Water and Wastewater	In Progress	100%	30/09/2015	Draft completed On line consultation with customers completed Final report adopted by Council on 17 December 2014 Final report submitted to regulator by 8 Jan 2015.
2.14.1.1 Develop and Implement sub plans for evacuation centres and the local emergency coordination centre.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
2.14.1.1 Develop and Implement sub plans for evacuation centres and the local emergency coordination centre.	Disaster Management	Disaster Management Coordinator	In Progress	60%	30/11/2015	Some MOCs have been signed off. The Evacuation sub plan is near complete and will be put up to the LDMG in May 2015. The LECC sub plan is 60 % complete.
2.18.1.1 Develop a Priority Cycle Network Plan in association with TfMR.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
2.18.1.1 Develop a Priority Cycle Network Plan in association with TfMR.	Infrastructure Services	Manager Infrastructure Services	In Progress	60%	30/09/2015	Yanetick plan adopted by Council. Further work delayed by resignation of Manager Infrastructure Services.
2.25.2.1 Develop a report to provide full costings for supply of effluent to Morgan Park.						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
2.25.2.1 Develop a report to provide full costings for supply of effluent to Morgan Park.	Wastewater collection and treatment	Manager Water and Wastewater	In Progress	40%	30/09/2015	This has been assigned to Principal Engineer Water and Wastewater to action by April 2015.
4.3.1.1 Develop a Fire Trail Management Plan						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	Progress Comment
4.3.1.1 Develop a Fire Trail Management Plan	Disaster Management	Disaster Management Coordinator	Not Started	30%	30/09/2015	Fire trail mapping of existing tracks has occurred. New tracks in the Breckside area are nearing completion.

<b>4.10.1 Action</b> <i>4.10.1.1 Survey and design of the extension of the Stanthorpe Industrial Estate at Rowley Court (stage 1).</i>						
<b>ACTION</b>	<b>SERVICES/PROGRAMS</b>	<b>RESPONSIBILITY</b>	<b>STATUS</b>	<b>%</b>	<b>COMP DATE</b>	<b>PROGRESS COMMENTS</b>
4.10.1.1 Survey and design of the extension of the Stanthorpe Industrial Estate at Rowley Court (stage 1).	Infrastructure Services	Manager Infrastructure Services	In Progress	85%	30/09/2016	Engineering design is complete. Design done by consultant. Further works underway on capacity of existing water and sewerage mains. Application sent for Ergon connect on. Real property survey work underway. Construction being planned.
<b>4.10.2 Action</b> <i>4.10.2.1 Investigate and report to Council on the possible development of additional Council queries.</i>						
<b>ACTION</b>	<b>SERVICES/PROGRAMS</b>	<b>RESPONSIBILITY</b>	<b>STATUS</b>	<b>%</b>	<b>COMP DATE</b>	<b>PROGRESS COMMENTS</b>
4.10.2.1 Investigate and report to Council on the possible development of additional Council queries.	Council Road Networks	Manager Works Maintenance	In Progress	65%	30/09/2016	The Council meeting was Item 11.1.1 of the General meeting of Council held on 26 March 2015.
<b>6.2.1 Action</b> <i>6.2.1.1 Deliver the 2014/16 Water and Waste Water Capital Works Program</i>						
<b>ACTION</b>	<b>SERVICES/PROGRAMS</b>	<b>RESPONSIBILITY</b>	<b>STATUS</b>	<b>%</b>	<b>COMP DATE</b>	<b>PROGRESS COMMENTS</b>
6.2.1.1 Deliver the 2014/16 Water and Waste Water Capital Works Program	Water reticulation	Manager Water and Wastewater	In Progress	65%	30/09/2016	Allow Water main - practical completion Warwick Reservoir Roof - Connecting stage Golf Links Water main - Pipe and fittings procured; Construction to commence 10 January 2016 Stanthorpe WTP 2nd reservoir - Kick off meeting completed; Construction commencing 27 Jan 2016 4 minor projects completed.
6.2.1.2 Develop and/or review and update existing key documentation (plans, processes, procedures, practices, manuals) to support the management and maintenance of a reliable water supply and wastewater services e.g. Drinking Water Quality Management Operational Procedure.	Water reticulation	Manager Water and Wastewater	In Progress	80%	30/09/2016	Completed - Recycled Water Procedures - WTP (Murray) at practical completion - Small Town Reservoir Levels - Water Meter Reading Procedure In progress: - Trade Waste Management Plan - Backflow Prevention Policy & Plan - Emergency Action Plan (new water supply)
<b>7.1.3 Action</b> <i>7.1.3.1 Deliver the 2014/16 Works Construction Capital Works Program.</i>						
<b>ACTION</b>	<b>SERVICES/PROGRAMS</b>	<b>RESPONSIBILITY</b>	<b>STATUS</b>	<b>%</b>	<b>COMP DATE</b>	<b>PROGRESS COMMENTS</b>
7.1.3.1 Deliver the 2014/16 Works Construction Capital Works Program.	Works Construction	Manager Works Construction	In Progress	70%	30/09/2016	Delivery of the Works Construction Capital program is progressing. Difficulties are being experienced in negotiating easements for the Anemone St project and this may require this project to be pushed back to next financial year with other projects brought forward to this year. A final recommendation will be put to Council early in 2016 when further progress with negotiations is known.
<b>7.1.5 Action</b> <i>7.1.5.1 Develop an economically sustainable timber bridge replacement program.</i>						
<b>ACTION</b>	<b>SERVICES/PROGRAMS</b>	<b>RESPONSIBILITY</b>	<b>STATUS</b>	<b>%</b>	<b>COMP DATE</b>	<b>PROGRESS COMMENTS</b>
7.1.5.1 Develop an economically sustainable timber bridge replacement program.	Council Road Networks	Manager Works Maintenance	In Progress	82%	30/09/2016	A draft timber bridge replacement program is with the Manager Works Maintenance for review. Council was successful in obtaining funding in 2016/17 for the following structures: Sandy Creek Allen, Mullins Bridge Waymina, Bellinghams Bridge Elbow Valley, and Tummersville Bridge Layburn. The concrete abutment on Mullins Road Bridge at Telgel is under construction and near completion. The tenders for Beal Forest Springs is under evaluation. Upper Forest Spring Road Bridge deck will be rehabilitated with bridge ply in April 2016. Koolara Road bridge is planned to be rehabilitated in May/June 2016. Boes Road bridge is currently under monthly inspection regime.
<b>7.1.8 Action</b> <i>7.1.8.1 Develop a 6 year Capital Works Program for Roads and Associated Infrastructure.</i>						
<b>ACTION</b>	<b>SERVICES/PROGRAMS</b>	<b>RESPONSIBILITY</b>	<b>STATUS</b>	<b>%</b>	<b>COMP DATE</b>	<b>PROGRESS COMMENTS</b>
7.1.8.1 Develop a 6 year Capital Works Program for Roads and Associated Infrastructure.	Works Construction	Works Planning Engineer	In Progress	80%	30/09/2016	Progress on this item has been slower than expected. Road condition data has become available early 2016. This data will have to be analysed to develop replacement/rehabilitation program in conjunction with upgrade requirements.

7.11.1.1 Complete remaining NCRFA Restoration Works associated with the January 2013 Flooding Event.						
ACROW	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
7.11.1.1 Complete remaining NCRFA Restoration Works associated with the January 2013 Flooding Event.	NCRFA Works Program	Manager Works Construction	In Progress	80%	30/03/2016	Since the January 2013 Flooding Event the majority of the flood damage restoration works have been completed claimed and acquitted. (\$11.8 million) Final top up Batch submission has been approved by the CRA in late November 2014 (estimated \$1.4 million). Tenders were called and a Contract was awarded to Probuild CM for the final construction contract in December 2014. Contract works are well commence in January 2016 with a planned practical completion of the contract on 8 April 2016. Final NCRFA acquittal documentation will have to be prepared and submitted to the CRA before 30 June 2016.
8.3.2.1 Proposal of a report regarding plant strategies for consideration by Council.						
ACROW	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.3.2.1 Proposal of a report regarding plant strategies for consideration by Council.	Fleet and Plant Management	Manager Infrastructure Services	In Progress	60%	30/06/2016	Work has been carried out by Council's Internal Auditors. The report will be submitted to the next Internal Audit Committee meeting.
8.6.6.1 Develop a plan and costings for adoption by Council for depot/workshop operations						
ACROW	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.6.6.1 Develop a plan and costings for adoption by Council for depot/workshop operations	Depot Services	Manager Infrastructure Services	In Progress	0%	30/06/2016	Work delayed by resignation of Manager Infrastructure Services. Terms of reference to employ a consultant derived. No further progress.
8.7.1.1 Develop and adopt best practice asset Management Plans for Water, Wastewater, Buildings, Roads, Waste Management Facilities, Storm water.						
ACROW	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.7.1.1 Develop and adopt best practice asset Management Plans for Water, Wastewater, Buildings, Roads, Waste Management Facilities, Storm water.	Infrastructure Services	Manager Infrastructure Services	In Progress	60%	30/06/2016	Asset management plans for Water, wastewater and buildings adopted by Council.

Planning & Environment						
1.14.1 Planning and Environment Directorate						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
1.14.1.1 Overall Direction of the Planning and Environment Directorate.	Director Planning and Environment	Director Planning and Environment	In Progress	75%	30/09/2015	A change of State Government has set back completion of the Planning Scheme Amendments, however all other projects are continuing as per projects plans.
1.14.1.2 Ensure Planning and Environment Capital Works are constructed and completed generally in accordance with the Budget and Operational Plan.	Director Planning and Environment	Director Planning and Environment	In Progress	85%	30/09/2015	Tenders have been called for the first stage of the Northern Granite Belt WWTs with construction planned to start in the next 4 to 8 weeks. Minor works at Warwick and Stanthorpe waste facilities are complete or underway. Construction is underway for new buildings at the Stanthorpe Pound. Minor works at Warwick and Stanthorpe waste facilities are complete or underway.
4.3.1 Planning and Environment Directorate						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
4.3.1.1 Provide strategic direction for appropriate use of agricultural land.	Strategic Planning	Principal Town Planner	In Progress	75%	30/09/2015	Major activity associated with the planning scheme review.
4.5.1 Local Laws Directorate						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
4.5.1.1 Upgrading building and associated facilities at the Stanthorpe Pound to improve customer service and operations related to animal control and pest management.	Local Laws	Local Laws Coordinator	In Progress	75%	30/09/2015	Construction of Pound is underway.

4.10.1.1 Identify potential areas for additional industrial land in cities and towns including for special industries.						
ACTION	SERVICE/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
4.10.1.1 Identify potential areas for additional industrial land in cities and towns including for special industries.	Strategic Planning	Manager Planning and Development	In Progress	75%	30/09/2015	We have allocated land in Stanthorpe, and are in discussion with Dept Engineering for their depot land in Allora.
4.10.1.2 Undertake the construction of the next sub-stage of the Stanthorpe Industrial Estate.	Economic Development	Manager Planning and Development	In Progress	75%	30/09/2015	Lot 373 of this development is under construction. Significant progress is being made.
4.10.1.3 Redesign the approved subdivision of the Stanthorpe Industrial Estate and allow for the further expansion of the estate.	Planning Services	Manager Planning and Development	Completed	100%	31/12/2014	A redesign of the BEC was approved by delegated authority.
4.18.4.2 Review the Southern Downs Planning Scheme and adopt amendments.	Strategic Planning	Manager Planning and Development	In Progress	75%	30/09/2015	Principle Town Planner has presented a number of the proposed changes to the planning scheme to briefing sessions and work is continuing on this project.
4.18.4.3 Develop a business strategy to assist local businesses and industry in providing services to Council.	Economic Development	Manager Planning and Development	In Progress	75%	31/12/2014	Ongoing - workshops will be held in Warwick and Stanthorpe in conjunction with the Chambers of Commerce before 30 June 2015
4.18.4.4 Have new flood mapping incorporated into Planning Scheme as a Temporary Local Planning Instrument.	Strategic Planning	Principal Town Planner	Completed	100%	28/09/2014	Completed - flood mapping incorporated into the planning scheme as Temporary Local Planning Instrument
6.3.1.1 Review Council's role in tourism.						
ACTION	SERVICE/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.3.1.1 Review Council's role in tourism.	Economic Development	Manager Planning and Development	In Progress	75%	30/09/2015	Council is now implementing the recommendations to be finalised at the end of this FY.
6.3.1.2 Seek Council's endorsement of Recommendations from Tourism the Tourism Advisory Group and action Council decisions or recommendations.		Manager Planning and Development	Completed	100%	30/09/2015	Council has endorsed the recommendations of TTG.
6.4.1.1 Complete first 50% of the Northern Granite Belt Waste Transfer Station once the Suezit site has been subject to a public consultation with the direct neighbours.						
ACTION	SERVICE/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.4.1.1 Complete first 50% of the Northern Granite Belt Waste Transfer Station once the Suezit site has been subject to a public consultation with the direct neighbours.	Waste collection and disposal	Senior Environmental Health Officer	In Progress	50%	30/09/2015	Contract for bulk earthworks currently being assessed, tender for the works to be awarded shortly.
6.4.1.2 Implement and review the Waste Management Plan for 2014/15 including Capital Works.	Waste collection and disposal	Manager Environmental Services	In Progress	75%	30/09/2015	Tasks have been allocated to staff in the Department and recycling and composting public education has occurred. Composting public education has been completed and schools visited by Envirocom.
6.8.2.1 Continue to promote, educate and implement awareness and best practice waste collection, recycling, environmental health and environmental protection strategies.						
ACTION	SERVICE/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
6.8.2.1 Continue to promote, educate and implement awareness and best practice waste collection, recycling, environmental health and environmental protection strategies.	Waste collection and disposal	Senior Environmental Officer	In Progress	75%	30/09/2015	Staff are continuing to undertake awareness during inspections and discussions. Promotion of waste minimisation and recycling is done through signage at waste facilities, advertising and public meetings.
6.8.2.2 Carry out inspections of Environmentally Relevant Activities and respond to pollution activities.	Environmental Health Services	Senior Environmental Officer	In Progress	60%	30/09/2015	75% of ERA premises have been inspected and all pollution incidents have been investigated.


7.10.1.1.1		7.10.1.1.1.1				
ACTION		SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE
7.10.1.1.1.1.1 Assist in the future development of the aerodromes and ensuring suitable opportunities for a range of different types and sizes of uses and activities.		Economic Development	Manager Planning and Development	In Progress	75%	30/09/2015
7.10.1.1.1.1.1.1		7.10.1.1.1.1.1.1.1				
ACTION		SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE
7.10.1.1.1.1.1.1.1 Review Infrastructure Charges		Planning Services	Manager Planning and Development	In Progress	75%	30/09/2015

8.3.8.1 Finalise and Implement amendments to Animal Control Local Law						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.3.8.1 Finalise and Implement amendments to Animal Control Local Law	Local Laws	Local Laws Coordinator	In Progress	100%	30/09/2015	Completed
8.3.8.1 Finalise and Implement changes to Temporary Homes Local Law						
8.3.8.1 Finalise and Implement changes to Temporary Homes Local Law	Built Environment	Manager Planning and Development	In Progress	50%	30/09/2015	Following legal advice, Council is reconsidering the need and practical use of this LL.
8.6.12.1 Review and update the Local Heritage Register						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.6.12.1 Review and update the Local Heritage Register	Strategic Planning	Principal Town Planner	Completed	100%	24/09/2014	Amended Local Heritage Register has been adopted by Council.
8.6.13.1 Process all applications in accordance with the relevant legislation and timeframes						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.6.13.1 Process all applications in accordance with the relevant legislation and timeframes	Planning Services	Manager Planning and Development	In Progress	100%	30/09/2015	We currently process all DA applications within the statutory timeframes.
8.6.13.2 Undertake a review of new Act and Regulation when it commences including changes to the CPP and the Regional Plan to ensure that the Planning Scheme does not conflict with this legislation and related documents.	Planning Services	Manager Planning and Development	Delayed	0%	30/09/2015	The new State Govt has not made an indication if they are keeping or revising proposed Act.
8.6.13.3 Review Development Assessment procedures to accord with proposed new Planning Act.	Planning Services	Manager Planning and Development	In Progress	75%	30/09/2015	SDRC submitted comments to the State on the new rules. The State process is still underway, and we await further feedback from them second quarter 2015.
8.6.13.4 Continue to provide Interest group forums including general Development Assessment, Tourism, Economic Development, and Agribusiness.	Planning Services	Manager Planning and Development	In Progress	75%	30/09/2015	Four forums will be held during 2016, including all economic sectors in each forum.
8.6.13.5 Review and amend Council's Development Assessment Fact Sheets.	Planning Services	Manager Planning and Development	Completed	100%	30/09/2015	Completed, however all Fact Sheets will have to be revisited due to the changes in the planning legislation, and this can only commence once the new Act is in place.
8.11.2.1 Review pest management services in accordance with legislative requirements, community expectations and to ensure protection of the environment, and construct related						
ACTION	SERVICES/PROGRAMS	RESPONSIBILITY	STATUS	%	COMP DATE	PROGRESS COMMENTS
8.11.2.1 Review pest management services in accordance with legislative requirements, community expectations and to ensure protection of the environment, and construct related	Rural Lands Program	Local Laws Coordinator	In Progress	75%	30/09/2015	Pest Management services are reviewed constantly. Capital works on the wild dog check fence happens in April - May each year after the storm season.



## 10.5 BCS - Executive Performance Report - March 2015

### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Acting Manager Corporate Services	<b>File Ref:</b> 06.01; 06.03.01

### Recommendation

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

### Report

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

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

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

### Budget Implications

Nil.

### Policy Consideration

#### Operational Plan 2014/15

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

### Community Engagement

Nil.

### Legislation/Local Law

Nil.

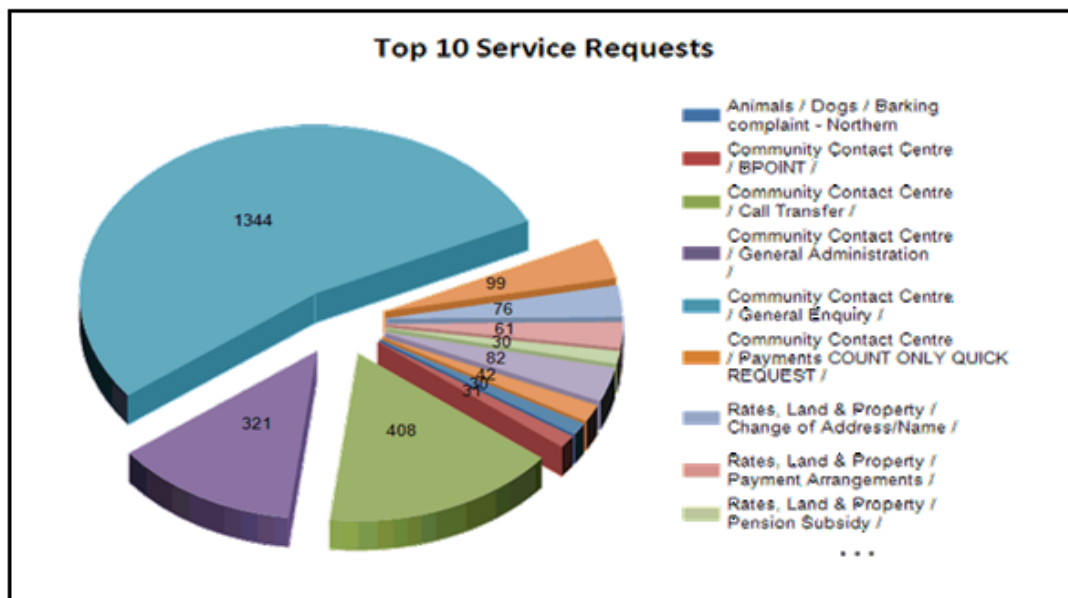
### Options

Nil.

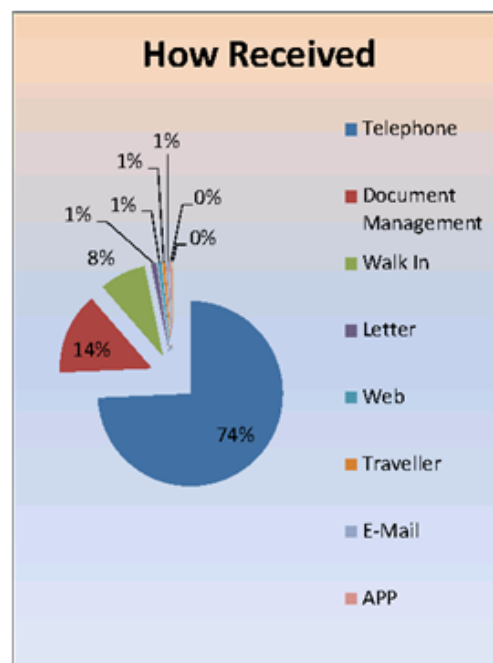
### Attachments

1. Executive Performance Statistics - March 2015 [View](#)

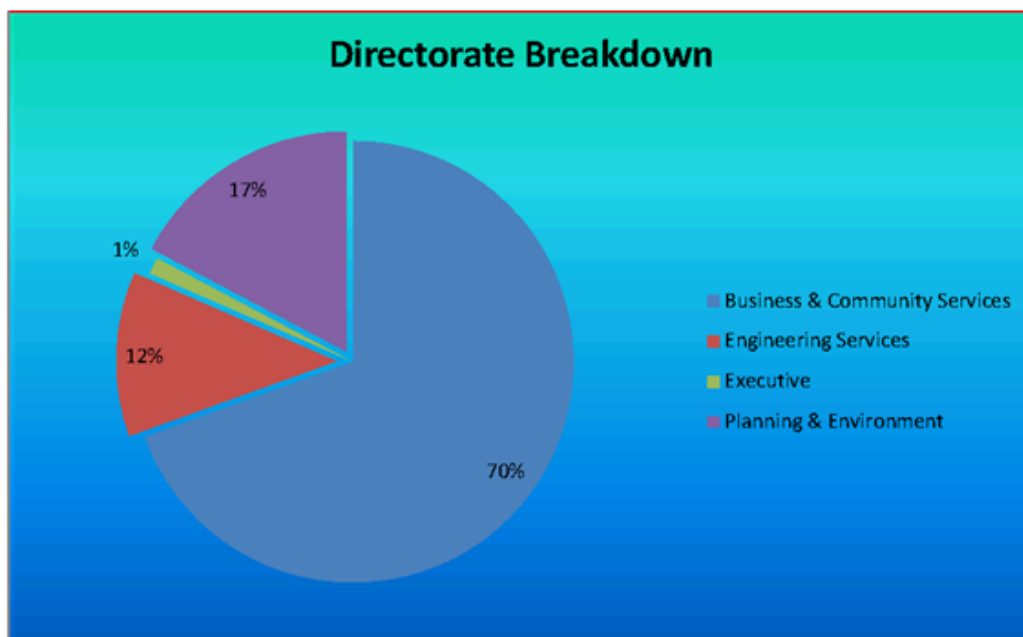
**Top 10 Merit Customer Requests – March 2015**



How Received	Count
<b>Telephone</b>	2,481
<b>Document Management</b>	479
<b>Walk In</b>	272
<b>Web</b>	21
<b>Internal</b>	6
<b>Traveller</b>	18
<b>APP</b>	14
<b>E-Mail</b>	16
<b>Total</b>	3,340



Directorate	Total	Open	Closed	Executed
<b>Business &amp; Community Services</b>				
Community Facility Services	186	56	130	3
Community Services	18	10	8	0
Corporate Services	2,126	15	2,111	0
Finance	344	43	301	0
Information Services	143	2	141	0
<b>Total</b>	<b>2,817</b>	<b>126</b>	<b>2,691</b>	<b>3</b>
<b>Engineering Services</b>				
Engineering Services	48	18	30	4
Infrastructure Services	196	15	181	11
Water and Waste Water	5	2	3	1
Works	239	48	191	1
<b>Total</b>	<b>488</b>	<b>83</b>	<b>405</b>	<b>17</b>
<b>Executive</b>				
Executive	46	14	32	6
Human Resources and Organisational Development	3	0	3	0
<b>Total</b>	<b>49</b>	<b>14</b>	<b>35</b>	<b>6</b>
<b>Planning and Environment</b>				
Environmental Services	165	31	134	0
Local Laws Dept	308	126	182	4
Planning and Development	224	45	179	1
Planning and Environment	3	0	3	0
<b>Total</b>	<b>700</b>	<b>202</b>	<b>498</b>	<b>5</b>
<b>SDRC Total</b>	<b>4,054</b>	<b>425</b>	<b>3,629</b>	<b>31</b>



### Escalation Status Report March 2015

Request ID	Details	Explanation	Status at 1/4/15
73070	Request use of Council park	Escalation to be investigated	Open
74131	Request relocation of repeater	Under investigation	Open
74314	Request renewal of community service provider agreement with Dept of Justice & Attorney General	Awaiting advice from HR	Open
73637	Request info on location of water services		Finalised
74248	Request change of water hours	Advice provided	Open
74284	Private works agreement		Finalised
76184	Complaint re dirty water Lyndhurst Lane		Open
73017	Water leak Norman St Allora	Rectified	Finalised
73138	Faulty water meter Pratten St	Rectified	Finalised
73164	Damaged fire hydrant Conrad St	Rectified	Finalised
73197	Water leak Wentworth St	Rectified	Finalised
73365	Water leak Billabong St	Rectified	Finalised
73386	Sewerage choke Yangan Rd	Rectified	Finalised
73579	Water leak Mackness Place	Rectified	Finalised
74464	Water leak Wood St	Rectified	Finalised
74638	Water leak Forde St Allora	Rectified	Finalised
74904	Sewerage blockage Myrtle Avenue	Rectified	Finalised
76097	Sewerage manhole sitting out of ground	Rectified	Finalised
75533	Sewerage smell on property in Dragon St	Investigated 20/3/15	Open
73401	Clearing of trees road reserve Giffords Rd		Open
73342	Request for installation of water meter	Completed	Finalised
73348	Query re mobile library	Worked on by Community Services and Finance	Open
73355	Electrical fault at Stanthorpe field	Contractor notified and has attended site. Waiting confirmation on what action is required	Open
74048	Request development of parkland in Pratten		Open
74234	Request change to speed limits in Pratten	Awaiting advice from Department of Main Roads	Open
74487	Request refurbishment of Military Plaque on Town Hall prior to ANZAC Day 2015	Plaque will be cleaned up before ANZAC day	Open
73668	Overgrown land	Overgrown notice issued. Compliance required by 7/4/15	Open
74797	Overgrown land with prickly pear on it	Overgrown notice issued. Compliance required by 8/4/15. Refer Merit ID 75235	Open
74885	Overgrown property at development and security fencing is falling down	Notice has been sent for rectification work to be undertaken by 7/4/15. Follow up inspection to be undertaken	Open
75235	Overgrown land with prickly pear on it	Follow up inspection to be done	Open
75924	Possible illegal mechanical workshop	Inspection scheduled April	Open

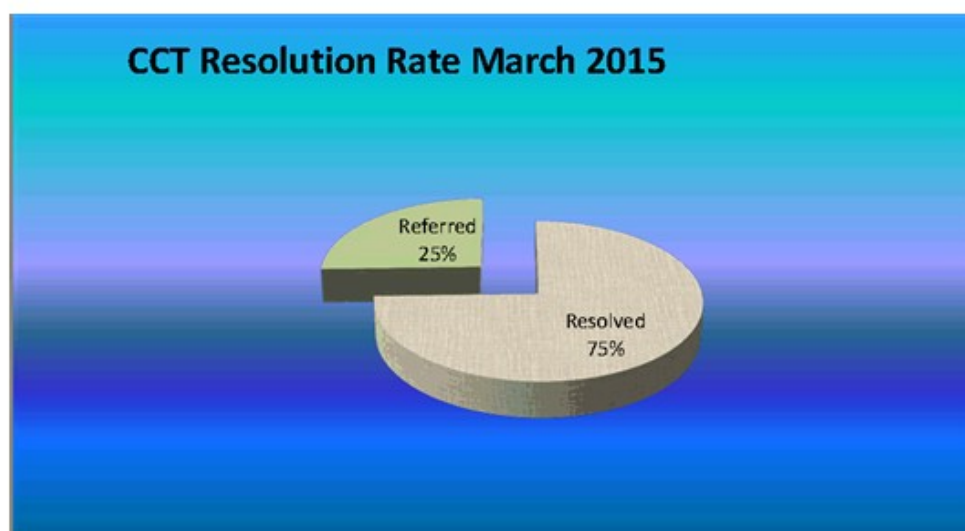


### Community Contact Resolution rate March 2015

**Total Contacts**  
4,461

**Resolved**  
3,324

**Referred**  
1,137



### Economic Development Unit Update

1. Economic Development Unit is working with the Southern Downs aerodrome groups to redesign the lots around the two landing strips to suit new requirements. The Stanthorpe Aerodrome redesign is now finalised;
2. The Emu Swamp Dam Community Infrastructure Designation process is underway, and Council met with impacted land-owners on Monday. This series of meetings resulted several options put to the Department of State Development and EDU is awaiting the Department's feedback;
3. EDU supported a Queensland wide geo-caching event in Stanthorpe this Easter weekend. About 800 competitors are staying over in a variety of accommodation places in Stanthorpe for the long weekend, trying to find hidden objects. With 800 people, each spending a

- conservative \$50 per person per day over four days, this event brings a potential cash injection of \$160,000.00 into Stanthorpe.
4. EDU supported Southern Downs Migrant Business Start-up day at the Warwick TAFE last week. The aim of this workshop was to assist recent migrants in the Southern Downs to start-up and establish a business.
  5. Long standing project in Stanthorpe Industrial Estate to develop one 10,000 square metre industrial block of land is currently underway.

#### Right to Information Applications

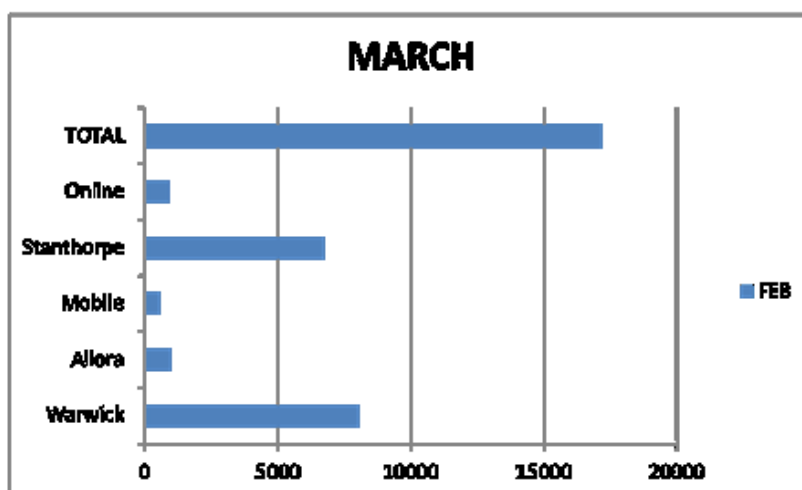
- 1 Application finalised
- 1 application awaiting acceptance of Charges Estimate or amendment of scope
- 1 application in process

#### CCTV Applications

11 applications received during March


#### Library Visitors

Warwick	Allora	Mobile	Stanthorpe	Online	TOTAL
8,051	954	554	6,746	867	17,172



## 10.6 BCS - Warwick Saleyards Advisory Committee

### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Acting Manager Community Facilities	<b>File Ref:</b> 03.18.01

### Recommendation

THAT Council receive and note the attached minutes of the Warwick Saleyards Advisory Committee and approve:

1. The amendments to the Warwick Saleyards Advisory Committee Terms of Reference.
2. The establishment of the Warwick Saleyards as a separate Council Business Unit.

### Report

A meeting of the Warwick Saleyards Advisory Committee was held on Thursday 19 March, 2015 and the minutes as recorded are attached.

Of particular note from the minutes are the following recommendations from the Committee:

1. That Council adopt the amendments to the Terms of Reference as per the attached.
2. That Council consider establishing the Saleyards as a Council Business Unit.

### Budget Implications

Nil.

### Policy Consideration

#### Operational Plan 2014-2015

- 8.3.1 Develop and implement council land management strategies.
- 8.3.1.3 Manage and Maintain Warwick Saleyards.

### Community Engagement

Nil

### Legislation/Local Law

Nil

### Options

Nil.

### Attachments

1. Minutes of the Saleyards Advisory Group Meeting held on 19 March 2015 [View](#)
2. DRAFT - Amended Terms of Reference [View](#)



**MINUTES OF THE WARWICK SALEYARDS ADVISORY COMMITTEE MEETING**

**Held In the Warwick Council Chambers on**

**Thursday, 19 March 2015 at 9:00am**

**1. PRESENT**

Cr Ross Bartley (Chairperson)  
Cr Jo McNally  
Michael Bell (Manager Community Facilities)  
John Bourke (A/Saleyards Superintendent)  
David McIvor  
Andrew O'Dea  
Les Fraser

**2. APOLOGIES**

Sue Organ  
Graham Kirkland  
Alan Wenham

**3a. CONFIRMATION OF MINUTES – 29 January 2015**

Moved David McIvor Seconded Andrew O'Dea

THAT the Minutes of the Saleyards Advisory Committee Meeting held on 29 January 2015 be confirmed.

**Carried**

**3b. CONFIRMATION OF MINUTES – 12 February 2015**

Moved Cr Ross Bartley Seconded Michael Bell

THAT the Minutes of the Saleyards Advisory Committee Special Meeting held on 12 February 2015 be confirmed.

**4. MATTERS ARISING FROM PREVIOUS MINUTES**

**Quality Assurance – David Pollock (National Secretary of Quality Assurance)**

David Pollock visited the Warwick Saleyards and spoke to Alan Wenham about the Quality Assurance process.

The question was raised as to how soon the Accreditation can take place?

The Committee were informed that an audit needs to be arranged and from that point on should only take one month. It was agreed that April would be the target to obtain Quality Assurance for the Warwick Saleyards.

**Action:** Alan Wenham to arrange for the Warwick Saleyards Quality Assurance by April 2015.



### **5. CORRESPONDENCE**

#### **Incoming**

AvData Australia – Notice that Avdata no longer provide technical support for the logging controller at the Warwick Saleyards

#### **Outgoing**

- a. Letter to the Department of Fair Trading about the conduct of an agent at the sale yards.
- b. Letters to a number of companies that had previously expressed an interest in hiring space at the saleyards to sell their products.

Moved

Les Fraser

Seconded

Andrew O'Dea

THAT the committee note the Incoming and outgoing correspondence for the Warwick Saleyards

### **6. CAPITAL WORKS**

The Manager Community Facilities updated the Committee on the Saleyards Safety Improvements Project, specifically

- a. The installation of the new stairs and walkway balustrades is underway. In response to a request by the user groups to make the walkways wider, the contract has now been carried to accommodate this request.
- b. The repairs to the selling ring have been completed.

The committee requested that in conjunction with the safety improvement, they would like to see portable spectator stands arranged that could be moved in and out of the selling ring. This would also require modifications to the existing retaining wall to be completed.

### **7. FINANCIAL PERFORMANCE**

The Manager Community Facilities explained the variances in the Financial Performance.

SALEYARDS	Actual YTD	Current Commitments	Budget YTD	Variance % Not including Commitments	Notes
<b>Revenue</b>					
Fees and Charges	364,103	0	265,132	37.33%	Yarding revenue is higher than expected
Sundry Revenue	0	0	840	-100.00%	No "other revenue" received to date
<b>Total Revenue</b>	<b>364,103</b>	<b>0</b>	<b>265,972</b>	<b>36.90%</b>	
<b>Expenses</b>					
Contracts & Services	55,282	6,500	16,555	233.93%	Labour hire due to staff shortage
Depreciation	20,652	0	24,094	-14.29%	
Employee Costs	125,531	0	155,782	-19.42%	Staff shortage
Internal Charges	65,375	0	124,670	-47.56%	Employee oncosts lower due to staff shortage
Materials	43,947	17,897	37,961	15.77%	Electricity higher than budgeted
Plant Hire	13,171	0	19,687	-33.10%	

<b>Total Expenses</b>	<b>323,958</b>		<b>378,749</b>	<b>-14.47%</b>	
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<b>TRUCKWASH</b>	<b>Actual YTD</b>	<b>Current Commitments</b>	<b>Budget YTD</b>	<b>Variance % Not Including Commitments</b>	<b>Notes</b>
<b>Revenue</b>					
Fees and Charges	78,866	0	80,640	-2.20%	
<b>Total Revenue</b>	<b>78,866</b>	<b>0</b>	<b>80,640</b>	<b>-2.20%</b>	
<b>Expenses</b>					
Contracts & Services	345	0	2,800	-87.68%	
Employee Costs	3,535	0	7,168	-50.69%	Budget allocated for employee costs
Internal Charges	1,732	0	0	100.00%	Employee oncosts
Materials	9,046	761	16,800	-46.15%	
Plant Hire	3,706	0	7,544	-50.88%	
<b>Total Expenses</b>	<b>18,364</b>	<b>761</b>	<b>34,312</b>	<b>-46.48%</b>	

Moved Andrew O'Dea Seconded David McIvor

THAT the committee note the financial performance for the Warwick Saleyards

### **8. GENERAL BUSINESS**

#### **a. Committee Meeting Practice**

A committee member expressed concern about the format of the current meetings and the lack of businesslike approach that appeared to be in place. A lot of discussion occurred, with the Manager Community Facilities:

- a. tabling a draft Terms of Reference for the committee; and
- b. Discussing other comparative Councils and there established business units.

In responses the following recommendations by the committee were moved,

Moved Les Fraser Seconded Cr Jo McNally

THAT the committee recommend that Council adopt the proposed draft Terms of Reference.

Moved Les Fraser Seconded Andrew O'Dea

THAT the committee recommend that Council consider establishing the Saleyards as a Council business unit.

**b. Saleyards Pens**

Les Fraser discussed opportunities of increasing the current area to house cattle in response to the increase in number that have been encountered at the yards over the past few months. The committee recognised that expansion could occur in the sheep area without negatively impacting in its activities

**Moved** Les Fraser **Seconded** David McIvor

THAT the committee conduct an onsite meeting to explore expansion opportunities for the cattle pens

**c. Saleyards Staffing**

Les Fraser expressed concern about the ongoing uncertainty around the saleyard superintendent role and how this was being operated.

**Moved** Les Fraser **Seconded** David McIvor

THAT Cllrs Bartley and McNally and the Manager Community Facilities meet with Council's Chief Executive Officer to discuss.

**d. Saleyards Staffing**

A question was raised about the area in front of the yards along McEvoy Street and who maintains this area. The Acting Saleyards Superintendent explained that the staff from the yards complete this task. The committee ask if this was an area that the Park's section could assist. The Manager Community Facilities to raise this issue with the Park's section.

**9. NEXT MEETING**

Next Meeting – 30 April 2015

**10. CLOSURE**

The meeting closed at 10.15am



## **WARWICK SALEYARDS ADVISORY COMMITTEE**

### **TERMS OF REFERENCE**

#### **DOCUMENT CONTROL**

<b>DATE</b>	<b>AUTHOR</b>	<b>Version</b>	<b>COMMENTS</b>
March 2015	Bell	1.0	Draft for comments
March 2015	Bell	1.1	Advisory Committee Comments

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**1. Establishment**

The Warwick Saleyards advisory committee has been established to assist the Southern Downs Regional Council to effectively operate the Council owned facility,

**2. Name**

The name of the advisory committee shall be the Warwick Saleyards Advisory Committee ("the advisory committee").

**3. Membership**

The membership of the advisory committee shall comprise:

- Two (2) elected Councillors from the Southern Downs Regional Council
- Manager Community Facilities
- Saleyards Superintendent
- Four (4) stakeholders of the Warwick Saleyards

Stakeholder membership shall be appointed by the advisory committee's Council representatives after expressions of interest are called. The representatives will be expected to have a good knowledge of the sale yards and its role in the business world.

**4. Term of Office**

The elected members are nominated for four (4) years following each Council election.

To ensure continuity of knowledge, membership appointments shall split (to allow the appointment of Stakeholders at any time), so that always, 50% of the membership will have at least two years experience on the committee.

The chairperson shall be nominated by the committee and shall remain in the role for a period of two (2) years, at which time the position shall be spilled and called again.

**5. Chairperson Duties**

The chairperson shall be responsible for leading the advisory committee and ensuring the orderly conduct of members. In the event of the chairperson being unavailable, a Councillor of the Southern Downs Regional Council shall assume the chair for the meeting.

**6. Meeting Schedule**

The advisory committee meetings shall be held in February, May, August and October of each year. The Manager Community Facilities shall be responsible for scheduling the meetings.

Notice of the meeting shall be in writing; setting out the date, time and place of the meeting and include a copy of the agenda and previous minutes.

As a general rule, the meeting agendas shall include the following:

February – Capital Budgetary Request and Grant Opportunities  
May – Fees and Charges  
August – Committee Terms of Reference Review  
October – Business Plan Review

The advisory committee members must acknowledge meeting requests within seven (7) days of receipt or advise of the inability to attend and the proxy who will attend as a result.

**7. Minutes**

A copy of the minutes of any meeting must be provided to Council at the next planned General meeting of Council.

**8. Quorum**

A quorum shall form when at least fifty percent (50%) of the advisory committee membership is in attendance.

**9. Powers and Duties**

The advisory committee shall:

- a. Present Council as required with recommendations and planned actions for Council to consider and approve prior to any action being taken.
- b. Have no legal status or authority to commit, bind or speak on behalf of Council.
- c. Have no authority to commit Council to anything directly or indirectly.

**10. Objectives**

The objects of the advisory committee are:

- a. To provide advice and recommendations to Council on Saleyards related issues.
- b. To represent and report on stakeholder concerns.
- c. Provide a forum for sale yard discussions

**11. Functions**

The functions of the advisory committee are to undertake appropriate action that enable the objectives identified in Item ten (10) above to be delivered.

**12. Interest Disclosure**

A member of the advisory committee must disclose and not participate in debate on items that would be considered or perceived to be considered by a member of the community as being a conflict of interest.

**13. Attendance**

The advisory committee members must attend seventy five percent (75%) of all meetings held each year. Should a member fail to meet the attendance requirement, the Manager Community Facilities shall write to the member requesting a response as to why their position on the

committee should not be terminated. No response or an insufficient excuse shall result in termination of the membership.

However, on those occasions that a member is unable to attend, then the member may send a suitable proxy who has authority to represent the member. Attendance by suitable proxy shall be deemed to be attendance by the member.


14. Terms of Reference Review

The Advisory Committee Terms of Reference shall be reviewed annually.



## 10.7 BCS - Policy Reviews - March 2015

### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Governance Officer	<b>File Ref:</b> 04.12

### Recommendation

THAT Council :

1. Adopt the proposed policy amendments as attached.
2. Adopt the new Policy PL-FS015 Non-Current Asset Accounting Policy
3. Rescind the Budget Amendment Policy PL-FS015 and Sale of Scrap Metal Proceeds to Social Club Policy PL-FS019.

### Report

Council officers are in the process of reviewing 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:

#### 7 April 2015 - Briefing Session

PL-FS068 Home Haemodialysis Water Allowance Policy  
PL-FS020 Private Works Credit Policy  
PL-RP001 Council Lease Policy  
PL-FS057 Debt Collection & Write-Off Policy  
PL-GV029 Complaints Management Policy  
PL-FS015 Non-Current Asset Accounting Policy (*new*)

### Rescinding –

PL-FS019 Sale of Scrap Metal Proceeds to Social Club Policy  
PL-FS015 Budget Amendment Policy

All proposed changes to policies are highlighted in the attachments and also attached is the proposed final version of the Non-Current Asset Accounting Policy.

In relation to the Council Lease Policy, the recommended annual fees have been calculated on a cost recovery basis for the term of the lease. These fees will apply to all future leases and to those current leases that have reached the five year rent review period. As the remaining leases reach

the five year rent review period, the new fee structure will apply. Approximately 20 Lessees would be immediately liable for the amended annual fee.

The Debt Collection & Write-Off Policy has specifically been amended as follows:

### **5.3 Delegations relating to Write-Offs**

*Council's Chief Executive Officer has delegated to the Director of Business and Community Services and the Manager of Finance, the power to write off stores, assets and debts up to the value of \$1,000, that are deemed to have no value or are uneconomic to recover.*

The Budget Amendment Policy is recommended to be rescinded, due to this policy not being required under legislation. The processes to amend the budget are controlled by Council's internal procedures as directed by the CEO and Finance Department. All budget amendments will be reported to Council as required by legislation.

Additionally the Sale of Scrap Metal Proceeds to Social Club Policy is recommended to be rescinded, due to the requirements for transparency relating to Council funds.

### **Budget Implications**

Nil.

### **Policy Consideration**

#### Corporate Plan 2014-2019

Direction 8     The Well-Governed Southern Downs

#### Operational Plan 2014-2015

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

### **Community Engagement**

Nil.

### **Legislation/Local Law**

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

### **Options**

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

### **Attachments**

1. PL-FS020 - Private Works Credit Policy - April 2015 - Tracked.[View](#)
2. PL-FS057 - Debt Collection & Write Off Policy - Tracked.[View](#)
3. PL-FS057 - Debt Collection & Write Off Policy - Final.[View](#)
4. PL-FS068 - Home Haemodialysis Water Allowance - April 2015 - Tracked.[View](#)
5. PL-RP001 - Council Lease Policy - Updated 25 March 2015 - Tracked.[View](#)
6. PL-FS015 - Non Current Asset Accounting Policy - April 2015 (New).[View](#)
7. PL-GV029 - Complaints Management Policy - Tracked.[View](#)
8. PL-GV029 - Complaints Management Policy - Final.[View](#)



## Private Works Credit Policy

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<b>Policy Number:</b>	PL-FS020
<b>Department:</b>	Finance
<b>Section:</b>	Corporate Services
<b>Responsible Manager:</b>	Manager Finance
<b>Date Adopted:</b>	6 October 2008
<b>Date to be Reviewed:</b>	Within 6 months of the quadrennial election
<b>Date Reviewed:</b>	7 April 2015
<b>Date Rescinded:</b>	N/A

### REVISION RECORD

Date	Version	Revision description
25 Jan 13	1	Copied to new format
2 Feb 15	2	Reviewed

**Private Works Credit Policy**

**Policy no: PL-FS020**

**Updated: 7 April 2015**

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<b>3.1</b>	<b>Fees.....</b>	<b>3</b>

## **1 Purpose**

The purpose of this policy is to set credit limits for private works.

## **2 Scope**

This policy includes all work carried out for private individuals, Government Departments, Companies, Partnerships and all other legal entities.

## **3 Policy Details**

### **3.1 Fees**

Fees arising for the provision of private work must be paid in accordance with the following criteria:-

- **Fixed Fees:** Payment up front.
- **Quoted Lump Sum:** Payment up front unless credit authorised by Manager Finance.
- **Charge Out:** Credit accounts authorised by Manager Finance if estimate exceeds \$1,000. In addition no credit shall be provided to any person who owes Council outstanding rates or other fees.



## Debt Collection & Write-Off Policy

Policy Number:	PL-FS057
Department:	Corporate Services
Section:	Finance
Responsible Manager:	Manager Finance
Date Adopted:	23 November 2011
Date to be Reviewed:	Within 6 months of the quinquennial election
Date Reviewed:	25 March 2015
Date Rescinded:	N/A

### REVISION RECORD

Date	Version	Revision description
25/03/2015	1	Annual Review & Delegation from Delegations Register

Debt Collection & Write-Off Policy

Policy no: PL-FS057

Updated 25 March 2015

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## **1 Policy Background**

Council's Revenue Policy contains a statement of the principles used for the recovery of rates and charges. These being:

- Transparency – by making clear the obligations of ratepayers and the processes used by Council in assisting ratepayers to meet their obligations;
- Making the processes used to recover outstanding rates and charges clear, simple to administer and cost effective;
- Equity – in that Council will provide the same treatment for ratepayers with similar circumstances; and
- Flexibility where possible, by responding to changes in the local economy.

This policy seeks to apply these principles by providing guidelines and procedures on the collection and write-off of both rates debtors and other debtors.

## **2 Purpose**

The purpose of this policy is to set guidelines for the collection or write-off of debts owed to Council.

## **3 Scope**

This policy applies to amounts owing by both rates debtors and other debtors.

## **4 Legislative Context**

- Local Government Act 2008, sections 8, 95 & 262
- Local Government Regulation 2012, Part 12, Division 3

## **5 Policy Details**

### **5.1 Rates Debtors**

An "Overdue Rate" is the amount of a rate payable to a local government that remains unpaid at the end of the period specified in the rate notice as the period within which the amount of the rate is payable. It does not include the amount of a rate if the amount is being paid under the terms of an arrangement where the rates are paid by instalments and the arrangement is adhered to. Rates Debtors are not aged.

#### **5.1.1 Rates Arrangements Procedures**

- Arrangements - Council will accept a suitable arrangement, ~~once the ratepayer completes and signs the form.~~ An arrangement is to be finalised no



later than 30 April each financial year. The Revenue & Systems Coordinator Accountant may grant special concessions to continue past this date if there are extenuating circumstances.

- Procedure for Arrangements in Default – The following process is to be followed once there has been a default on an arrangement:

**5.1.1.1 Phone** – Once an arrangement is in default, Council will attempt to make a reminder phone call. An extra 3 days is allowed for receipt of the payment if no phone contact is made with the ratepayer.

**5.1.1.2 Arrangement 1: Overdue Letter** – Council will issue an Arrangement 1: Overdue Letter. This letter allows 7 working days to rectify the defaulted arrangement.

**5.1.1.3 Arrangement 2 Letter** – When no response is received from the first arrangement letter an Arrangement 2: Letter is issued. It also allows 7 working days to rectify the defaulted arrangement.

**5.1.1.4 Final Notice** – A Final Notice is issued and the ratepayer is notified that the arrangement will be cancelled if no response is received. A Final Notice allows seven (7) working days for full payment of the overdue rates otherwise legal action could commence.

**5.1.1.5 Arrangement Late Update** – If the ratepayer updates the arrangement they must be notified in writing that if one payment is in default the arrangement will be cancelled without further notice and legal action may commence.

**5.1.1.6 Mortgage Letter** – If still no response from the ratepayer Council will forward a letter to the mortgagee if applicable, advising the amount of overdue rates and that the arrangement with Council is cancelled.

**5.1.1.7 Legal Action** – Council can commence legal action as per normal collection procedures if no payment or notification is received by the final notice date.

## 5.1.2 Collection of Overdue Rates

Once rates are overdue the following process will be followed:

- 1<sup>st</sup> Reminder-Overdue Letter** – After the issue of the annual rate notice and the expiration of the discount period, the 1<sup>st</sup> Reminder due date on the notice has passed an overdue letter is issued to all ratepayers who have not paid their rates or who have not entered into an arrangement for settlement of the overdue amount. The reminder overdue notice allows ratepayers fourteen (14) days from the date of issue to pay the overdue amount in full or enter into an arrangement to pay.
- 2<sup>nd</sup> Reminder Letter** – If the ratepayer ignores the reminder notice and fails to pay or enter into an arrangement, a 2<sup>nd</sup> reminder letter is issued requesting full payment within seven (7) days.
- Final Notice** – Should the ratepayer ignore the 2<sup>nd</sup> reminder-overdue notice and fails to pay or enter into an arrangement, a final notice is issued requesting full

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payment within seven (7) days, otherwise the debtor could be referred to an external debt collection agency.

• ~~Summons or Small Debt Claim~~ Failure to pay after the final notice can result in legal action being taken against the ratepayer. A Small Debt Claim or Magistrate Court Summons will be issued depending on the overdue amount.

• ~~Enter Judgement~~ If payment is not received after twenty-one (21) days of the issue of the summons or small debt claim, judgement will be entered into. At this time the legal costs incurred can be applied to a sundry debtor.

• ~~Judgement Letter~~ After judgement has been entered a letter will be forwarded to the ratepayer requesting the judgement amount to be paid in full within seven (7) days.

• ~~Report to Council~~ At this stage if no response has been received from the ratepayer the property is placed on the list of properties proposed for sale for unpaid rates. Following each rating period, a report is prepared for the General Council Meeting requesting authorisation to proceed with a Warrant of Execution. Providing property is free of encumbrances, permission is also requested to sell the land by bailiffs auction and request payment of overdue rates plus legal fees.

• ~~Warrant of Execution~~ Council's Solicitor is then directed to register the Warrant of Execution on the certificate of title. Once this is done the bailiff is authorised to conduct an auction on behalf of Council.

• ~~6.2.4 Sale of Land for Overdue Rates~~ - In accordance with Division 3 of the Local Government (Finance, Plans and Reporting) Regulation 2010 Council may sell land if an overdue rate remains unpaid for three (3) years or more. Council must resolve to sell the land before starting sale procedures. Prior to the report to Council recommending the sale of land procedure a registered letter will be issued to the rate payer informing them of the last possible date to go into an arrangement with Council.

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### 5.1.3 Write-off of Rates Debtors

As outstanding rates remain a charge on the land (Local Government Act 2009, s96), rate debtors are not written off.

### 5.1.4 Adjustment of Rates Debtors

In order to maintain an efficient rating system, minor amounts such as rounding amounts, small interest charges and other items not exceeding \$10, may be adjusted by the Revenue and Systems Coordinator/Support Officer.

## 5.2 Other Debtors

An outstanding debt will be considered for collection when the debt remains unpaid for seven (7) days or more past the due date for payment.

### 5.2.1 Collection of Other Debtors

~~6.2.1.1 First Reminder - Overdue letter~~ First Reminder may be by telephone contact or sending the 'Reminder One' Letter. The debtor will be sent an overdue letter requesting payment within fourteen (14) days.

- ~~5.2.4.25.2.1.1~~ **Second Reminder** – ~~Should the debtor not respond to the telephone reminder a second reminder letter will be issued requesting full payment within seven (7) days.~~
- ~~5.2.4.25.2.1.2~~ **Final Notice** - A final notice will be issued if the debtor ignores the reminder letter/overdue letter. This will request full payment within ~~seven (7) days, otherwise Debtor may be referred to external Debt Collection agency.~~
- ~~5.2.4.45.2.1.3~~ **Further Collection** - Failure to pay the overdue debt may result in further action being taken against the debtor:
- ~~5.2.4.45.2.1.3.1~~ **Ordinary Debts** - Ordinary debts over \$50 will be considered for outsourcing to an external Collection Agency at ~~490~~2090 days overdue.
- ~~5.2.4.45.2.1.3.2~~ **Exceptional Debts** - Specific debts, as directed by each Department, may be held with Council and registered at the Magistrates Court with Queensland Civil and Administrative Tribunal should the need arise. The court costs and other reasonable costs associated with recovering the debt will be passed on to the debtor. Debts over \$500.00 may be pursued by an external Debt Collection and any legal costs associated with recovering the debt may be passed on to the Debtor.

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## 5.2.2 Write-off of Other Debtors

- 5.2.2.1 Debts that are considered unrecoverable, or where the cost of recovery is uneconomic, shall be written off according to the appropriate delegated authority.
- 5.2.2.2 Debtor accounts of \$50 or less are to be considered for write-off at ~~490~~2090 days if the collection process has been exhausted and the debt is still outstanding.
- 5.2.2.3 Debtor accounts with balances of greater than \$50 are to be considered for write-off at least annually as part of the preparation of Council's annual financial statements.
- 5.2.2.4 The details of debtor accounts written off under delegated authority ~~over \$2,000.00~~ shall be included in the Outstanding Debtors Report ~~presented~~ presented available facts to Council at the end of each quarter.
- 5.2.2.5 ~~The quarterly Outstanding Debtors Report to Council shall contain~~ recommendations for the write-off of debtors whose balance exceeds the delegated authority amount will be reported to Council.

## 5.2.3 Provisions

- 5.2.3.1 Aged debts greater than 180 days should be provided for according to an assessment which has regard for the size and nature of the debt and the debtor in question.
- 5.2.3.2 Aged debts less than 180 days may be provided for if the recovery of the debt is known to be unlikely.

5.2.3.3 Any adjustments to the provision shall be made annually and will be charged as an expense to the appropriate area.

### 5.3 Delegations relating to Write-Offs

~~Council has delegated to the CEO~~ ~~has delegated to the Director of Business and Community Services and the Manager of Finance~~ the power to write off stores, assets and debts up to the value of \$15,000 that are deemed to have no value or are uneconomic to recover ~~(94) 6994~~.  
~~The CEO has also delegated this power to the Directors (83).~~

## 6 Definitions

Term	Meaning
Rates Debtors	Debts that arise as a result of Council's general rates, special rates or utility charges (water, sewerage, garbage, trade waste) that are calculated and levied from time to time in accordance with Council's Revenue Statement.
Other Debtors	Debts that arise as a result of charges that are included in the Schedule of Fees and Charges.

## 7 Related Documents

- Revenue Policy

## 8 References

- NA.



## Debt Collection & Write-Off Policy

Policy Number:	PL-FS057
Department:	Corporate Services
Section:	Finance
Responsible Manager:	Manager Finance
Date Adopted:	23 November 2011
Date to be Reviewed:	Within 6 months of the quinquennial election
Date Reviewed:	25 March 2015
Date Rescinded:	N/A

### REVISION RECORD

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25/03/2015	1	Annual Review & Delegation from Delegations Register

Debt Collection & Write-Off Policy

Policy no: PL-FS057

Updated 25 March 2015

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Term	Meaning
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Other Debtors	Debts that arise as a result of charges that are included in the Schedule of Fees and Charges.

## 7 Related Documents

- Revenue Policy

## 8 References

- NA.



## Home Haemodialysis Water Allowance

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<b>Policy Number:</b>	PL-FS068
<b>Department:</b>	Finance
<b>Section:</b>	Revenue
<b>Responsible Manager:</b>	Manager Finance
<b>Date Adopted:</b>	29 April 2014
<b>Date to be Reviewed:</b>	Within 6 months of the quadrennial election
<b>Date Reviewed:</b>	N/A
<b>Date Rescinded:</b>	N/A

### REVISION RECORD

Date	Version	Revision description

Home Haemodialysis Water Allowance

Policy no: PL-FS068

Updated: 22 April 2016

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**Home Haemodialysis Water Allowance**

**Policy no: PL-FS068**

**Updated: 22 April 2016**

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## **1 Policy Background**

Previously, Council did not have a policy that granted a water allowance to property owners who incur higher water consumption charges as a result of one of the occupants of the property receiving home haemodialysis treatment.

## **2 Purpose**

This policy has been developed to describe the eligibility criteria and the administrative procedures associated with processing applications relating to requests for water allowance due to higher water consumption as a result of home haemodialysis treatment of one of the occupants of the property.

## **3 Scope**

The scope of the Home Haemodialysis Water Allowance Policy is limited to those occupants of the property receiving home haemodialysis treatment who have proof of paying Water Rates to the Southern Downs Regional Council.

## **4 Legislative Context**

- Local Government Regulation 2012, Chapter 4 Rates and Charges, Part 7 Utility Charges and Part 10 Concessions.

## **5 Policy Details**

### **5.1 Criteria for Water Allowance**

This policy will apply where:

1. The haemodialysis patient resides permanently at the nominated address within the Southern Downs Regional Council area.
2. The haemodialysis patient receives their regular treatment on a haemodialysis machine at home (the nominated address) and not through a hospital or other haemodialysis centre.
3. The doctor, renal specialist or a Queensland Health haemodialysis centre manager provides a supporting letter confirming the patient as receiving haemodialysis treatment at home.
4. The property owner must complete and submit the Application for Home Haemodialysis Water Allowance form to Council with the relevant documentation from the doctor, renal specialist or Queensland Health haemodialysis centre manager. This documentation must advise the timeframe (eg. hours required) and regularity of the treatment to assist with calculating the water allowance to be applied.

Home Haemodialysis Water Allowance

Policy no: PL-FS068

Updated: 22 April 2016

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Home Haemodialysis Water Allowances expire annually and the property owner must make a new application each year.

Reminders will not be sent by Council and the property owner is responsible for completing a new application annually.

5. The patient authorises Council to provide the relevant Council Officers with their contact details (address and phone number/s) to facilitate contact during emergency or fault situations. Council will use its best endeavours to ensure that confidentiality is maintained.

If there is to be a planned interruption to the water supply, Council will endeavour to inform the haemodialysis patient, as a matter of priority, of the interruption to supply.

In emergency or fault situations, Council Officers will endeavour to provide assistance to haemodialysis patients to minimize disruptions to their treatment.

Council will ensure that the necessary repairs are carried out as a high priority.

Haemodialysis patients need to ensure that they have been suitably trained by their dialysis care provider on how to manage interruptions to their water supply.

## 5.2 Calculation of Water Allowance

Council will provide an allowance of equal to 60 kilolitres per reading period, calculated at the relevant water consumption rate of the property.

This amount will be applied as a credit to the property before the water rates notice is issued to the ratepayer.

## 6 Definitions

Term	Meaning
<b>"nominated address"</b>	The address that the home haemodialysis patient resides and receives the home haemodialysis treatment.
<b>"Haemodialysis"</b>	The use of a machine by people with chronic kidney disease which performs the function of pumping the patient's blood through a dialyser. The machine uses considerable volumes of water in this process.
<b>"Home Haemodialysis"</b>	The use of a machine at home by people with chronic kidney disease which performs the function of pumping the patient's blood through a dialyser. The machine uses considerable volumes of water in this process.
<b>"Reading Period"</b>	Water meters are read every 6 months, equating to a period of approximately 26 weeks

## **7 Related Documents**

- Nil.

## **8 References**

- Council Officers reviewed policies from Toowoomba Regional Council and Western Downs Regional Council.





## Council Lease Policy

<b>Policy Number:</b>	PL-RP001
<b>Department:</b>	Business Services – Risk and Property
<b>Sections:</b>	Executive Services
<b>Responsible Manager:</b>	Manager Business Services
<b>Date Adopted:</b>	21 April 2008
<b>Date to be Reviewed:</b>	Within 6 months of the quinquennial election <del>21 April 2008</del>
<b>Date Reviewed:</b>	<del>25 March 2015 25 March 2014 6 November 2012</del>
<b>Date Rescinded:</b>	nil

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### REVISION RECORD

Date	Version	Revision description
25/03/2014		Review of Policy

Council Lease Policy

Policy no: PL-RP001

Updated: 6 April 2015

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## 1 Policy Background

n/a

## 2 Purpose

The purpose of this Policy is to set criteria for the issue of Council Leases, where Council is the Lessor.

## 3 Scope

This Policy will apply to Council's Trustee Leases (including Trustee Licences) and the leasing of Council's Freehold Land (including Freehold Licences).

## 4 Legislative Context

- Leases will be issued in accordance with sections ~~227-475~~ and ~~236-496~~ of the *Local Government (Finance, Plans and Reporting) Regulation 2012-2010*.

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## 5 Policy Details

### 5.1 Trustee Lease (Including Trustee Licence) shall have:

- a term up to a maximum of ten (10) years;
- an annual rental fee which is dependent on the Tender supplied by the Lessee or negotiated with Council, ~~but will be a minimum of \$100,20 (incl gst);~~
- ~~an annual fee of \$750.00 for all 5 year leases and \$800 for all 10 year leases~~ ~~\$100,20~~ will apply ~~(unless otherwise resolved by Council)~~ for community and sporting organisations and will be reviewed every five (5) years;
- ~~The annual fee of \$750.00 will be increased yearly in accordance with the CPI Brisbane;~~
- ~~as required by the Department of Natural Resources and Mines the Lessee must hold Public Liability Insurance (minimum \$20,000,000.00);~~
- ~~both the minimum and annual fee of \$100,20 will be increased yearly in accordance with the CPI Brisbane;~~
- the actual cost of lodgement for registration, stamp duty and associated postage fees will be passed on to all Lessees. These fees and duties will be increased in line with the Department of Natural Resources and Mines notification;
- ~~all associated Lease fees, including the initial annual rental will be invoiced and collected at the commencement of the Lease term.~~

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## 5.2 Lease of Freehold Land (Including Freehold Licences) shall have:

- a term up to a maximum of ten (10) years, except by Council resolution;
- an annual rental fee which is dependent on the Tender supplied by the Lessee or negotiated with Council, ~~but will be a minimum of \$100.20 (incl.gst);~~
- an annual fee of ~~\$3750.00 for all 5 year leases and \$600 for all 10 year leases~~ ~~100.20 p.a. will apply (unless otherwise resolved by Council)~~ for community and sporting organisations and will be reviewed every five (5) years;
- ~~as required by the Southern Downs Regional Council~~ the Lessee must hold Public Liability Insurance (minimum ~~\$120,000,000.00~~); ~~this minimum amount may be increased to \$20,000,000 in accordance with any risk assessment undertaken by Council in relation to the leased property;~~
- the annual ~~fee~~ ~~of \$100.20 for community and sporting organisations~~ will be increased yearly in accordance with the CPI Brisbane ~~and reviewed every five (5) years;~~
- all associated Lease fees, including ~~the initial~~ annual rental will be invoiced and collected at the commencement of the Lease term.

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## 5.3 General

- All leases will be reviewed six (6) months prior to expiration;
- The ~~minimum~~ annual rental charge ~~for community and sporting organisations~~ will be reviewed every five (5) years ~~and adjusted to reflect current inflation;~~
- Each Lease is to be approved by Council resolution or by delegated authority.

## 6 Definitions

Term	Meaning
n/a	

## 7 Related Documents

- n/a

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Updated: ~~24 March 2015~~ 25 March 2015

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## **8 References**

- n/a



## Non-Current Asset Accounting Policy

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<b>Policy Number:</b>	PL-FS015
<b>Department:</b>	Finance
<b>Section:</b>	Accounting
<b>Responsible Manager:</b>	Manager Finance
<b>Date Adopted:</b>	22 April 2015
<b>Date to be Reviewed:</b>	Within 6 months of the quadrennial election
<b>Date Reviewed:</b>	N/A
<b>Date Rescinded:</b>	N/A

### REVISION RECORD

Date	Version	Revision description

**Non-Current Asset Accounting Policy**

**Policy no: PL-FS015**

**Updated: 22 April 2015**

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## **1 Purpose**

The aim of this policy is to contribute to the better management of assets of the council and to provide accurate data regarding assets in all financial documents.

This policy addresses the accounting treatment of non-current assets that provide future economic benefit to Southern Downs Regional Council and the community

## **2 Scope**

The Non-Current Asset Accounting Policy, which encompasses the associated Attachments and Appendices listed under the related documents section in this policy, applies to the line items of property, plant & equipment, Intangible assets and assets held for resale as disclosed within Council's Statement of Financial Position.

This policy generally impacts upon all Council employees and contractors. Specifically, the policy is directly applicable to Asset Custodians and Council officers who have asset management and asset accounting responsibilities. This policy will be applicable when performing the following functions:

- Acquiring, constructing or developing a non-current asset
- Accounting for costs incurred in maintaining a non-current asset
- Renewing, replacing or enhancing the service potential of a non-current asset
- Revaluing non-current assets
- Disposal of non-current asset
- Accounting for the depreciation or amortisation of non-current assets
- Reporting and disclosing non-current assets
- Establishing the useful life and residual values of non-current assets
- Testing noncurrent assets for impairment

## **3 Legislative Context**

### **State Government Legislation**

- Local Government Act 2009
- Local Government Regulation 2012

### **Australian Accounting Standards**

- AASB 5 – Non-current Assets held for Sale and Discontinued Operations
- AASB 13 – Fair Value Measurement

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- AASB 101 – Presentation of Financial Statements
- AASB 116 – Property, Plant and Equipment
- AASB 117 – Leases
- AASB 136 – Impairment of Assets
- AASB 138 – Intangible Assets
- AASB 108 – Accounting Policies, Change in Accounting Estimates and Errors

## **4 Policy Details**

This policy addresses the accounting treatment of non-current assets that provide future economic benefit to Southern Downs Regional Council and the community. The policy also provides guide to the allocation of responsibilities of assets.

An Asset Accounting Policy is necessary to assist in the process of capturing meaningful data for strategic planning purposes (i.e. Asset Management Plans & Long Term Financial Plans). Expenses related to assets will be classified into asset work activities (i.e. operations, maintenance, capital renewal and capital new/upgrade), and useful lives and capitalization thresholds reviewed.

The separation of maintenance and operating expenses from capital expenditure is necessary for the financial statements to accurately portray council's financial condition.

### **4.1 Asset Classes**

An asset class is a grouping of non-current assets in the financial asset register of a similar nature and the lowest level of information on non-current assets included within Council's financial statements. The following asset classes are reported by Council:

- Land
- Buildings
- Fleet, Plant and Equipment
- Roads, Bridges and Drainage
- Water Infrastructure
- Sewerage Infrastructure
- Other Infrastructure
- Artworks
- Capital Works In Progress

## **4.2 Asset Recognition**

**All non-current Property Plant and Equipment assets must be recorded in Council's financial asset register.**

**For an item to be recognised as a non-current asset in Council's financial asset registers it must meet all of the following criteria:**

- **Council has control over the asset**
- **It is probable that future economic benefits associated with the item will flow to Council**
- **The cost or fair value of the asset can be measured reliably**
- **The cost or fair value exceeds Council's asset recognition threshold**

**Australian accounting standard AASB 116(10) states that under the recognition principle, an asset is to be recognised when costs are incurred. An item that meets the definition of an Asset shall be measured at cost in accordance with AASB 116:**

**The cost of an asset will include:**

- **Purchase price less deductions (rebates, discounts etc.)**
- **Costs directly attributable to bringing the asset to a location where it can be used as intended. This would include:**
  - **Employee compensation. This includes costs of employee benefits arising directly from the construction or acquisition of the asset eg outside wages, inside project management costs, and "on costs" such as superannuation and workers compensation.**
  - **Site preparation and/or restoration - Assembly costs**
  - **Professional fees**

**Purchase Costs excluded from the cost of an asset include:**

- **Marketing and advertising costs incurred when opening a new facility.**
- **Costs incurred after the date an asset is deemed in use (upgrades, maintenance, etc.).**
- **Avoidable costs.**
- **Financing Costs – Interest charged on borrowings to fund asset purchase.**
- **Preliminary Studies.**

**These accumulated costs represent the value of the asset at cost as at the date in which the asset is deemed to be complete and available for use. Council may acquire assets at zero or at a nominal value, the asset is deemed to be valued at its fair value at date of acquisition. This initial valuation does not constitute a revaluation, a revaluation will only occur when it is the expressed**

decision of management to revalue a class of assets due to a change in the future economic benefits of that class.

*(Refer to Attachment 1 for further details and guidance on initial cost of recognition)*

### **4.3 Asset Recognition Thresholds**

Recognition thresholds to be applied on initial acquisition of an asset are as follows:

Asset Type	Threshold
Land	No threshold*
Buildings	\$5,000
Fleet, Plant and Equipment	\$5,000
Infrastructure Assets	\$5,000
Artworks	\$1

\* Minor land parcels (< 100m<sup>2</sup> or less than 3m in width) have no market value and possess limited or negligible service potential. Due to materiality these minor land parcels are recorded in Council's financial asset register at nominal value.

### **4.4 Capital Costs on Assets after Initial recognition**

Costs on assets incurred after initial recognition are to be capitalised whenever the associated work either renews, extends or upgrades the asset's underlying service potential.

### **4.5 Asset Valuation Method**

All Council assets that qualify for recognition are to be initially measured at cost. However, where an asset is acquired at no cost (contributed/donated) or for nominal cost, the value is deemed to be its fair value at the date of acquisition. Fair Value is deemed to be either:

- Market Value if there is market evidence; or
- Depreciated Replacement Cost if there is no market evidence.

Where an asset was acquired in prior financial years and has yet to be recorded in Council's financial asset register, the asset is to be brought to account at the fair value as at the date of recognition.

The valuation method applicable to each Asset Class subsequent to initial recognition is as follows:

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<b>Asset Class</b>	<b>Valuation Method</b>
Land	Market Value
Buildings	Market Value or Depreciated Replacement Cost where no market readily available
Fleet, Plant and Equipment	Cost
Roads, Bridges and Drainage	Depreciated Replacement Cost
Water Infrastructure	Depreciated Replacement Cost
Sewerage Infrastructure	Depreciated Replacement Cost
Other Infrastructure	Cost
Artworks	Market Value

## 4.6 Depreciation

The method and rate of depreciation will be based on accepted patterns of useful life by Local Government, the experience of localised conditions to assess any environmental impact on those assets, and the verification from an independent valuer.

There are two different depreciation methods used by Council to depreciate tangible non-current assets (other than parcels of land, which are not subject to depreciation or amortisation):

- straight line method; and
- Consumption based method.

The Straight-line Depreciation approach is where consumption of benefits is in a uniform manner over the useful life of the asset, calculated on asset cost less residual value.

Consumption-based depreciation is based on measuring the level of the asset's remaining service potential after taking into account both holistic and component specific factors. It relies upon the determination of a pattern of consumption consistent with the asset's residual value and path of transition through the various stages of an asset's lifecycle.

Asset depreciation and amortisation parameters, useful lives, asset condition (used to assess remaining useful lives) and residual values are to be reviewed with sufficient regularity to ensure that they are representative of current conditions and expectations at the end of each financial year. Remaining useful life of an asset should be reassessed whenever a major addition or any significant partial disposal is processed.

## **4.7 Asset Revaluations**

All assets subject to a revaluation process are to be revalued at Fair Value.

The Gross Revaluation method is to be applied, whereby any accumulated depreciation at the date of revaluation is restated proportionally with the change in the asset's gross carrying amount.

With the exception of assets that remain valued at cost, a full revaluation is undertaken every three to five years.

Full revaluations for applicable asset classes are completed rolling basis whereby all assets underlying a particular asset class, recognised on the financial asset register, are revalued simultaneously within a given financial year.

An Interim revaluation using Indices developed via a desktop approach is to be undertaken at financial year-end for an asset class subject to regular revaluations whenever there has been a material movement in replacement cost (or market value, where applicable) since the last full revaluation.

## **4.8 Non-Current Asset Disposal**

A financial asset is to be derecognised in the financial asset register whenever:

- The asset is destroyed, abandoned or decommissioned with no future economic benefit expected to be generated from its use
- The asset is scrapped, sold or traded
- The asset is lost or stolen; or
- Control of the asset is transferred to another entity

All assets derecognised from the financial asset register require authorisation by the respective Asset Custodian.

Partial disposal of an Infrastructure asset is to occur whenever:

- A significant component or section of an Infrastructure asset is destroyed, abandoned or decommissioned with no future economic benefit expected to be generated from its use; or
- Major renewal works have been undertaken resulting in a significant component or section of an Infrastructure asset being replaced.

## **4.9 Management of Work In Progress**

Work In Progress balances are to be reviewed at least monthly to ensure that they are cleared no later than six months after practical completion or prior to full revaluation of the pertinent asset class, whichever occurs first.

## 4.10 Minor Assets

The acquisition of minor assets is treated as an expense and is recorded in Attractive Items Register. All Departments within the council are responsible for maintaining their own Attractive Items Register which is subject to periodic internal or external audit. The registers are to be in common format (supplied by the Asset Accountant) and include description, details of location, responsible officer, serial numbers, acquisition and disposal or transfer details. Items in the attractive items register are to be identified by marking or engraving to reduce the likelihood of theft or aid police recovery. Thresholds relating to minor assets are disclosed in the Expenditure Classification Procedure.

## 5 Definitions

Term	Meaning
<b>Amortisation</b>	The systematic allocation of the cost of an intangible asset (less any residual value) over its useful life to reflect patterns of periodic consumption of the asset.
<b>Asset</b>	Future economic benefits controlled by Council as a result of past transactions or other past events.
<b>Asset Class</b>	Grouping of non-current assets of a similar nature and the lowest level of information on non-current assets included within Council's financial statements.
<b>Asset Custodian</b>	Council officer accountable for management of an asset.
<b>Asset Management Component Register</b>	Repository of component level asset information used primarily for asset management purposes.
<b>Asset Recognition</b>	The process whereby a non-current asset is included in the financial asset register and therefore recognised on Council's Statement of Financial Position.
<b>Asset Renewal (aka Renewal Works)</b>	Capital works that reinstates some or all of the original service potential of an asset.
<b>Brownfield</b>	Term commonly used for asset replacement cost methodologies that exclude sunk costs from the valuation formula.
<b>Capital Expenditure</b>	Costs incurred over the life of an asset of a nature that either renew, extend or upgrade the asset's underlying service potential.
<b>Carrying Amount</b>	The amount at which an asset is recorded (either at cost or fair value) within the financial asset register after deducting any accumulated depreciation and accumulated impairment losses. This is the same as an asset's written down value or net book value.
<b>Contributed Asset</b>	An asset that is acquired by Council at nominal or no cost, usually by way of an agreement with property developers, through State Government arrangements or bequeathed to Council.

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<b>Cost</b>	Amount of cash or cash equivalent paid or the fair value of any other consideration given to acquire an asset at the time of its acquisition or construction.
<b>Control</b>	Ability of Council to obtain benefits flowing from the asset and to restrict the access of others to those benefits.
<b>Decommissioning</b>	Removal, demolition, or elimination of an asset's service potential, resulting from a specific management decision.
<b>Depreciable Amount</b>	The cost of an asset, or other amount substituted for cost, less its residual / salvage value.
<b>Depreciated Replacement Cost</b>	Current cost of replacement or reproduction of an asset, less deductions for physical deterioration from day to day consumption of the asset.
<b>Depreciation</b>	The systematic allocation of the depreciable amount of an asset over its useful life to reflect patterns of periodic consumption of the asset.
<b>Design Life</b>	Expected period of time an asset can be used based on its design characteristics. Can be greater than the period of time Council intends to use an asset.
<b>Economic Life</b>	The period over which an asset is expected to be economically useful to Council. For example, a vehicle may be replaced after 2 years for economic reasons even though its design life may exceed 15 years.
<b>Fair Value</b>	Equates to market value if a readily available market exists or depreciated replacement cost where no market exists.
<b>Financial Asset Register</b>	Repository of financially recognised non-current assets and related information used primarily for financial accounting purposes.
<b>Full Revaluation</b>	The process whereby the fair value of all assets within an asset class are updated in line with current market values or replacement cost and remaining useful life along with residual value are reassessed.
<b>Future Economic Benefits</b>	In respect to not for profit entities such as Council, future economic benefits refer to the ability of an asset to provide goods or services in accordance with the organisation's objectives.
<b>Gross Carrying Amount (aka Gross Value)</b>	The amount at which an asset is recorded (either at cost or fair value) within the financial asset register, excluding any deduction for accumulated depreciation or accumulated impairment losses.
<b>Highest and Best Use</b>	The use of an asset by market participants that would maximise its market value.
<b>Intangible Asset</b>	An identifiable non-monetary asset without physical substance.
<b>Interim Revaluation</b>	Desktop review of asset values recorded in the

	financial asset register, whereby all assets within an asset class are adjusted by an indexation factor.
<b>Impairment</b>	Decrease in service potential of an asset as a consequence of an irregular event or catastrophe, resulting in its recoverable amount being less than its carrying amount.
<b>Infrastructure Assets</b>	Typically large, interconnected networks or programs of composite assets. The components of these assets may be separately maintained, renewed, replaced or disposed of, so that the required level and standard of service from the network of assets is continuously sustained. Generally, the components and hence the assets, have long lives. They are fixed in place and rarely have any market value.
<b>Maintenance Expenditure</b>	Recurrent planned and unplanned expenditure, which is periodically or regularly required as part of Council's maintenance plan to ensure that the asset is kept in an operational state, achieves its useful life and provides the required level of service.
<b>Market Value</b>	The price that would be received to sell an asset in an orderly transaction between market participants, excluding transaction costs but inclusive of any transport cost.
<b>Net Book Value</b>	The amount at which an asset is recorded (either at cost or fair value) within the financial asset register after deducting any accumulated depreciation and accumulated impairment losses. This is the same as an asset's carrying amount or written down value.
<b>Nominal Cost</b>	Nil or minimal cost for which an asset has been acquired.
<b>Non-Current Asset</b>	An asset held by Council for use rather than exchange and which provides an economic benefit for a period greater than one year.
<b>Off Maintenance</b>	Point in time that the period of "on maintenance" applicable to contributed assets either expires or ceases.
<b>On Maintenance</b>	Point in time that Council accepts control of an asset handed over by a property developer and assets are recognised in Council's accounts. The term 'on maintenance' refers to an effective warranty period whereby the responsibility for rectifying defects associated with the contributed assets rests with the developer.
<b>Operating Expenditure</b>	Encompasses all costs associated with operating an asset (ie electricity, fuel, staff, plant and equipment on costs and corporate overheads)
<b>Recognition Threshold</b>	Value, which an asset should exceed on acquisition before it is recognised within the

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	financial asset register and Council accounts..
<b>Recoverable Amount</b>	The higher of an asset's fair value less costs to sell and its value in use.
<b>Remaining Useful Life</b>	The remaining operational life of an asset in service, irrespective of the period an asset has been in use or its design life or initial useful life when first recognised.
<b>Renewal Works (aka Asset Renewal)</b>	Capital works that reinstates some or all of the original service potential of an asset
<b>Replacement Cost</b>	The current cost to replace or reproduce an asset based on similar operating conditions.
<b>Residual Value (aka Salvage Value or Scrap Value)</b>	The estimated amount that would be obtained today from the disposal of an asset, after deducting the estimated costs of disposal, if the asset were already of the age and in condition expected at the end of its useful life.
<b>Sunk Costs</b>	Costs that are incurred on the initial construction of an asset that are unlikely to be incurred again when the asset is renewed or replaced.
<b>Service Potential</b>	The capacity to provide goods and services in accordance with Council's objectives.
<b>Useful Life</b>	The period of time an asset is intended to be used by Council, which is estimated when the asset is initially put into service.
<b>Value In Use</b>	Normally refers to assets that generate some form of cash inflow. Where assets have no cash inflow, value in use is deemed to be depreciated replacement cost.
<b>Written Down Value</b>	The amount at which an asset is recorded (either at cost or fair value) within the financial asset register after deducting any accumulated depreciation and accumulated impairment losses. This is the same as an asset's carrying amount or net book value.



## Complaints Management Policy

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<b>Policy Number:</b>	PL-GV029
<b>Department:</b>	Business Services
<b>Section:</b>	Governance
<b>Responsible Manager:</b>	Manager Corporate Services
<b>Date Adopted:</b>	27 March 2013
<b>Date to be Reviewed:</b>	March 2016, February 2014
<b>Date Reviewed:</b>	7 April 2016
<b>Date Rescinded:</b>	N/A

### REVISION RECORD

Date	Version	Revision description
12/10/12	DRAFT	New policy and procedures
07/04/15	1	Review

**Complaints Management Policy**

Policy no: PL-GV-029

Updated: 7 April 2016

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## **1 Policy Background**

Southern Downs Regional Council's Complaints Policy has been established to provide for the resolution of the various types of complaints submitted to Council for action.

## **2 Purpose**

The purpose of the Complaints Policy is to provide transparent and clear guidelines as to how complaints received by Council are treated and to ensure Council complies with various legislation and Queensland Ombudsman's recommendations.

This policy provides guidelines for:

- Receiving,
- Recording,
- Processing,
- Responding to, and
- Reporting on complaints.

## **3 Scope**

This policy applies to all Council employees, volunteers, contractors, consultants, the Mayor and Councillors and the general public.

## **4 Legislative Context**

- Local Government Act 2009
- Local Government Regulation 2012
- Information Privacy Act 2009
- Public Interest Disclosure Act 2010
- Crime and ~~Corruption Misconduct~~ Act 2001
- ~~Crime and Corruption Regulation 2005~~
- Ombudsman Act 2001
- Anti-Discrimination Act 1991

## **5 Policy Details**

Council provides an extensive range of services and infrastructure to communities, and discharges obligations under many pieces of legislation.

Council is committed to the provision of quality service to customers and regards complaints as an opportunity to improve practices and procedures as well as resolve the matter.

The aim of this policy is to provide a fair, consistent and structured process for Council's customers to complain when they are dissatisfied with a Council action, decision or service.

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Lessons learnt from complaint investigations will be used to directly inform service improvements.

## **5.1 Principles Underlying the Policy**

This policy is based on the five principles from the *Directive 13/06 – Complaints Management Systems* Issued by the Queensland Public Service Commissioner in 2006, which will be fundamental in the way Council approaches complaint handling.

These principles are:

1. Visibility and access
2. Responsiveness
3. Assessment and action
4. Feedback
5. Monitoring effectiveness

### **5.1.1 Visibility and access**

This policy outlines mechanisms and strategies in place to provide:

- readily available information about where to lodge a complaint and how to make a complaint;
- readily available information on how the agency will manage a complaint (timeframes, how the complainant will be informed of progress, if relevant, and the result); and
- reasonable assistance to people who wish to make complaints.

### **5.1.2 Responsiveness**

This policy outlines mechanisms and strategies in place to provide:

- Inform agency staff of the existence and operation of the agency complaints management system;
- respond to complaints in a timely manner;
- monitor timeframes for resolution of complaints; and
- communicate with parties about the progress of resolution

### **5.1.3 Assessment and Action**

This policy outlines mechanisms and strategies in place to provide:

- Enable complaints to be dealt with fairly and objectively
- Assess the nature of complaints, how complaints should be dealt with and by whom;
- Refer complaints to external agencies where required.

#### 5.1.4 Feedback

This policy outlines mechanisms and strategies in place to provide:

- provide complainants with timely feedback;
- notify complainants of any available review mechanisms; and
- provide feedback to relevant areas of Council where potential system improvements are identified.

#### 5.1.5 Monitoring effectiveness

This policy outlines mechanisms and strategies in place to gather and record information to:

- meet any statutory, policy or procedural reporting requirements;
- identify complaint trends;
- monitor the time taken to resolve complaints

### 5.2 Access of Complaint Policy

Council will make its complaints framework, procedures and processes readily available to all employees and members of the public, through a number of mechanisms including:

- incorporating appropriate training into Council's induction process;
- training Community Contact Officers and Investigating Officers on Public Interest Disclosures and the lodgement of complaints;
- making this policy available for inspection during Council's office hours at all of Council's Community Contact Centres; and
- making this policy available on Council's website ([www.sdrc.qld.gov.au](http://www.sdrc.qld.gov.au)) and Intranet.

### 5.3 Definition of a complaint

For the purpose of this policy, a complaint is defined as follows:

*A record of a customer's dissatisfaction with delivery of a product or service offered by Council or the unsatisfactory conduct of a Council officer or Elected Member.*

This is distinct from a request for service. However, a request for service may develop into a complaint where the provision or timeliness of the service is considered unsatisfactory (e.g. damage to a road surface that is not rectified after a noticeable amount of time, following a request for service).

Council also receives service requests and feedback across all areas of operations and clarification may be necessary to make the distinction for the purpose of this policy.

**A Request for Service** is an application to have Council or its representatives take some form of action to provide a Council service.

**Example of Requests for Service are:**

- Request to fix a pot hole
- Request to have a new garbage bin
- Request to replace a broken bin
- Complaint about a barking dog (it is a request for service for Council to act on a barking dog)

Requests can be lodged by phoning Council, by email, by fax, or in person at Council's customer service centres.

Feedback can take the form of comments, both positive and negative, about services provided by Council without necessarily requiring a corrective action, change of services or formal review of a decision. Feedback may, however, influence future service reviews and delivery methods. Council encourages feedback via its feedback forms located at Council's customer service centres or online at Council's website.

## **5.4 Lodging a complaint**

Council welcomes complaints as a way of improving its services and programs as well as providing an opportunity to put things right.

This policy will be made widely accessible to ensure that customers are fully aware of their right to complain. Information about how to lodge a complaint will be placed in a prominent position on Council's website.

Council will ensure that, whenever possible, complaints will be handled independently of the original decision-maker or officer involved in the matter that is the subject of the complaint.

All complaints will be recorded in Council's records management system in such a way that the information can also be analysed for service improvement opportunities.

Complaints will be referred to the Manager Business Services for initial categorisation.

Complainants will be advised of the likely timeframe required to investigate and resolve a complaint and regularly updated as to progress where necessary.

Employees will be trained to manage complaints efficiently and effectively, and provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

**Council commits to the following:**

- All complainants will be treated with respect;
- All complaints will be taken seriously;
- All complaints will be treated with confidentiality;



- Personal information will be handled in accordance with the Privacy legislation;
- All complaints will be dealt fairly and equitably by complying with this policy and appropriate procedures;
- Natural justice principle will be applied to complaint handling.

A person can make a complaint in a number of ways:

- In writing and addressed to:  
Chief Executive Officer  
PO Box 28  
WARWICK QLD 4370
- In writing using the Complaints form available on Council's website <http://www.sdrc.qld.gov.au> <http://www.southerndowns.qld.gov.au> or at one of Council's **Community Contact Centres**.
- By telephone – contact Southern Downs Regional Council on **1300 697 372 or 4661 0300**
- Via Email – [mail@sdrcsoutherndowns.qld.gov.au](mailto:mail@sdrcsoutherndowns.qld.gov.au)
- Via Fax – 07 4661 0333
- In person at one of the **Community Contact Centre** at:
  - Warwick - 64 Fitzroy Street, Warwick
  - Allora Library - Herbert Street, Allora
  - Stanthorpe - 61 Marsh Street, Stanthorpe

#### 5.4.1 What information **do you** needs to be included in **your** a complaint?

So that **your the** complaint can be handled quickly please provide the following information:

- As much details as **you the complainant** can regarding the matter
- Include details of any loss or detriment that **the complainant you have** suffered
- List any other authorities or agencies **the complainant you have** already reported this incident to if applicable
- **Your The complainant's** contact details – **Your The complainant's** name & at least one method of contact
- A brief description of **your the complainant's** desired outcome
- Any supporting details such as photos, contact details for other people who can support **your the complainant's** case.

#### 5.4.2 Anonymous complaints

Council manages all complaints by following strict privacy guidelines. Unless otherwise required by relevant legislation, personal details of complaints will not be disclosed to outside entities without the complainant's prior permission.

When receiving a complaint, Council will encourage complainants to provide at least a first name and direct contact details in case further information is required and so that results of investigation can ultimately be conveyed to the complainant. People who do not wish to disclose their names may be asked to adopt a pseudonym.

In any case, complaints from people who do not wish to disclose their names nor contact details will be considered to the extent possible from the information provided to Council.

~~You may make an anonymous complaint, however Council will be unable to forward you any information regarding the progress and/or outcome of the matter if you choose this option. We encourage all people making a complaint to provide their first name and contact number as we may need to contact you to request further information and/or provide an update regarding the progress of your complaint.~~

~~Council manages all complaints following strict privacy guidelines and complainants can be assured that their personal details will not be disclosed to outside agencies without your permission.~~

~~Council may choose not to investigate an anonymous complaint if the information provided is not sufficient or the complaint does not meet legislative requirements.~~

Council will not accept anonymous complaints regarding barking dogs due to the sensitive nature of such matters.

### 5.5 Five steps of the complaint handling process

The following steps will be followed by staff to ensure complaints are dealt with efficiently and effectively:

1. Acknowledge complaints promptly
2. Assess the complaint - simple problems may not need to be investigated
3. Investigate the complaint if warranted
4. Respond to the complainant with a clear decision
5. Improve service.

### 5.6 Procedures for resolving complaints

Complaints may vary greatly in their level of complexity and seriousness as well as the type of complaint they fall under.

Wherever possible, complaints will be resolved when first reported, but if necessary, officers will escalate complaint handling as set out below.

#### **5.6.1 Stage 1 - Frontline complaints handling:**

1. Staff empowered with clear delegations to resolve low level complaints wherever possible at first contact
2. Staff log complaints details in Council's systems for later analysis.
3. Higher-level complaints referred directly to next stage.

#### **5.6.2 Stage 2 - Investigation:**

1. Complaints are recorded in Council's system
2. Designated complaints officer(s) review or investigate complaints either unresolved at frontline or referred directly

#### **5.6.3 Stage 3 - Internal review:**

1. Complainant requests review of original investigation.
2. Internal Review Officer(s) reviews the original complaint and investigation.
3. Internal Review Officer(s) to be senior to the original Complaints Investigation Officer.

#### **5.6.4 Stage 4 - External review:**

1. Complainant advised of external options such as, but not limited to:
  - a) Alternative dispute resolution
  - b) Queensland Ombudsman
  - c) Crime and Corruption Commission Misconduct

### **5.7 Acknowledgement of complaints**

Where a complaint cannot be resolved immediately and complainant details have been provided, the complainant will be advised in writing of the process to be undertaken to handle their complaint.

All complaints are recorded in Council's system.

Council will respond within ten [10] business days, acknowledging receipt of the complaint with the following:

- If the complaint cannot be investigated, reasons will be provided as well as further avenues for the complainant if possible; or
- the estimated timeframes to resolve the complaint based on complaint categorisation as per Table 1 in section 5.8; and
- the referral officer; and
- in which stage the complaint will be handled under as per 5.6; and
- whether the complaint has been classified as a Service Request as defined in 5.3 along with the Service Request number.

## 5.8 Assessing complaints

Due to numerous legislations, complaints are required to be categorized in order to be dealt with under the appropriate regulation.

Following entry of complaint's information in Council's system, the Manager **Corporate Business** Services must make a preliminary assessment of the complaint in terms of urgency and type in order to handle the complaint with the appropriate procedure as described in the table below.

**Table 1 - Complaint Categorisation**

Complaint Type	Further Description	Categorization	Resolution Procedure	Referral Officer/Agency
Unsatisfactory Council services	Council services do not meet complainant's standards/expectations	Administrative Action Complaint	<a href="#">SDRC Administrative Action Complaint Procedure</a>	Governance Officer
Decisions made by Council or employees	Other than where an objection or appeal process is available	Administrative Action Complaint	<a href="#">SDRC Administrative Action Complaint Procedure</a>	Governance Officer
	Where an objection or appeal process is available	3 <sup>rd</sup> party objection or appeal process	Referral to appropriate objection or appeal process	3 <sup>rd</sup> party
Conduct of Councillors and Mayor	By Mayor or Deputy Mayor	Inappropriate conduct of Mayor or Deputy Mayor	SDRC Councillor Code of Conduct - Councillors' Conduct Complaints Procedure	CEO Director of the Department of Local Government
	At Council Meetings	Inappropriate conduct of Councillor		CEO Mayor
	Repeated offences	Inappropriate conduct of Councillor		CEO Director of the Department of Local Government
	By other Councillors	Inappropriate conduct of Councillor		CEO Mayor

Misconduct of Councillors	As defined in s 176(3) of the Local Government Act 2009	Misconduct of Councillors	SDRC Councillor Code of Conduct - Councillors' Conduct Complaints Procedure	CEO Director of the Department of Local Government
Official misconduct	Either by a Councillor or employee	As directed by the Crime and Corruption Misconduct Commission	SDRC Councillor Code of Conduct - Councillors' Conduct Complaints Procedure	CEO <b>CCC GMC</b>
Improper conduct, behaviour or poor performance of Council officers	Complaints regarding the conduct or performance of Council employees	Human Resources matter	Employee Code of Conduct	HR Manager
Employee grievances	Expressions of bitterness or anger at having received unfair treatment or feeling that something is unfair	Human Resources matter	Employee Code of Conduct Enterprise Bargaining Agreement	HR Manager
Privacy Complaints	Complaints about inappropriate release of personal information	Privacy complaint	SDRC Privacy policy	Privacy Officer
<b>Public Interest Disclosure</b>	can be made by any person (whether or not the person is a public officer) to a proper authority	Improper public sector conduct, maladministration, danger to the public health, safety or environment	<b>Public Interest Disclosure Management Program and Procedure</b>	<b>CEO</b>
Competitive Neutrality Complaints	Complaints about failure to conduct a business activity in accordance with competitive neutrality principle	Competitive Neutrality Complaint	<a href="#">SDRC Competitive Neutrality Complaints Procedure</a>	CEO QCA

Once a complaint has been categorised, it will be referred to the appropriate officer and dealt under the corresponding procedure.

In the event where a complaint is assessed as being a Service Request as defined in 5.3, the Manager **Corporate Business Services** will have the request logged into Council system and treated as a service request.

Whenever possible, Council will handle complaints in Stage 1 as defined in 5.6.

## 5.9 Complaint investigation

The investigation of the complaint will be in accordance with the corresponding procedure or policy.

When investigation is warranted, the referral officer will engage appropriate resources to investigate the complaint. Resources may be from external parties as well as from Council.

When investigation occurs, the complaint is in Stage 2 as defined in 5.6.

The referral officer will compile a written report detailing:

- the complaint issue (as submitted by the complainant);
- a concise summary of the material facts and circumstances;
- any relevant legislation, policy or procedure;
- details of persons interviewed and/or consulted, and associated information obtained during the interview and consultations process;
- results of any relevant research or analysis;
- findings on material questions of fact and law;
- whether the complaint is *prima facie*, sustained and reasons for that finding; and
- if the complaint is sustained, any recommendation or suggested remedy.

Complaint investigation will vary greatly based on the type of complaint, its complexity and the number of parties involved.

Council will endeavour to conduct all investigation within forty five [45] business days from the acknowledgement letter.

In the event where the investigation is likely to exceed the above timeframe and providing Council has the complainant's contact details, Council will notify the complainant in writing and provide reasons for the delay and estimated date of completion.

## 5.10 Response to complainant

Response to complainant will be in accordance with the corresponding procedure or policy.

Responses for all complaints will be in writing providing Council has the complainant's contact details.

All responses will provide:

- the results of the investigation when one was conducted,
- a remedy if applicable,

- further rights of appeal the complainant may have.

Council will endeavour to provide a final response within ten [10] business days of the investigation finishing.

## 5.11 Improve service

~~Quality of service is an important measure of Council's effectiveness. Learning from complaints is a powerful way of helping to develop the Council and increase trust among the people who use our services. Service improvement is an important measure of Council's effectiveness. Continually improving the way Council deals with complaints is essential to provide an effective and efficient process for all parties whom deal with Council.~~

In addition to making changes to procedures and practices where appropriate, Council will review and evaluate the information gained through its complaints handling system on an annual basis to identify systemic issues and improvements to service. Council will receive a report on the number and nature of complaints received, including the percentage of unresolved complaints, at least once a year.

Where appropriate, complainants will be provided with an explanation of changes proposed or made as a result of the investigation of their complaint.

## 5.12 Refusal to deal

In assessing a complaint (including any further information provided by the complainant) the Referral Officer will consider whether there is a statutory ground on which the complaint may be refused. The Referral Officer may refuse to investigate a complaint or, having started to investigate a complaint, refuse to continue the investigation if the officer reasonably considers that:

- a) the complaint is trivial; or
- b) the complaint concerns trivial matter or was made vexatiously; or
- c) the Complainant does not have a sufficient direct interest in the administrative action or allegation of misconduct; or
- d) both of the following apply:
  - I. the Complainant has a right of appeal, reference or review, or another remedy, that the person has not exhausted; and
  - II. it would be reasonable in the circumstances to require the Complainant to exhaust the right or remedy before the officer investigates, or continues to investigate, the complaint;
- e) investigating the complaint is unnecessary or unjustifiable.

The Referral Officer will give the Complainant written notice of a decision made by the Officer to refuse to investigate the complaint, or to continue the investigation, and the reasons for the decision.

### **5.13 Unreasonable complainant conduct**

All complaints received by Council will be treated seriously and complainants will be treated courteously. However, occasionally the conduct of a complainant can be unreasonable. This may take the form of unreasonable persistence, unreasonable demands, lack of cooperation, argumentative or threatening behaviour. What can be termed 'unreasonable' will vary depending on a number of factors and Council aims to manage these situations in a fair and equitable manner.

Where a complainant's behaviour consumes an unwarranted amount of Council resources or impedes the investigation of their complaint, a decision may be made to apply restrictions on contact with the person. Before making any decision to restrict contact, the complainant will be warned that, if the specified behaviour(s) or actions continue, restrictions may be applied.

Any decision to suspend action on a complaint will be made by the Chief Executive Officer or his/her delegate and communicated in writing to the complainant.

### **5.14 Privacy and confidentiality**

Complainants have a right to expect that their complaint will be investigated in private, to the extent possible. The identity of complainants will be made known only to those who need to know in the process of investigating and resolving the complaint. The complaint will not be revealed or made public by the Council, except where required by law.

### **5.15 Remedies**

Where complaints are found to be justified Council will, where practicable, remedy the situation in a manner which is consistent and fair for both Council and complainants. The solution chosen will be proportionate and appropriate to the circumstances.

As a general principle the complainant should, so far as possible, be put in the position he or she would have been in, had things not gone wrong. This may mean providing the desired service or changing a decision. Sometimes, however, it may only be possible to offer an apology.

The Elected Council and the CEO are the only representatives authorised to offer financial compensation and may seek legal advice before taking any such action.

**Council has adopted the below range of remedies for addressing administrative actions that it considers to be unfair or wrong. Remedies include, but are not limited to –**

- 5.11.1 An explanation for the action in question**
- 5.11.2 An admission of fault**
- 5.11.3 An apology**
- 5.11.4 Revocation or amendment of the decision**
- 5.11.5 Rectification, including repairing or replacing the matter in dispute**
- 5.11.6 Revision of relevant policy, procedure or practice**
- 5.11.7 Provision of technical assistance**



5.11.8 Reimbursement of cost incurred as a result of the action in question

5.11.9 Financial compensation, including an ex-gratia payment

5.11.10 Waiver of debt

More than one remedy may be applied in the particular case if the circumstances justify that course of action.

## 5.16 Alternative remedies

Council may seek to use alternative dispute resolution methods such as mediation to resolve a complaint in circumstances where the CEO or his/her delegate deems such a course of action appropriate and the complainant is amenable to that process.

When advising a complainant of the outcome of an investigation of a complaint, Council will provide information about alternative remedies, including any rights of appeal and the right to make a complaint to an external agency such as the Queensland Ombudsman.

## 5.17 Review and evaluation

In order to ensure Council continues to provide the best possible complaints handling service for its customers, this policy will be subject to annual evaluation and review.

Review will be in accordance with the 'PL-GV059 Guideline for the formation and review of Policies'.

## 5.18 Measurement of Success

The effectiveness of the complaint process may be reflected in feedback from customer satisfaction surveys and monitored in a number of ways, including the following performance indicators, trends in the numbers, types and resolution of complaints:

Complaint	Telephone	Face-to-Face	Written	Performance Indicators	
Provide Acknowledgement	At time of contact	At time of contact	Within 10 business days	100% of complaints acknowledged within timeframe.	
Inform of progress	Complainant advised of progress and/or delays until resolved.			100% of complaints contacted to advise progress.	
Finalise outcome of investigation	Investigation finalised (i.e. that the complaint has been substantiated or not) within 45 business days of receipt.			90% of complaints resolved within timeframe.	
	Note: The outcome does not include the taking of possible disciplinary action.				

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	This is a separate process and a separate timeframe will apply.		
Stakeholders advised of outcome	Complainant and any external agency advised of outcome within 7 days of the decision.	100% of stakeholders advised of outcome within timeframe.	

## 6 Definitions

Term	Meaning
CEO	Chief Executive Officer of Council
Natural Justice	It means providing a person who might be adversely affected by an administrative decision (such as a decision about a complaint) with a 'fair hearing' before the decision is made. This could include giving the person an opportunity to provide their side of the story and comment on relevant issues/information before <del>you make</del> a decision is made.
SDRC	Southern Downs Regional Council
Council	Southern Downs Regional Council
QCA	Queensland Competitive Authority

## 7 Related Documents

- Employee Code of Conduct
- Competitive Neutrality Complaints Procedure
- Administrative Action Complaints Procedure
- Councillors' Conduct Complaints Procedure

## 8 References

- Queensland Ombudsman Complaints Management fact sheets and guidelines
- Complaints Policy Model – LGA – SA
- NSW Ombudsman Unreasonable Complainant Conduct Model Policy

## **9 Appendix A**

### **9.1 Competitive Neutrality Complaints Procedure**

This procedure has been prepared in compliance with section 48 of the *Local Government Act 2009 (LGA)* and subdivision 2 of the *Local Government Regulation 2012 (Regulation)*.

A competitive neutrality complaint is defined in s 48(2) of the *Local Government Act 2009* to be a complaint that

- a) relates to the failure of a local government to conduct a business activity in accordance with the competitive neutrality principle; and
- b) is made by an affected person.

Business activity of a local government, means trading in goods and services by the local government.

Under the competitive neutrality principle, an entity that is conducting a business activity in competition with the private sector should not enjoy a net advantage over competitors only because the entity is in the public sector.

Affected person is defined in s 48(3) of the *Local Government Act 2009* to be:

- a) a person who:
  - I. competes with the local government in relation to the business activity; and
  - II. claims to be adversely affected by a competitive advantage that the person alleges is enjoyed by the local government; or
- b) a person who:
  - I. wants to compete with the local government in relation to the business activity; and
  - II. claims to be hindered from doing so by a competitive advantage that the person alleges is enjoyed by the local government.

In its annual Revenue Statement, Council determines the business activities to which the competitive neutrality principle will be applied during the coming year.

#### **9.1.1 Raising Concerns**

A person may raise concerns about alleged failure of a Council business entity to comply with the competitive neutrality principle in conducting the business activity. The Manager responsible for the relevant business activity will provide a response clarifying the matters in contention and, if the person is dissatisfied with this explanation, will advise them of their right to lodge a Competitive Neutrality Complaint.

Lodgement of this type of complaint can be made as defined in the Complaints Policy, section 5.3.

### 9.1.2 Formal Complaints

Competitive neutrality complaints must be made in writing and addressed to the Chief Executive Officer.

The complaint must contain:

- a) details of the business entity's alleged failure to comply with the competitive neutrality principle in conducting the business activity, the subject of the competitive neutrality complaint; and
- b) information that shows:
  - i. the person (the complainant) is, or could be, in competition with the business entity; and
  - ii. how the complainant is, or may be, adversely affected by the business entity's alleged failure; and
  - iii. the complainant has already made a genuine attempt to resolve the complaint raising concerns with Council.

### 9.1.3 Recording and Referring Complaints

Once a complaint has been determined by the Manager Business Services to be a Competitive Neutrality Complaint, the Manager Business Services will provide the complainant with acknowledgement of their complaint and will, on behalf of the CEO, refer the complaint to the Queensland Competition Authority (QCA) within 10 business days. QCA will investigate and report on the complaint as defined in sections 46-54 of the Regulation.

All complaints are recorded into Council's complaint system.

### 9.1.4 QCA's Reports

Reports received from the QCA will be recorded in Council system and made available for viewing in the Council's Public Offices. The report will then be referred to the next available Council Meeting to determine whether to implement the recommendations in the QCA's report and to record reasons for that decision.

Copies of Council's decision regarding the report will be recorded in Council system and provided to the complainant and the QCA.

## **10 Appendix B**

### **10.1 Administrative Action Complaints Procedure**

This procedure outlines the process to be followed in dealing with administrative action complaints in accordance with section 268 the *Local Government Act 2009 (LGA)* and section 306 of the *Local Government Regulation 2012 (Regulation)*.

Section 268(2) of the *Local Government Act 2009* (the Act) defines an administrative action complaint as being a complaint that:

- a) is about an administrative action of a local government, including the following, for example:
  - i. a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision;
  - ii. an act, or a failure to do an act;
  - iii. the formulation of a proposal or intention;
  - iv. the making of a recommendation; and
- b) is made by an affected person.

Section 268(3) of the Act provides that an affected person is a person who is apparently directly affected by an administrative action of a local government.

#### **10.1.1 Raising concerns**

A person may raise concerns about an administrative action complaint when contacting Council. Council officers are empowered to resolve complaints at first point of contact. However, if the complaint cannot be resolved at the time, or the complainant is dissatisfied with the result, the Council officer will advise them of their right to lodge an administrative complaint.

Lodgement of this type of complaints can be made as defined in the Complaints Policy, section 5.3.

Council accepts anonymous complaints of this type but may not be able to investigate fully as described in section 5.3.2 of the Complaints Policy.

Administrative action complaints comply with the Complaints Policy framework. Complaints that are not resolved at first point of contact fall under "Stage 2 – *Internal review or investigation*" as defined in section 5.5 of the Complaints Policy.

#### **10.1.2 Acknowledgement of complaints**

Complaints will be acknowledged as defined in section 5.6 of the Complaints Policy.

#### **10.1.3 Recording of complaints**

All Administrative Action Complaints will be recorded in Council's Complaints database.

During the lifecycle of the complaint, actions, decisions and referrals will also be recorded in the system for reporting purposes.

#### **10.1.4 Refusal to deal with the complaint**

Council may refuse to deal with the complaint as described in section 5.11 of the Complaints Policy.

#### **10.1.5 Investigation**

Unless there is refusal to deal with the complaint, complaints in Stage 2 are referred to the Governance Officer for investigation.

Investigation will comply with section 5.8 of the Complaints Policy.

At completion of the investigation, a detailed report will be provided to the CEO with recommendations regarding a possible remedy.

The CEO or the Mayor (as appropriate) will determine what action they propose to take regarding the recommendations.

#### **10.1.6 Response to complainant**

A final response to the complainant will be provided as defined in section 5.9 of the Complaints Policy.

#### **10.1.7 Appeal of reviewed decision**

A person dissatisfied by a decision made under the Stage 2 review process may either submit an appeal together with further information to the CEO or appeal directly to the Queensland Ombudsman.

The CEO may determine either:

- that Council should conduct a further investigation of the matter; or
- that further investigation by Council is unwarranted or is unlikely to achieve any beneficial outcome.

The CEO will advise the complainant within 10 business days of their decision **and reasons** regarding the appeal, and of their right to further appeal the decision to the Queensland Ombudsman.

Any investigation reports by the Queensland Ombudsman recommending a change to decision by Council, a Councillor or a Council officer will be referred to the CEO for consideration. The CEO may choose to refer the matter to Council for resolution.

#### **10.1.8 Reporting on Administrative Action Complaints**

Manager Business Services will provide quarterly reports on Administrative Action Complaints to the Internal Audit Committee and a yearly report for the annual report of Council.



## Complaints Management Policy

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<b>Policy Number:</b>	PL-GV029
<b>Department:</b>	Business Services
<b>Section:</b>	Governance
<b>Responsible Manager:</b>	Manager Corporate Services
<b>Date Adopted:</b>	27 March 2013
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### REVISION RECORD

Date	Version	Revision description
12/10/12	DRAFT	New policy and procedures
22/04/15	1	Review

**Complaints Management Policy**

**Policy no: PL-GV-029**

**Updated: 22 April 2015**

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## **1 Policy Background**

Southern Downs Regional Council's Complaints Policy has been established to provide for the resolution of the various types of complaints submitted to Council for action.

## **2 Purpose**

The purpose of the Complaints Policy is to provide transparent and clear guidelines as to how complaints received by Council are treated and to ensure Council complies with various legislation and Queensland Ombudsman's recommendations.

This policy provides guidelines for:

- Receiving,
- Recording,
- Processing,
- Responding to, and
- Reporting on complaints.

## **3 Scope**

This policy applies to all Council employees, volunteers, contractors, consultants, the Mayor and Councillors and the general public.

## **4 Legislative Context**

- Local Government Act 2009
- Local Government Regulation 2012
- Information Privacy Act 2009
- Public Interest Disclosure Act 2010
- Crime and Corruption Act 2001
- Crime and Corruption Regulation 2005
- Ombudsman Act 2001
- Anti-Discrimination Act 1991

## **5 Policy Details**

Council provides an extensive range of services and infrastructure to communities, and discharges obligations under many pieces of legislation.

Council is committed to the provision of quality service to customers and regards complaints as an opportunity to improve practices and procedures as well as resolve the matter.

The aim of this policy is to provide a fair, consistent and structured process for Council's customers to complain when they are dissatisfied with a Council action, decision or service.

Lessons learnt from complaint investigations will be used to directly inform service improvements.

## **5.1 Principles Underlying the Policy**

This policy is based on the five principles from the *Directive 13/06 – Complaints Management Systems* issued by the Queensland Public Service Commissioner in 2006, which will be fundamental in the way Council approaches complaint handling.

These principles are:

1. Visibility and access
2. Responsiveness
3. Assessment and action
4. Feedback
5. Monitoring effectiveness

### **5.1.1 Visibility and access**

This policy outlines mechanisms and strategies in place to provide:

- readily available information about where to lodge a complaint and how to make a complaint;
- readily available information on how the agency will manage a complaint (timeframes, how the complainant will be informed of progress, if relevant, and the result); and
- reasonable assistance to people who wish to make complaints.

### **5.1.2 Responsiveness**

This policy outlines mechanisms and strategies in place to provide:

- inform agency staff of the existence and operation of the agency complaints management system;
- respond to complaints in a timely manner;
- monitor timeframes for resolution of complaints; and
- communicate with parties about the progress of resolution

### **5.1.3 Assessment and Action**

This policy outlines mechanisms and strategies in place to provide:

- Enable complaints to be dealt with fairly and objectively
- Assess the nature of complaints, how complaints should be dealt with and by whom;
- Refer complaints to external agencies where required.

#### 5.1.4 Feedback

This policy outlines mechanisms and strategies in place to provide:

- provide complainants with timely feedback;
- notify complainants of any available review mechanisms; and
- provide feedback to relevant areas of Council where potential system improvements are identified.

#### 5.1.5 Monitoring effectiveness

This policy outlines mechanisms and strategies in place to gather and record information to:

- meet any statutory, policy or procedural reporting requirements;
- identify complaint trends;
- monitor the time taken to resolve complaints

### 5.2 Access of Complaint Policy

Council will make its complaints framework, procedures and processes readily available to all employees and members of the public, through a number of mechanisms including:

- incorporating appropriate training into Council's induction process;
- training Community Contact Officers and Investigating Officers on Public Interest Disclosures and the lodgement of complaints;
- making this policy available for inspection during Council's office hours at all of Council's Community Contact Centres; and
- making this policy available on Council's website ([www.sdrc.qld.gov.au](http://www.sdrc.qld.gov.au)) and Intranet.

### 5.3 Definition of a complaint

For the purpose of this policy, a complaint is defined as follows:

*A record of a customer's dissatisfaction with delivery of a product or service offered by Council or the unsatisfactory conduct of a Council officer or Elected Member.*

This is distinct from a request for service. However, a request for service may develop into a complaint where the provision or timeliness of the service is considered unsatisfactory (e.g. damage to a road surface that is not rectified after a noticeable amount of time, following a request for service).

Council also receives service requests and feedback across all areas of operations and clarification may be necessary to make the distinction for the purpose of this policy.

**A Request for Service** is an application to have Council or its representatives take some form of action to provide a Council service.

**Example of Requests for Service are:**

- Request to fix a pot hole
- Request to have a new garbage bin
- Request to replace a broken bin
- Complaint about a barking dog (it is a request for service for Council to act on a barking dog)

Requests can be lodged by phoning Council, by email, by fax, or in person at Council's customer service centres.

Feedback can take the form of comments, both positive and negative, about services provided by Council without necessarily requiring a corrective action, change of services or formal review of a decision. Feedback may, however, influence future service reviews and delivery methods. Council encourages feedback via its feedback forms located at Council's customer service centres or online at Council's website.

## **5.4 Lodging a complaint**

Council welcomes complaints as a way of improving its services and programs as well as providing an opportunity to put things right.

This policy will be made widely accessible to ensure that customers are fully aware of their right to complain. Information about how to lodge a complaint will be placed in a prominent position on Council's website.

Council will ensure that, whenever possible, complaints will be handled independently of the original decision-maker or officer involved in the matter that is the subject of the complaint.

All complaints will be recorded in Council's records management system in such a way that the information can also be analysed for service improvement opportunities.

Complaints will be referred to the Manager Business Services for initial categorisation.

Complainants will be advised of the likely timeframe required to investigate and resolve a complaint and regularly updated as to progress where necessary.

Employees will be trained to manage complaints efficiently and effectively, and provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

**Council commits to the following:**

- All complainants will be treated with respect;
- All complaints will be taken seriously;
- All complaints will be treated with confidentiality;

- Personal information will be handled in accordance with the Privacy legislation;
- All complaints will be dealt fairly and equitably by complying with this policy and appropriate procedures;
- Natural justice principle will be applied to complaint handling.

**A person can make a complaint in a number of ways:**

- In writing and addressed to:  
Chief Executive Officer  
PO Box 26  
WARWICK QLD 4370
- In writing using the Complaints form available on Council's website <http://www.sdrc.qld.gov.au> or at one of Council's Community Contact Centres.
- By telephone – contact Southern Downs Regional Council on 1300 697 372
- Via Email – [mail@sdrc.qld.gov.au](mailto:mail@sdrc.qld.gov.au)
- Via Fax – 07 4661 0333
- In person at one of the Community Contact Centres at:
  - Warwick - 64 Fitzroy Street, Warwick
  - Allora Library - Herbert Street, Allora
  - Stanthorpe - 61 Marsh Street, Stanthorpe

#### **5.4.1 What information needs to be included in a complaint?**

So that the complaint can be handled quickly please provide the following information:

- As much details as the complainant can regarding the matter
- Include details of any loss or detriment that the complainant has suffered
- List any other authorities or agencies the complainant has already reported this incident to if applicable
- The complainant's contact details – The complainant's name & at least one method of contact
- A brief description of the complainant's desired outcome
- Any supporting details such as photos, contact details for other people who can support the complainant's case.

#### **5.4.2 Anonymous complaints**

Council manages all complaints by following strict privacy guidelines. Unless otherwise required by relevant legislation, personal details of complaints will not be disclosed to outside entities without the complainant's prior permission.

When receiving a complaint, Council will encourage complainants to provide at least a first name and direct contact details in case further information is required and so that

results of investigation can ultimately be conveyed to the complainant. People who do not wish to disclose their names may be asked to adopt a pseudonym.

In any case, complaints from people who do not wish to disclose their names nor contact details will be considered to the extent possible from the information provided to Council.

Council will not accept anonymous complaints regarding barking dogs due to the sensitive nature of such matters.

## **5.5 Five steps of the complaint handling process**

The following steps will be followed by staff to ensure complaints are dealt with efficiently and effectively:

1. Acknowledge complaints promptly
2. Assess the complaint - simple problems may not need to be investigated
3. Investigate the complaint if warranted
4. Respond to the complainant with a clear decision
5. Improve service.

## **5.6 Procedures for resolving complaints**

Complaints may vary greatly in their level of complexity and seriousness as well as the type of complaint they fall under.

Wherever possible, complaints will be resolved when first reported, but if necessary, officers will escalate complaint handling as set out below.

### **5.6.1 Stage 1 - Frontline complaints handling:**

1. Staff empowered with clear delegations to resolve low level complaints wherever possible at first contact.
2. Staff log complaints details in Council's systems for later analysis.
3. Higher-level complaints referred directly to next stage.

### **5.6.2 Stage 2 - Investigation:**

1. Complaints are recorded in Council's system
2. Designated complaints officer(s) review or investigate complaints either unresolved at frontline or referred directly

### **5.6.3 Stage 3 - Internal review:**

1. Complainant requests review of original investigation.
2. Internal Review Officer(s) reviews the original complaint and investigation.
3. Internal Review Officer(s) to be senior to the original Complaints Investigation Officer.

#### **5.6.4 Stage 4 - External review:**

1. Complainant advised of external options such as, but not limited to:
  - a) Alternative dispute resolution
  - b) Queensland Ombudsman
  - c) Crime and Corruption Commission

### **5.7 Acknowledgement of complaints**

Where a complaint cannot be resolved immediately and complainant details have been provided, the complainant will be advised in writing of the process to be undertaken to handle their complaint.

All complaints are recorded in Council's system.

Council will respond within ten [10] business days, acknowledging receipt of the complaint with the following:

- If the complaint cannot be investigated, reasons will be provided as well as further avenues for the complainant if possible; or
- the estimated timeframes to resolve the complaint based on complaint categorisation as per Table 1 in section 5.8; and
- the referral officer; and
- In which stage the complaint will be handled under as per 5.6; and
- whether the complaint has been classified as a Service Request as defined in 5.3 along with the Service Request number.



## 5.8 Assessing complaints

Due to numerous legislations, complaints are required to be categorized in order to be dealt with under the appropriate regulation.

Following entry of complaint's information in Council's system, the Manager Corporate Services must make a preliminary assessment of the complaint in terms of urgency and type in order to handle the complaint with the appropriate procedure as described in the table below.

**Table 1 - Complaint Categorisation**

Complaint Type	Further Description	Categorization	Resolution Procedure	Referral Officer/Agency
Unsatisfactory Council services	Council services do not meet complainant's standards/expectations	Administrative Action Complaint	<a href="#">SDRC Administrative Action Complaint Procedure</a>	Governance Officer
Decisions made by Council or employees	Other than where an objection or appeal process is available	Administrative Action Complaint	<a href="#">SDRC Administrative Action Complaint Procedure</a>	Governance Officer
	Where an objection or appeal process is available	3 <sup>rd</sup> party objection or appeal process	Referral to appropriate objection or appeal process	3 <sup>rd</sup> party
Conduct of Councillors and Mayor	By Mayor or Deputy Mayor	Inappropriate conduct of Mayor or Deputy Mayor	SDRC Councillor Code of Conduct - Councillors' Conduct Complaints Procedure	CEO Director of the Department of Local Government
	At Council Meetings	Inappropriate conduct of Councillor		CEO Mayor
	Repeated offences	Inappropriate conduct of Councillor		CEO Director of the Department of Local Government
	By other Councillors	Inappropriate conduct of Councillor		CEO Mayor

Complaint Type	Further Description	Categorization	Resolution Procedure	Referral Officer/Agency
Misconduct of Councillors	As defined in s 178(3) of the Local Government Act 2009	Misconduct of Councillors	SDRC Councillor Code of Conduct - Councillors' Conduct Complaints Procedure	CEO Director of the Department of Local Government
Official misconduct	Either by a Councillor or employee	As directed by the Crime and Corruption Commission	SDRC Councillor Code of Conduct - Councillors' Conduct Complaints Procedure	CEO CCC
Improper conduct, behaviour or poor performance of Council officers	Complaints regarding the conduct or performance of Council employees	Human Resources matter	Employee Code of Conduct	HR Manager
Employee grievances	Expressions of bitterness or anger at having received unfair treatment or feeling that something is unfair	Human Resources matter	Employee Code of Conduct Enterprise Bargaining Agreement	HR Manager
Privacy Complaints	Complaints about inappropriate release of personal information	Privacy complaint	SDRC Privacy policy	Privacy Officer
Public Interest Disclosure	can be made by any person (whether or not the person is a public officer) to a proper authority	Improper public sector conduct, maladministration, danger to the public health, safety or environment	Public Interest Disclosure Management Program and Procedure	CEO
Competitive Neutrality Complaints	Complaints about failure to conduct a business activity in accordance with competitive neutrality principles	Competitive Neutrality Complaint	<a href="#">SDRC Competitive Neutrality Complaints Procedure</a>	CEO QCA

Once a complaint has been categorised, it will be referred to the appropriate officer and dealt under the corresponding procedure.

In the event where a complaint is assessed as being a Service Request as defined in 5.3, the Manager Corporate Services will have the request logged into Council system and treated as a service request.

Whenever possible, Council will handle complaints in Stage 1 as defined in 5.6.

## **5.9 Complaint investigation**

The investigation of the complaint will be in accordance with the corresponding procedure or policy.

When investigation is warranted, the referral officer will engage appropriate resources to investigate the complaint. Resources may be from external parties as well as from Council.

When investigation occurs, the complaint is in Stage 2 as defined in 5.6.

The referral officer will compile a written report detailing:

- the complaint issue (as submitted by the complainant);
- a concise summary of the material facts and circumstances;
- any relevant legislation, policy or procedure;
- details of persons interviewed and/or consulted, and associated information obtained during the interview and consultations process;
- results of any relevant research or analysis;
- findings on material questions of fact and law;
- whether the complaint is *prima facie*, sustained and reasons for that finding; and
- if the complaint is sustained, any recommendation or suggested remedy.

Complaint investigation will vary greatly based on the type of complaint, its complexity and the number of parties involved.

Council will endeavour to conduct all investigation within forty five [45] business days from the acknowledgement letter.

In the event where the investigation is likely to exceed the above timeframe and providing Council has the complainant's contact details, Council will notify the complainant in writing and provide reasons for the delay and estimated date of completion.

## **5.10 Response to complainant**

Response to complainant will be in accordance with the corresponding procedure or policy.

Responses for all complaints will be in writing providing Council has the complainant's contact details.

All responses will provide:

- the results of the investigation when one was conducted,
- a remedy if applicable,

- further rights of appeal the complainant may have.

Council will endeavour to provide a final response within ten [10] business days of the investigation finishing.

## **5.11 Improve service**

Service Improvement is an important measure of Council's effectiveness. Continually improving the way Council deals with complaints is essential to provide an effective and efficient process for all parties whom deal with Council.

In addition to making changes to procedures and practices where appropriate, Council will review and evaluate the information gained through its complaints handling system on an annual basis to identify systemic issues and improvements to service. Council will receive a report on the number and nature of complaints received, including the percentage of unresolved complaints, at least once a year.

Where appropriate, complainants will be provided with an explanation of changes proposed or made as a result of the investigation of their complaint.

## **5.12 Refusal to deal**

In assessing a complaint (including any further information provided by the complainant) the Referral Officer will consider whether there is a statutory ground on which the complaint may be refused. The Referral Officer may refuse to investigate a complaint or, having started to investigate a complaint, refuse to continue the investigation if the officer reasonably considers that:

- a) the complaint is trivial; or
- b) the complaint concerns frivolous matter or was made vexatiously; or
- c) the Complainant does not have a sufficient direct interest in the administrative action or allegation of misconduct; or
- d) both of the following apply:
  - i. the Complainant has a right of appeal, reference or review, or another remedy, that the person has not exhausted; and
  - ii. it would be reasonable in the circumstances to require the Complainant to exhaust the right or remedy before the officer investigates, or continues to investigate, the complaint;
- e) investigating the complaint is unnecessary or unjustifiable.

The Referral Officer will give the Complainant written notice of a decision made by the Officer to refuse to investigate the complaint, or to continue the investigation, and the reasons for the decision.

### **5.13 Unreasonable complainant conduct**

All complaints received by Council will be treated seriously and complainants will be treated courteously. However, occasionally the conduct of a complainant can be unreasonable. This may take the form of unreasonable persistence, unreasonable demands, lack of cooperation, argumentative or threatening behaviour. What can be termed 'unreasonable' will vary depending on a number of factors and Council aims to manage these situations in a fair and equitable manner.

Where a complainant's behaviour consumes an unwarranted amount of Council resources or impedes the investigation of their complaint, a decision may be made to apply restrictions on contact with the person. Before making any decision to restrict contact, the complainant will be warned that, if the specified behaviour(s) or actions continue, restrictions may be applied.

Any decision to suspend action on a complaint will be made by the Chief Executive Officer or his/her delegate and communicated in writing to the complainant.

### **5.14 Privacy and confidentiality**

Complainants have a right to expect that their complaint will be investigated in private, to the extent possible. The identity of complainants will be made known only to those who need to know in the process of investigating and resolving the complaint. The complaint will not be revealed or made public by the Council, except where required by law.

### **5.15 Remedies**

Where complaints are found to be justified Council will, where practicable, remedy the situation in a manner which is consistent and fair for both Council and complainants. The solution chosen will be proportionate and appropriate to the circumstances.

As a general principle the complainant should, so far as possible, be put in the position he or she would have been in, had things not gone wrong. This may mean providing the desired service or changing a decision. Sometimes, however, it may only be possible to offer an apology.

The Elected Council and the CEO are the only representatives authorised to offer financial compensation and may seek legal advice before taking any such action.

Council has adopted the below range of remedies for addressing administrative actions that it considers to be unfair or wrong. Remedies include, but are not limited to –

- 5.11.1 An explanation for the action in question
- 5.11.2 An admission of fault
- 5.11.3 An apology
- 5.11.4 Revocation or amendment of the decision
- 5.11.5 Rectification, including repairing or replacing the matter in dispute
- 5.11.6 Revision of relevant policy, procedure or practice
- 5.11.7 Provision of technical assistance

- 5.11.8 Reimbursement of cost incurred as a result of the action in question
- 5.11.9 Financial compensation, including an ex-gratia payment
- 5.11.10 Waiver of debt

More than one remedy may be applied in the particular case if the circumstances justify that course of action.

## 5.16 Alternative remedies

Council may seek to use alternative dispute resolution methods such as mediation to resolve a complaint in circumstances where the CEO or his/her delegate deems such a course of action appropriate and the complainant is amenable to that process.

When advising a complainant of the outcome of an investigation of a complaint, Council will provide information about alternative remedies, including any rights of appeal and the right to make a complaint to an external agency such as the Queensland Ombudsman.

## 5.17 Review and evaluation

In order to ensure Council continues to provide the best possible complaints handling service for its customers, this policy will be subject to annual evaluation and review.

Review will be in accordance with the 'PL-GV068 Guideline for the formation and review of Policies'.

## 5.18 Measurement of Success

The effectiveness of the complaint process may be reflected in feedback from customer satisfaction surveys and monitored in a number of ways, including the following performance indicators, trends in the numbers, types and resolution of complaints:

Complaint	Telephone	Face-to-Face	Written	Performance Indicators
Provide Acknowledgement	At time of contact	At time of contact	Within 10 business days	100% of complaints acknowledged within timeframe.
Inform of progress	Complainant advised of progress and/or delays until resolved.			100% of complaints contacted to advise progress.
Finalise outcome of investigation	Investigation finalised (i.e. that the complaint has been substantiated or not) within 45 business days of receipt.  Note: The outcome does not include the taking of possible disciplinary action. This is a separate process and a separate timeframe will apply.			90% of complaints resolved within timeframe.
Stakeholders advised of outcome	Complainant and any external agency advised of outcome within 7 days of the decision.			100% of stakeholders advised of outcome within timeframe.

## **6 Definitions**

Term	Meaning
<b>CEO</b>	Chief Executive Officer of Council
<b>Natural Justice</b>	It means providing a person who might be adversely affected by an administrative decision (such as a decision about a complaint) with a 'fair hearing' before the decision is made. This could include giving the person an opportunity to provide their side of the story and comment on relevant issues/information before a decision is made.
<b>SDRC</b>	Southern Downs Regional Council
<b>Council</b>	Southern Downs Regional Council
<b>QCA</b>	Queensland Competitive Authority

## **7 Related Documents**

- Employee Code of Conduct
- Competitive Neutrality Complaints Procedure
- Administrative Action Complaints Procedure
- Councillors' Conduct Complaints Procedure

## **8 References**

- Queensland Ombudsman Complaints Management fact sheets and guidelines
- Complaints Policy Model – LGA – SA
- NSW Ombudsman Unreasonable Complainant Conduct Model Policy

## **9 Appendix A**

### **9.1 Competitive Neutrality Complaints Procedure**

This procedure has been prepared in compliance with section 48 of the *Local Government Act 2009 (LGA)* and subdivision 2 of the *Local Government Regulation 2012 (Regulation)*.

A competitive neutrality complaint is defined in s 48(2) of the *Local Government Act 2009* to be a complaint that

- a) relates to the failure of a local government to conduct a business activity in accordance with the competitive neutrality principle; and
- b) is made by an affected person.

Business activity of a local government, means trading in goods and services by the local government.

Under the competitive neutrality principle, an entity that is conducting a business activity in competition with the private sector should not enjoy a net advantage over competitors only because the entity is in the public sector.

Affected person is defined in s 48(3) of the *Local Government Act 2009* to be:

- a) a person who:
  - I. competes with the local government in relation to the business activity; and
  - II. claims to be adversely affected by a competitive advantage that the person alleges is enjoyed by the local government; or
- b) a person who:
  - I. wants to compete with the local government in relation to the business activity; and
  - II. claims to be hindered from doing so by a competitive advantage that the person alleges is enjoyed by the local government.

In its annual Revenue Statement, Council determines the business activities to which the competitive neutrality principle will be applied during the coming year.

#### **9.1.1 Raising Concerns**

A person may raise concerns about alleged failure of a Council business entity to comply with the competitive neutrality principle in conducting the business activity. The Manager responsible for the relevant business activity will provide a response clarifying the matters in contention and, if the person is dissatisfied with this explanation, will advise them of their right to lodge a Competitive Neutrality Complaint.

Lodgement of this type of complaint can be made as defined in the Complaints Policy, section 5.3.



### **9.1.2 Formal Complaints**

Competitive neutrality complaints must be made in writing and addressed to the Chief Executive Officer.

The complaint must contain:

- a) details of the business entity's alleged failure to comply with the competitive neutrality principle in conducting the business activity, the subject of the competitive neutrality complaint; and
- b) information that shows:
  - i. the person (the complainant) is, or could be, in competition with the business entity; and
  - ii. how the complainant is, or may be, adversely affected by the business entity's alleged failure; and
  - iii. the complainant has already made a genuine attempt to resolve the complaint raising concerns with Council.

### **9.1.3 Recording and Referring Complaints**

Once a complaint has been determined by the Manager Business Services to be a Competitive Neutrality Complaint, the Manager Business Services will provide the complainant with acknowledgement of their complaint and will, on behalf of the CEO, refer the complaint to the Queensland Competition Authority (QCA) within 10 business days. QCA will investigate and report on the complaint as defined in sections 46-54 of the Regulation.

All complaints are recorded into Council's complaint system.

### **9.1.4 QCA's Reports**

Reports received from the QCA will be recorded in Council system and made available for viewing in the Council's Public Offices. The report will then be referred to the next available Council Meeting to determine whether to implement the recommendations in the QCA's report and to record reasons for that decision.

Copies of Council's decision regarding the report will be recorded in Council system and provided to the complainant and the QCA.

## **10 Appendix B**

### **10.1 Administrative Action Complaints Procedure**

This procedure outlines the process to be followed in dealing with administrative action complaints in accordance with section 268 the *Local Government Act 2009 (LGA)* and section 306 of the *Local Government Regulation 2012 (Regulation)*.

Section 268(2) of the *Local Government Act 2009* (the Act) defines an administrative action complaint as being a complaint that:

- a) is about an administrative action of a local government, including the following, for example:
  - i. a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision;
  - ii. an act, or a failure to do an act;
  - iii. the formulation of a proposal or intention;
  - iv. the making of a recommendation; and
- b) is made by an affected person.

Section 268(3) of the Act provides that an affected person is a person who is apparently directly affected by an administrative action of a local government.

#### **10.1.1 Raising concerns**

A person may raise concerns about an administrative action complaint when contacting Council. Council officers are empowered to resolve complaints at first point of contact. However, if the complaint cannot be resolved at the time, or the complainant is dissatisfied with the result, the Council officer will advise them of their right to lodge an administrative complaint.

Lodgement of this type of complaints can be made as defined in the Complaints Policy, section 5.3.

Council accepts anonymous complaints of this type but may not be able to investigate fully as described in section 5.3.2 of the Complaints Policy.

Administrative action complaints comply with the Complaints Policy framework. Complaints that are not resolved at first point of contact fall under "Stage 2 – *Internal review or investigation*" as defined in section 5.5 of the Complaints Policy.

#### **10.1.2 Acknowledgement of complaints**

Complaints will be acknowledged as defined in section 5.6 of the Complaints Policy.

#### **10.1.3 Recording of complaints**

All Administrative Action Complaints will be recorded in Council's Complaints database.

During the lifecycle of the complaint, actions, decisions and referrals will also be recorded in the system for reporting purposes.

#### **10.1.4 Refusal to deal with the complaint**

Council may refuse to deal with the complaint as described in section 5.11 of the Complaints Policy.

#### **10.1.5 Investigation**

Unless there is refusal to deal with the complaint, complaints in Stage 2 are referred to the Governance Officer for investigation.

Investigation will comply with section 5.8 of the Complaints Policy.

At completion of the investigation, a detailed report will be provided to the CEO with recommendations regarding a possible remedy.

The CEO or the Mayor (as appropriate) will determine what action they propose to take regarding the recommendations.

#### **10.1.6 Response to complainant**

A final response to the complainant will be provided as defined in section 5.9 of the Complaints Policy.

#### **10.1.7 Appeal of reviewed decision**

A person dissatisfied by a decision made under the Stage 2 review process may either submit an appeal together with further information to the CEO or appeal directly to the Queensland Ombudsman.

The CEO may determine either:

- that Council should conduct a further investigation of the matter; or
- that further investigation by Council is unwarranted or is unlikely to achieve any beneficial outcome.

The CEO will advise the complainant within 10 business days of their decision and reasons regarding the appeal, and of their right to further appeal the decision to the Queensland Ombudsman.


Any investigation reports by the Queensland Ombudsman recommending a change to decision by Council, a Councillor or a Council officer will be referred to the CEO for consideration. The CEO may choose to refer the matter to Council for resolution.

#### **10.1.8 Reporting on Administrative Action Complaints**

Manager Business Services will provide quarterly reports on Administrative Action Complaints to the Internal Audit Committee and a yearly report for the annual report of Council.

## 10.8 BCS - Proposed Trustee Lease to Warwick Aero Modellers

### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Temporary Leasing Officer	<b>File Ref:</b> 05.18.02; 26.26.03

### Recommendation

THAT Council, in accordance with its Lease Policy (PL-RP001), approve the surrender of the current Trustee Lease with Warwick & District Dirt Bike Club and approve separate new 10 Year Trustee Leases to Warwick Aero Modellers Inc and Warwick & District Dirt Bike Club over Part Lot 132 SP108821, as per the attached sketch.

### Report

Warwick Aero Modellers Inc (WAM) is an established club of enthusiasts from across the Southern Downs region, who own and fly model aeroplanes. WAM has been undertaking its flying operations at a temporary site, sharing facilities with the Warwick Drag Club, at Morgan Park since 2012. WAM are now looking to secure long term tenure to enable expansion of the club.

In 2014, WAM approached Warwick & District Dirt Bike Club (WDDBC), an existing leaseholder at Morgan Park, who has a surplus of unused land within their current leased area and proposed a mutually beneficial arrangement between the two clubs. This proposal would ensure that WAM own their own lease area, and provide both clubs with a new 10 year lease, which will aid in future development and funding opportunities.

Correspondence was received from Morgan Park User Group Inc (MPUG) on 29 January 2015 advising that the proposal from WAM was discussed at a meeting held on 11 November 2014. MPUG advised Council that the group has no objection to the proposal, subject to an agreement being reached between WAM and WDDBC.

WDDBC have agreed to the proposal along with the new lease areas, providing certain conditions are met by WAM. Council has received correspondence from WAM agreeing to the conditions outlined by WDDBC.

WAM have supplied Council with a copy of their Certificate of Incorporation, Australian Business Registration, Treasurers Report and General Meeting Minutes.

With WAM & WDDBC both being non-profit, incorporated sporting organisation, in accordance with Council's Lease Policy (PL-RP001) the annual rental amount in accordance with the revised Council Lease Policy.

### Budget Implications

All fees associated with the preparation of the two new trustee leases will be funded by Warwick Aero Modellers Inc.

## **Policy Consideration**

### Morgan Park Master Plan

This will have no effect on either option of the Morgan Park Master Plan.

### Operational Plan 2014/15

#### **8.3.1 Develop and implement council land management strategies**

- 8.3.1.1 Manage Council's land portfolio to maximise opportunities for development, leasing and sale.

## **Community Engagement**

Morgan Park User Group advised Council they have no objection to Warwick Aero Modellers Inc entering into a Trustee Lease with Council, provided that Warwick & District Dirt Bike Club agree with the proposed new Lease area.

Warwick & District Dirt Bike Club provided Council with a letter outlaying conditions they require from Warwick Aero Modellers Inc. WAM provided a letter accepting all conditions from WDDBC.

## **Legislation/Local Law**

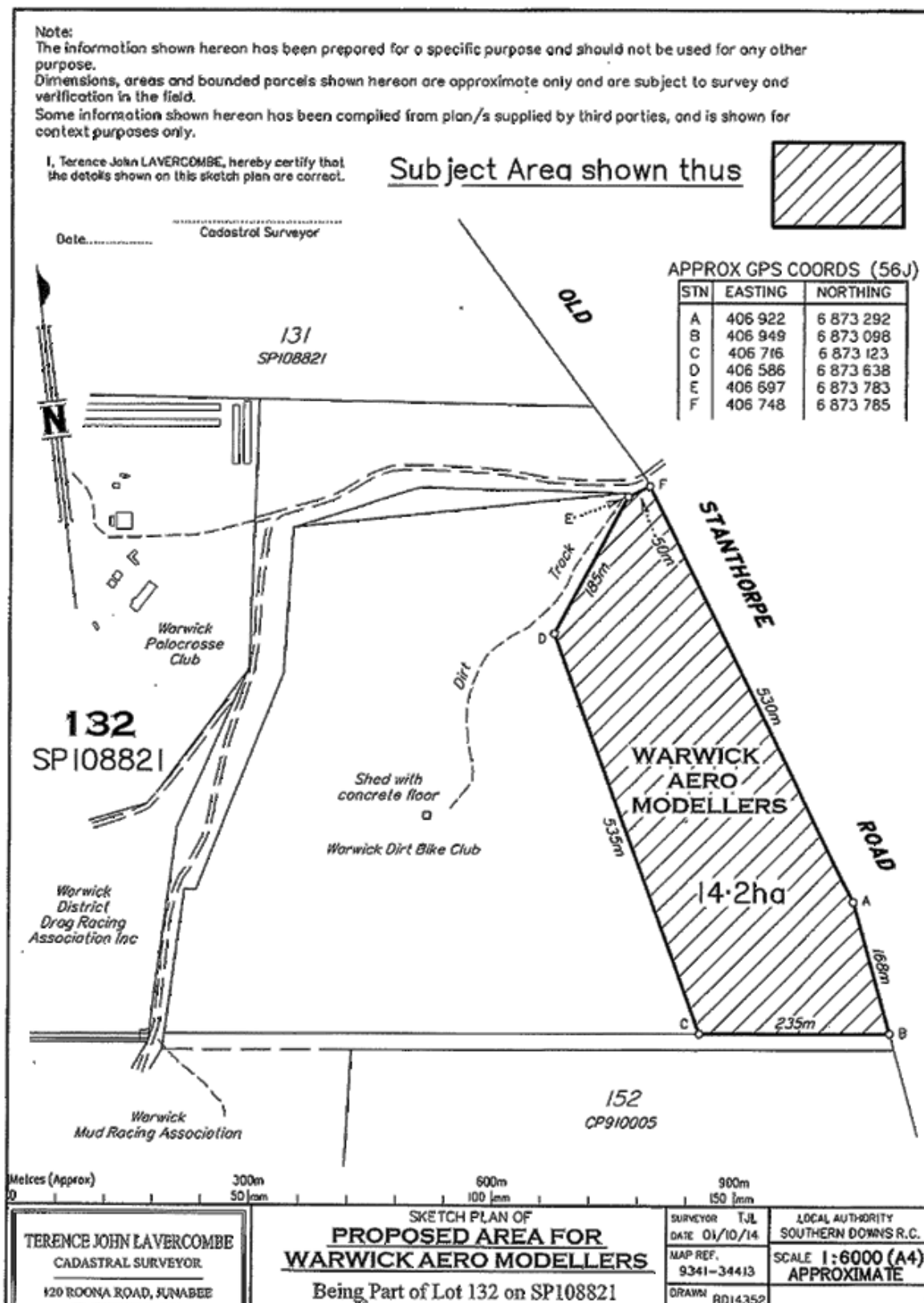
*Local Government Regulations 2012*  
*Land Act 1994*

## **Options**

1. Adopt the recommendation.
2. Not adopt the recommendation and the current arrangement remains.

## **Attachments**

1. Letter from WAM requesting new leases and sketch of proposed new lease areas. [View](#)
2. Letter from MPUG stating no objection to proposed lease. [View](#)
3. Letter from WDDBC outlining conditions for WAM. [View](#)
4. Letter from WAM agreeing to the conditions from WDDBC. [View](#)





5th March 2015  
Mr Peter Gribbin  
Manager, Corporate Services  
Southern Downs Regional Council  
64 Fitzroy St  
Warwick QLD 4370

Dear Peter  
Subject: Morgan Park – Incorporated Club land lease

Warwick Aero Modellers Inc. (WAM), is an established club with members from across the Southern Downs region. WAM currently undertakes its flying operations at a temporary site at Morgan Park, sharing facilities with Warwick Dragway.

In 2014 WAM approached an existing leaseholder at Morgan Park who has surplus land and requested a mutually beneficial arrangement between our two clubs. This helped secure WAM a lease site and gave both clubs a new 10 year lease allowing us both to proceed with investment knowing we have secure long term tenure.

The Warwick & District Dirt Bike Club (WDDBC) has agreed to our proposal and has recently corresponded with the Southern Downs Regional Council (SDRC), giving their consent to a proposal which gives both clubs the land areas we need.

Attached is a survey plan of the subject site at Morgan Park. This survey plan outlines in detail the two sites that was formally under one lease with the WDDBC.

WAM is requesting that SDRC allow the WDDBC to relinquish their current lease and prepare two new ten-year leases in the names of WDDBC and WAM.

WAM and WDDBC have been in contact with council throughout the negotiation process and have undertaken all procedures in accordance with council guidelines.

Both clubs are wishing to expedite the lease preparation process so we can continue to grow as clubs within our new facilities. WAM has agreed to pay the lease preparation and survey costs for both clubs.

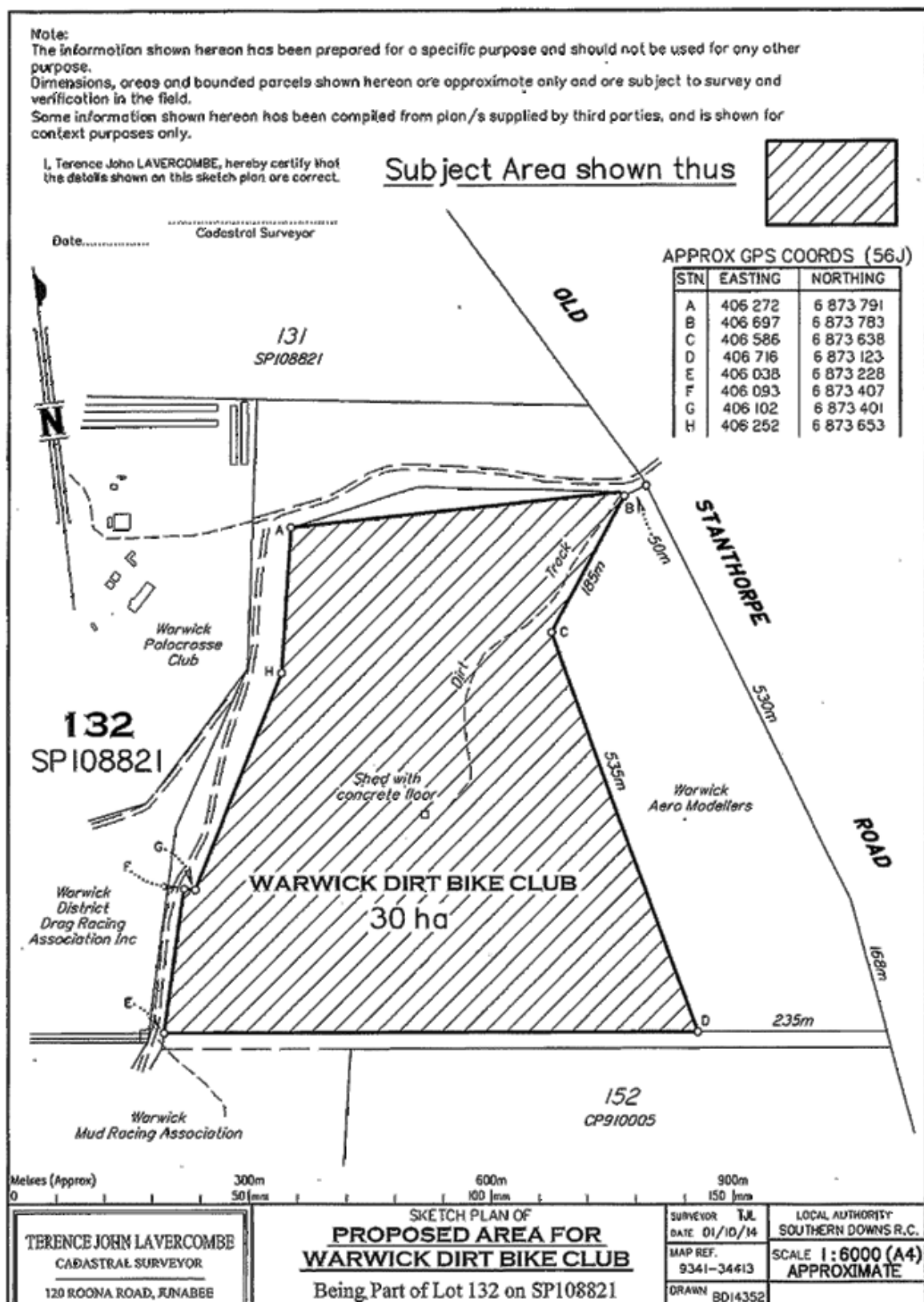
We look forward to a favorable outcome.

Peter, can we arrange to meet and discuss this further at your earliest convenience?

Sincerely,

Kelvin Hutchinson - 0407733836  
President

Warwick Aero Modellers Inc.  
2 Uambi Place Warwick 4370  
www.wamqld.com : 0407733836



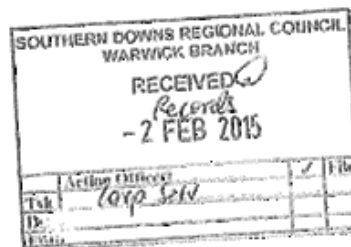




## MORGAN PARK USER GROUP INC



Chief Executive Officer  
Southern Downs Regional Council  
PO Box 26  
WARWICK Q 4370



29 January 2015

Dear David

**RE: Morgan Park – Proposed lease to Warwick Aero Modellers (WAM)**

I refer to the proposed lease by Council to WAM at Morgan Park. Representatives from WAM attended the meeting of the Morgan Park User Group (MPUG) held on 11 November 2014.

Their advice to the MPUG was that a survey has been completed, of not only the proposed lease area for WAM, but also of the proposed amended lease area for Warwick District Dirt Bike Club (WDDBC).

A motion was tabled that the MPUG advise Council that the group has no objection to WAM entering into a lease with Council, subject to agreement being reached between WAM and WDDBC on the proposed lease areas.

Yours faithfully

Peter Gribbin  
Secretary





Warwick & District Dirt Bike Club  
PO Box 637  
Warwick QLD 4370.  
[wddbc.qld.austlii.com](http://wddbc.qld.austlii.com)  
ABN: 72652776146

10/03/2015

To whom it may concern;

Warwick & District Dirt Bike Club agree to the Warwick Aero Modellers leasing the proposed land at Morgan Park "Old Stanthorpe Road Warwick" with the following conditions:

- Area to be fully fenced between clubs by Warwick Aero Modellers
- All new survey & lease/council fees (for Warwick & District Dirt Bike Club) to be paid by Warwick Aero Modellers
- Warwick Aero Modellers must have own entrance gate
- Clearing of trees will only be done on Warwick Aero Modellers side
- Warwick Aero Modellers cannot affect the running of Warwick & District Dirt Bike Clubs practice/club or openings days.

Please apply in writing to Warwick & District Dirt Bike Club & Warwick Council if you agree with the above & wish to go ahead.

Regards

Jessica Baker

Secretary

Warwick & District Dirt Bike Club



**WARWICK AERO MODELLERS**

2 Uambi Place

Warwick 4370

[www.wamod.com](http://www.wamod.com)

10<sup>th</sup> March, 2015

To whom it may concern;

On behalf of the Warwick Aero Modellers, we agree to the terms & conditions outlined in  
the Warwick & District Dirt bike club's letter dated the 10/03/2015.




Greg Barclay

Vice President

Warwick Aero Modellers Inc.

## 10.9 BCS - Regional Arts Development Fund (RADF) - Fast Response Round Three 2014/2015 Applications to Date

### Document Information

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Community Services Officer	<b>File Ref:</b> 15.36.01

### Recommendation

THAT Council endorse the Regional Arts Development Fund (RADF) Committee's recommendations for the Fast Response Round Three Application:

1	Granite Belt Performing Arts Challenge	2015 Granite Belt Performing Arts Challenge	\$6,653
2	Rita Crawford	Stories of a 50's girl with Warwick connections.	\$5,271
3	Cambanoora Gorge Management Group	14 art works created by local indigenous artists for signs at the Cambanoora Gorge river crossings	\$6,320
4	Warwick Art Gallery	Opportunities for local youth to participate in cartoon, film and animation workshops.	\$8,074
5	Fiona Hayes	Professional Development – McGregor School of Arts Watercolour painting	\$1,177
6	Catherine Elliott	Heuristic methods workshop (Research method for planning and creating themed art works)	\$2,990
		<b>TOTAL</b>	<b>\$30,485</b>

### Report

A Fast Response Round Three for the 2014/2015 budget year was called on Tuesday 10 March 2015 in response to there being surplus funds available after Round Two. In order to reduce the surplus RADF funds, a fast response program will run continuously over April and May or until funds are expended. An excess of surplus funds at the end of this financial year could impact negatively on the amount Council can request from Art Queensland for 2015/2016.

The program was advertised on Council's website and Facebook page, through media releases in the Stanthorpe Border Post and Warwick Daily News. Council has only received 1 application as at 7 April 2015, however several enquiries have been made by the community and it is anticipated that more applications will be submitted later in April and also during May.

The Granite Belt Performing Arts Challenge (GBPAC) wish to run professional development workshops to performing arts youth of the region in Stanthorpe from 13 to 16 May 2015. The applicant has sourced high profile professional dancers, choreographers and musical theatre specialists that will pass on their valuable experience and knowledge.

The application by GBPAC was assessed by each of the RADF Committee members in accordance with the Arts Queensland RADF Guidelines, the new Queensland Government Arts For All Queenslanders Strategy and Council's Arts and Cultural Policy.

## Budget Implications

Provision for RADF grants has been made in the 2014/2015 budget. The total amount available for distribution for Round Three is as per the following:

RADF 2014/15	Arts Queensland Funds	Council Contribution	Total
	\$58,333	\$45,000	\$103,333
	Total Round 1 Applications		- \$18,293
	RADF Committee Training		- \$2,364
	Total Round 2 Applications		-\$36,274
	Returned Artworks On Davadi Grant Funds		\$6,429
	Total Available Funds for Fast Response Round 3 (Surplus)		\$52,831

## Policy Consideration

### Southern Downs Community Plan 2030

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

### Southern Downs Regional Council Corporate Plan 2014-2019

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

## Community Engagement

Nil.

## Legislation/Local Law

Nil.

## Options

1. Endorse RADF Committee's recommendation to approve application by Granite Belt Performing Arts Challenge for \$6,653 plus any other applications received and processed by the RADF Committee prior to April General Meeting.
2. Not endorse the RADF Committee's recommendations.


## Attachments

Nil

## 11. ENGINEERING SERVICES DEPARTMENT REPORTS

### 11.1 Engineering Department Monthly Report

#### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Director Engineering Services	<b>File Ref:</b> 04.15.01

#### Recommendation

THAT Council receive the Engineering Department Monthly Report.

#### Report

The following is provided for the information of Councillors.

#### Works

##### Capital Works Forecast to Commence in April 2015

<b>Project:</b>	Inverramsay Road Widen - Part 2 (CH 2.80 - 3.70 km)
<b>Budget:</b>	\$250,000
<b>Description:</b>	Widen & Rehabilitate from Ch 2.80 to 3.70 km
<b>Est Start Date:</b>	16-Mar-15
<b>Est End Date:</b>	24-Apr-15
<b>Project Officer:</b>	Nathan Kamalan
<b>Comments:</b>	Ground works will commence after easter holidays

<b>Project:</b>	Upper Forest Spring Rd Culvert Rehabilitation, Forest Spring
<b>Budget:</b>	\$85,000
<b>Description:</b>	Replace the timber deck with bridgeply deck
<b>Est Start Date:</b>	10-Apr-15
<b>Est End Date:</b>	8-May-15
<b>Project Officer:</b>	Raquib Hossain
<b>Comments:</b>	Works carried under bridge maintenance

#### Infrastructure Services

##### Asset Management/Geographical Information System

##### Asset Management Plans

- Asset Management Plan for Open Space now on hold, priority shifted to development of a Public Open Space Strategy by the Manager. The document will be developed by Community Facilities.
- Asset Management Plans (AMP) for Bridges, Roads and Stormwater are in the initial stages of development.

**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**

- A successful proof of concept for the integration of GIS and the Tech OneAssets “One Council” system has been completed. A small amount of consultation with the GIS vendor may be required to ensure the link is seamless. Procedures for the maintenance of data in each asset class will need to be documented before the system is live.
- A set of proposed planning scheme updates from the town planner have been added to the GIS and are being refined over time.
- The amended Stage 4 of the Allora water pipeline has been corrected on the GIS.

**Budget Implications**

Nil

**Policy Consideration**

Nil

**Community Engagement**

Nil

**Legislation/Local Law**

Nil

**Options**


Nil

**Attachments**

Nil

## 11.2 Request for additional budget PJ101238 Stanthorpe Water Tank

### Document Information

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Manager Water & Waste Water	<b>File Ref:</b> 29.40.04

### Recommendation

THAT Council approve the variations and complete the project on time.

### Report

At the Council Meeting held on 17 December 2015, a report entitled “*RFT 15/029 Supply & Installation of Stanthorpe Water Tank*” was presented and Council resolved the following:

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

Council entered into a contract with Kay Associates for an amount of \$728,880 excluding GST. This project is funded under PJ 101238 - *Stanthorpe WTP Second Reservoir*.

The progress of the construction phase of the project is summarised below:

Item	Description	Status	When
A	Preconstruction meeting	Completed	08 January 2015
B	Earthworks, foundations & concrete slab	Completed	February 2015
C	Walls and roof support columns	Completed	March 2015
D	Roof concrete works	In progress	April 2015
E	Pipes and metal work	In progress	May 2015

During construction, a number of contract variations were identified and negotiated between project Superintendent, Manager Water and Wastewater, and the construction contractor. The contract variations are summarised below and have been approved by the superintendent:

Item	Element	Sub-element	Cost (Excl. GST)
1	Preliminaries	1.1 Site & Project Establishment and Demolition	Nil
2	Civil & Earth works	2.1 Bulk Excavation & disposal	\$ 4,630
		2.2 Controlled fill to underside of Tank	\$31,280
		2.5 Rock and subsurface water drainage	\$25,920
3	Concrete works	3.1 Column size adjustment	\$ 2,700
		3.2 Two additional valve / flow meter pits	\$22,100
4	Pipes works	4.1 Relocation of existing water mains	\$ 6,300
5	Metal work	5.1 Access hatches for roof and valve pits x 5	\$ 8,700
<b>Total Construction Contract Variation</b>			<b>\$101,630</b>



## Budget Implications

Budget implications are summarised below:

	ITEM	DESCRIPTION	BUDGET EXCL. GST
<b>Construction</b>	C1	Approved Contract	\$728,880.00
	C2	Proposed Variation	\$101,630.00
	<b>C3</b>	<b>Amended Total Construction Contract</b>	<b>\$830,510.00</b>
<b>Other Project Costs</b>	D1	Plus Design expenditure	\$50,000.00
	D2	Plus Internal Charges (Plant, Labour, Material)	\$19,800.00
	<b>D3</b>	<b>Amended Total Project Cost</b>	<b>\$900,310.00</b>
<b>Analysis</b>	E1	Current Available Project Budget	\$780,000.00
	<b>D3-E1</b>	<b>Additional Required Project Budget</b>	<b>\$120,310.00</b>
	E2	Available for construction (E1-D1-D2)	\$710,200.00
	E2-C1	Construction Contract Deficit	-\$18,680.00
	C2/C1	% Construction Variation	13.9%

The \$120,310.00 Excl. GST to cover the variations (\$101,630.00) and construction contract deficit (\$18,680.00) will come from two types of projects within the Water and Wastewater department:

- Projects that have been completed and have some savings, and
- Projects that have not yet started and are being postponed to a future date.

Refer to the following table for details:

Project No.	Project Name	Project Status	Amount (Excl. GST)
PJ 100381	SCADA Water	Completed - savings	\$38,729.00
PJ 101327	Ferris St Water main Replacement	Completed - savings	\$15,261.00
PJ 101231	Water mains renewals – Southern	Completed - savings	\$ 3,500.00
PJ 101385	Folkstone -Tyrell St Water main Replacement	Postponed	\$33,500.00
PJ 101390	Rosenthal Reservoir & Pumps	Postponed	\$19,320.00
PJ 101232	Bores Replace mechanical electrical equipment	Postponed	\$10,000.00
<b>TOTAL</b>			<b>\$120,310.00</b>

## Policy Consideration

Nil

## Community Engagement

Nil

## Legislation/Local Law

Council is required to meet the requirements of the:

- Local Government Act 2009

## Options

Option 1: Approve the variations and complete the project on time.

Option 2: Not proceed with the recommendation.


## Attachments

Nil

## 12. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

### 12.1 Reinstatement of Entries in the Local Heritage Register

#### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Principal Town Planner	<b>File Ref:</b> 18.04.01

#### Recommendation

THAT Council confirm that the local heritage places, being the Yangan State School and the Yangan Grain Shed, are included in the Local Heritage Register.

#### Report

At its meeting on 24 September 2014, Council adopted amendments to the Local Heritage Register as follows:

1. to better define the boundaries of Local Heritage Places by the footprint of the building/s as opposed to the boundaries of the lot;
2. to address requests from landowners regarding the inclusion of their land on the register;
3. to remove four places from the register;
4. to enter two places in the register; and
5. to rectify inaccuracies in the register.

Due to a formatting error, there were two entries missing from the Local Heritage Register that was attached to Council's resolution. These are the entries for the Yangan State School and the Yangan Grain Shed.

No.	Current Name	Street Address	Lot / Plan	Boundaries of the Heritage Place	Statement of significance
417	Yangan State School	51 King Street, Yangan	L77 ML2249	The footprint of the building, including overhangs.	The place is significant: - for its association with the local historical theme of the establishment of schools
419	Yangan Grain Shed	1 King Street, Yangan	L5 RP116727	The footprint of the building, including overhangs.	The place is significant: - for its association with the local theme of the development of agriculture.

These two places have been on a local heritage register since they were included in the Warwick Shire Register of Cultural Heritage Places on 9 December 1999. These two places were included in the document attached to the report on the amendments to the register considered by Council at its meeting held on 24 July 2014. The owners of these two places were advised of the proposal to amend the entry for their properties to define the boundaries of the places by the footprint of the building.

The process that is required under the *Queensland Heritage Act* to remove entries from the register involves a number of steps, none of which were undertaken in respect to these two places. However, it is considered appropriate that Council resolve to confirm that these two entries are still

included in the register. This will ensure there is no doubt that these local heritage places are on the register.

### **Budget Implications**

Nil

### **Policy Consideration**

#### ***Corporate Plan***

1.6 Continue to record and protect all significant heritage and cultural sites and structures.

#### ***Operational Plan***

Review and update the Local Heritage Register

### **Community Engagement**

These two entries, and the minor amendments to these entries, were included in proposed amendments to the Local Heritage Register which underwent Public consultation commencing on 14 August 2014 in accordance with the *Queensland Heritage Act*. Notices were placed in the Warwick Daily News and the Border Post advising of the proposed amendments, and letters were sent to owners of places on the Local Heritage Register advising of the proposed changes as they relate to their property. The public notification period ended on 12 September 2014.

### **Legislation/Local Law**

*Queensland Heritage Act 1992*

Local Heritage Register

### **Options**

Option 1: Council adopts the recommendation.


Option 2: Council does not adopt the recommendation.

### **Attachments**

Nil

## 12.2 Gate Fees at Waste Facilities

### Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 29 April 2015
	Manager Environmental Services	File Ref: 31.25

### Recommendation

THAT Council resolve to implement gate fees at all waste facilities for all domestic wastes after the completion of the manning of all waste transfer stations as outlined in the Council's adopted Waste Reduction and Recycling Plan 2014 - 2024.

### Report

Council's adopted Waste Reduction and Recycling Plan 2014 – 2024 (WRRP) needs to be reviewed each year and updated to reflect Council's philosophy on waste management in the region. Part of the review is to look into the costs of waste management and the funding of the infrastructure required.

Section 3.5 of the WRRP states –

#### **3.5 Goal 5: Financial sustainability for waste management**

##### ***Waste management is financially sustainable.***

*Waste management is provided by Council at significant cost. Financial sustainability underpins this plan and many of the proposals contained in the plan address the means of reducing the costs of waste management by reducing the amount of waste generated, careful consideration of waste infrastructure and by diverting waste from landfill.*

*Consideration should also be given to other financial issues including:*

- All details of waste contracts including the extent of waste collection areas. All waste contracts including contracts for collection of recyclable material will require review during the life of this plan*
- Means of paying for waste disposal either by direct fees, a levy separate from rates or as part of the general rates*
- Balancing the level of any fees or levy with the real cost of waste disposal*

Section 6.2.1 of the WRRP also discusses Gate fees -

#### **6.2.1 Gate fees**

*As noted above fees are charged at supervised facilities for most waste other than domestic waste. No fees are charged at unsupervised facilities. In addition to the other benefits, supervision at facilities allows fees to be charged for wastes that are accepted.*

*Council could consider charging a gate fee for domestic waste brought in by individuals. The unit charge would require consideration so that there is some parity between the utility charge*

*for collection for premises in the serviced collection areas and the fee at transfer stations for people living in areas where there is no possibility of collection.*

*Council could consider a substantial increase in gate fees on an annual basis so that they more closely reflect full cost charging for removal and disposal and are comparable with the gate fees charged in other local government areas. Higher gate fees can also provide an incentive for waste avoidance and recycling.*

*The disadvantage of this plan is that high gate fees can result in increased littering and illegal dumping. This adds to Council's compliance costs and has adverse impacts on the environment.*

*The advantage of this plan is that it provides a financial encouragement for waste avoidance, recycling and re-use. It is a very tangible way for the business and domestic community to measure the cost of waste.*

#### **ACTION FOR CONSIDERATION**

- *Council will progressively provide supervision at all waste facilities*
- *Council could establish appropriate gate fees for all waste taken to landfill (except for the domestic waste collected by Council's contracted collectors). Consideration could be given to the unit cost having regard to the needs of households outside collection areas*

An alternative to Gate fees is also discussed in Section 6.2.3 in the form of a waste levy to finance the operation of the waste management costs.

#### **6.2.3 Waste levy**

*In common with most of the activities of Council, the shortfall between the waste revenue and expenditure is met by general rates. There is an opportunity to both link the costs of waste management to the amount of waste generated and provide an incentive for minimising waste by overtly identifying a waste component in general rates. This could be in the form of a waste levy.*

*The waste levy could be an addition to the general rate or it could be a separately identified part of the general rate. The waste levy could be at a level that covers the whole costs of waste management or a particular component such as landfill.*

*If Council linked the costs of disposal of waste to landfill to the levy it would be possible to create an incentive to reduce waste to landfill by linking the annual amount of the levy to the percentage growth (or decline) in waste delivered to landfill. This would be an innovative and transparent way to involve the community in the management of waste.*

#### **ACTION FOR CONSIDERATION**

- *Council could consider the inclusion of a waste levy in the rates. The levy could be designed to increase or decrease in accordance with percentage changes per head of population of waste to landfill*
- *Consideration should be given to the level of the general rate to reflect the inclusion of this levy*

#### **Current Situation**

The current situation is that charges apply to the disposal of Commercial and Industrial Wastes, Construction and Demolition Wastes and regulated wastes and residents living in the waste collection areas pay for a waste and recycling service. All other residents who live in rural and remote areas do not pay for waste disposal at the Waste Facilities and residents in town areas who produce extra waste do not have to pay when using the waste Facilities.

This situation is not fair to the residents in waste collection areas and does not reflect a user pays system.

Bringing in fees for waste disposal while still operating unmanned waste facilities would probably result in overuse of the unmanned facilities as well as illegal dumping in remote areas. It is suggested in the WRRP that fees not be introduced until the program of manning and upgrading of the waste facilities is completed.

An alternative for Council to consider is putting enough money in the upcoming Operational and Capital budget to man the currently unmanned facilities and give consideration to closing some of the smaller bin enclosures around the region.

A further alternative for Council to consider is bringing in gate fees for all waste and immediately close all unmanned facilities and require residents to travel to manned facilities which would provide income from gate fees and savings from not paying contractor and clean up costs at the unmanned facilities.

An illustration of savings would be based on the following predicted costs from the submitted budgets for 2015/16:

Forest Springs	\$18,000
Karara	\$17,000
Graymare	\$17,000
Ballandean	\$31,000
Broadwater	\$33,000
Thulimbah	\$32,000
Amiens	\$31,000
Pozieres	\$31,000
Glen Aplin	\$31,000

<b>Total Savings</b>	<b>\$241,000</b>
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Illegal dumping clean ups	\$41,000
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Realised savings	\$200,000
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There would be additional income if the unmanned Waste Transfer Stations were closed and all wastes had to be taken to the manned sites and gate fees paid. It is difficult to estimate the increase but gate fees should increase by around \$50,000.

Another alternative that Council could consider is a graduated level of fees for disposing of household waste where up to a nominated level, say 240 litres of waste is free, but place fees on any larger loads as is applied in Lockyer Valley and Scenic Rim Councils. This could not be implemented at the unmanned facilities.

### **Surrounding Local Governments arrangements.**

A survey was undertaken on the arrangements in place for domestic waste and recyclables in adjoining Council areas.

- Toowoomba Regional Council – No charges for domestic waste or recyclables
- Goondiwindi Regional Council - No charges for domestic waste or recyclables
- Western Downs Regional Council - No charges for domestic waste or recyclables
- Lockyer Valley Regional Council – No charge for up to 240 litres, car load \$7.00, Trailer load \$10.00, Large trailer load \$20.00
- Scenic Rim Regional Council – No charge for up to 1 cubic meter, above 1 cubic meter \$6.50 per cubic meter
- Tenterfield Shire Council – Bag or bin less than 80 litres \$2.50, bag or bin less than 120 litres \$3.50, bag or bin less than 240 litres \$4.50, bag or bin above 240 litres \$7.00, car boot \$11.00, Box trailer \$13.00, Ute load \$22.00.

## **Budget Implications**

Council's direction is needed before any budgetary affect can be gauged.

## **Policy Consideration**

Council's adopted WRRP recommends the implementation of gate fees for all wastes after the manning and upgrading of all waste facilities.

## **Community Engagement**

The WRRP was put out for Public Consultation when it was originally drafted.

## **Legislation/Local Law**

The WRRP is a requirement of the *Waste Reduction and Recycling Act 2011*.

## **Options**

The options to the recommendation are:


- That Council resolve to implement gate fees at all waste facilities for all domestic wastes after the completion of the manning of all waste transfer stations as outlined in the Council's adopted Waste Reduction and Recycling Plan 2014 - 2024.
- The introduction of a Waste Levy on all properties in the region.
- Introduction of Gate fees for all waste and immediate upgrading and manning of waste facilities.
- Closing of all unmanned waste facilities and gate fees applied to all wastes at all manned facilities.
- That Council defer the actions of the Waste Reduction and Recycling Plan and maintain the current waste fees.

## **Attachments**

1. Waste Reduction and Recycling Plan 2014 - 2024 (Excluded from agenda - Provided under separate cover)[View](#)

## 12.3 Material Change of Use - Foursims Investments Pty Ltd, 177 Hart Road, Thanes Creek

### Document Information

 <b>Southern Downs</b> REGIONAL COUNCIL	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Senior Planning Officer	<b>File Ref:</b> MCU01619 & ERA\00220

<b>APPLICANT:</b>	Foursims Investments Pty Ltd
<b>OWNER:</b>	Foursims Investments Pty Ltd
<b>ADDRESS:</b>	177 Hart Road, Thanes Creek
<b>RPD:</b>	Lot 5 CP886432, Parish of Hanmer, County of Merivale
<b>ZONE:</b>	Rural
<b>LAND AREA:</b>	26.3 hectares
<b>PROPOSAL:</b>	Medium impact industry (Motor vehicle workshop and scrap metal yard) and Fabricated metal product activities – ERA No. 20 – metal recovery (recovering less than 100t of metal in a day)
<b>LEVEL OF ASSESSMENT:</b>	Impact
<b>SUBMITTERS:</b>	Five (5)

### Recommendation Summary

THAT the application for a Material Change of Use for the purpose of a Medium impact industry (Motor vehicle workshop and scrap metal yard) and Fabricated metal product activities – Environmentally Relevant Activity No. 20 – metal recovery (recovering less than 100t of metal in a day) on land at 177 Hart Road, Thanes Creek, described as Lot 5 CP886432, Parish of Hanmer, County of Merivale, be approved subject to conditions.

### Report

The subject land has frontage to Hart Road and is bounded by Thanes Creek. The property currently contains a dwelling house and associated sheds, and a truck mechanical repair and metal recovery business.





The applicant has provided the following information with regards to the business:

#### **IMPACT ON RURAL ZONING**

*I believe zero impact*

*No impact on ground grasses or water.*

*Cattle and horses still graze in conjunction with this business.*

*This business has low visual impact. It probably does not form part of the landscape of rural but it is not visible to the public eye as such.*

*The land is on local plan as sandstone rises and traprock hills.*

*This makes it impossible to have a profitable business in cropping and grazing. We have done soil testing as we intended to grow Olive Trees. Unfortunately soil tests determined harvest would not return enough to be profitable.*

*I could not become a primary producer for cattle as they deemed 60 acres of this country would not be a viable proposition.*

*This is why I went into transport operations, which was not a total success. I had a lot of trucks and truck parts here, which were kept as spares, and being a diesel mechanic, led me to what I do today.*

*Trucks that are purchased are dismantled as per usable and saleable parts. Some parts are repaired prior to sale in the workshop. The remains are scrap metal. Therefore 100% is useable. Scrap metal prices vary dramatically therefore stock levels vary as scrap is not sold on depressed market. Parts form part of income as does workshop. This is a one person operation. Sales are internet generated. Therefore there is no movement of trucks, cars or people moving on and off the property.*

*Oils and fuels are removed from vehicles. Fuels are used in working vehicles and oils are stored to a maximum of 400 litres, then picked up and empty containers left for next 400 litres.*

*All work and storage done in areas non affected by flood water levels.*

*Any spillage which is nil, would be trapped in a dam which is bung walled to ensure it covers all work areas.*

*No clearing has to be done for this business to continue.*

Noise levels are no more than normal rural activities and are restricted to a 7am to 6pm time frame. Being a one person operation you do not have multiple noises at any time.

If I worked away from home I would be leaving and coming back at least 5 times a week. I rarely leave premises more than once a week.

The work here does not increase dust levels. Vegetation levels are kept to a minimum and flammable materials stored so as to not create a fire problem.

A fully operational and loaded fire truck is on site.

I need this to continue if possible for at least the next 7 Years, I am at an age where I would probably find it near impossible to find employment. I need an income and cannot receive any government benefits. On the other side I could look at selling the business for retirement. This business contributes to the local economy. It would invest upwards of \$50,000 annually to the local economy.

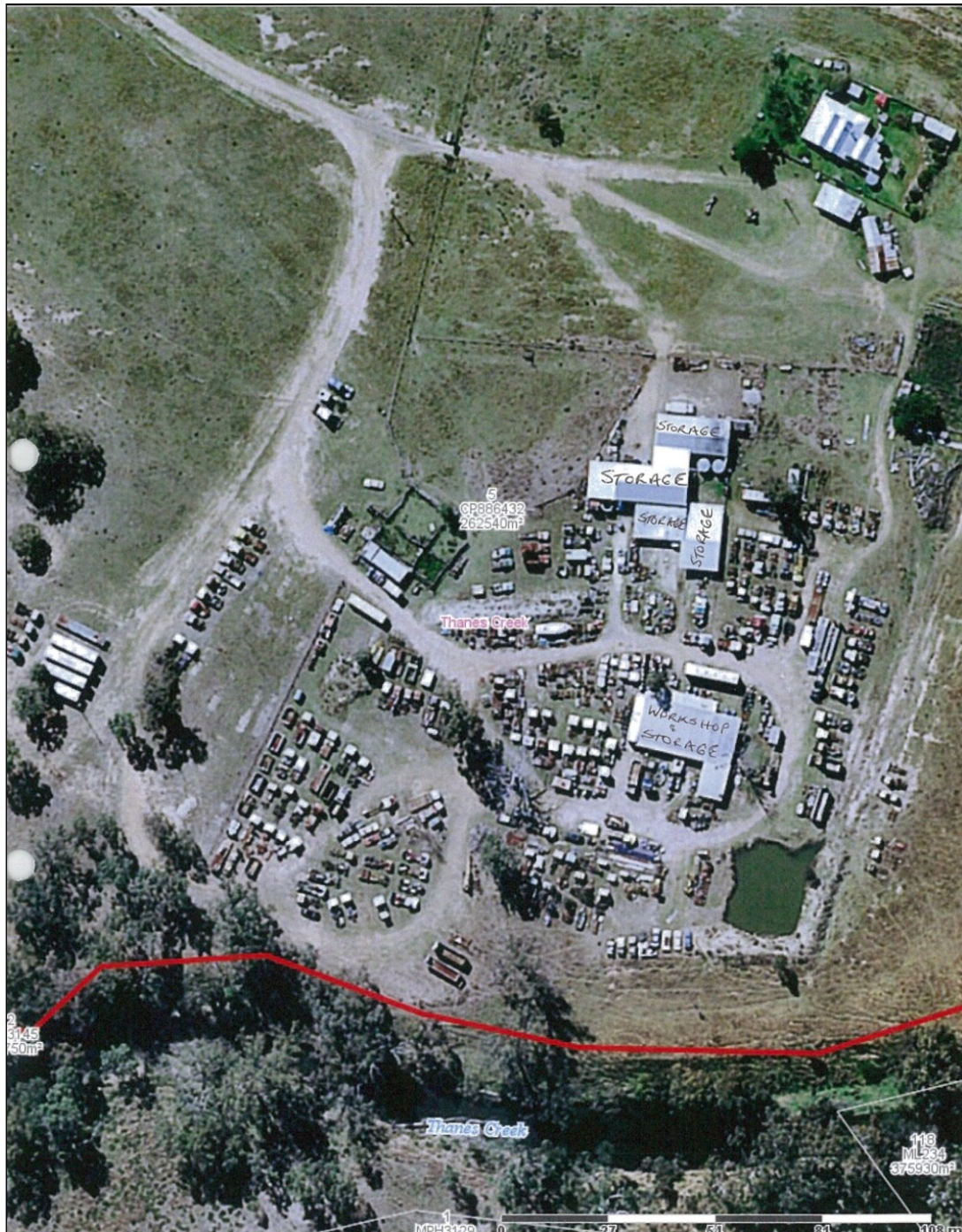
It does not affect rural as in if it was terminated everything would return to normal having had no impact at all. This has been operating for approximately 18 Years with no complaints or damage to the environment.

Verbal consent was given from the council prior to the commencement of this business. Consent was also given for shed construction. I was told that no permit was needed if not visible from the road and as long as was 100 metres from boundary.

On cessation of this business and all scrap was sold off, the property would return to its normal rural environment, all that would remain are the sheds, which are always usable in any form.

Business is solely from internet sales. No advertising on premises or people coming to and fro from property.





The use of the site equates to approximately eight percent of the property.

The use has been in operation for approximately 18 years. It is to be noted that no complaints have been lodged with Council in relation to the operation, until recently.

With the changes to the *Environmental Protection Act* in 2013, an Environmental Authority is required to be issued for an Environmentally Relevant Activity, opposed to the previous development approval and registration certificate system. These changes were part of the government's green tape reduction project which was implemented to streamline the application process.

The checklist which is included as an attachment has been used for the assessment. This checklist was obtained from the Local government toolbox and is similar to that which other local governments are using for the assessment process. It ensures that all of the required assessment criteria are considered.

## ***Submissions***

Five (5) submissions were received to the application. The issues raised in the submissions are as follows:

### **Noise impacts**

- This is a quiet rural area that will be ruined with the increased noise levels if the activities are allowed. We have already experienced this change and do not appreciate its affect on our wonderful lifestyle.
- The rural area in which we live is peaceful and we do not want that to change, a change of usage of this property would see noise levels increase again we will state that we choose to live in a peaceful rural area not an industrial estate.
- There are noise levels with a petrol driven compressor and rattle gun activity, the starting of air start trucks and testing of this type of air start equipment. The forklift rattles which when used, stirs up stock.

*Comment:* The noise has been assessed as part of the Environmentally Relevant Activity (ERA) assessment, undertaken by Council's Senior Environmental Officer. A copy of the full assessment is included in this report as an Attachment.

### **Environmental impacts**

- This area is not designed for an industrial business, and there will be serious environmental ramifications if a rural dwelling property becomes a medium impact and fabricated metal product activities.
- There is no doubt there will be serious environmental impacts from the waste products. It will affect the waterways of Thanes Creek used by livestock and local wildlife. This contamination is unacceptable.
- We would like assurance that it would not become polluted by waste materials as this is a vital source of water for livestock.

*Comment:* The environmental associated impacts have been assessed as part of the ERA assessment, undertaken by Council's Senior Environmental Officer. A copy of the full assessment is included in this report as an Attachment.

### **Increase in traffic and impact on the roads**

- The gravel roads in this area are fragile and not suited to a lot of heavy vehicles traffic.
- All access is through Hart Road, via Thanes Creek Road off Cunningham Highway, and through Big Hill Road from Pratten. Both of these routes are loose gravel and will not be able to withstand extra traffic. They will deteriorate rapidly, inconveniencing residents.
- As it is, both Thanes Creek and Hart Roads are generally in need of repair, being gravel they don't cope with the already increased volume of traffic in the area if several tonnes of scrap metal was to be carted along these roadways it will mean significant increases of damage to the already suffering surface.

*Comment:* The applicant has indicated that traffic movements associated with the use are limited to generally no more than twice a week, with a truck being bought to the site approximately once every three months. The majority of the items bought to the site are parts, opposed to whole trucks. The parts are bought on to the site with either a small body truck or a ute.

Council's Engineering Services department have indicated that Thanes Creek Road and Hart Road are constructed gravel roads of a good standard. There are no concerns regarding use of these roads at the levels which they currently, particularly given the use has been operating for approximately 18 years. Council officers have not noted deterioration of the roads which may resulted from such a use.

It is considered that the level of traffic generated by the use is very minimal and would have no adverse impact on the road pavement. Conditions should be imposed to ensure the scale of the development does not increase.

#### Impact on the character and amenity of the area

- It would be preferred that the Thane and Thanes Creek area remain Rural Residential.
- If this property is granted approval for an industrial business, it will set a precedent for future or present owners in our vicinity to do the same. This will destroy the relaxing and peaceful way of life we have come to experience since we bought our property.
- We came here for a lifestyle change and we built our home and have been residents in this area for some time. Over the last 16 years we have made improvements to our home to maximise the living opportunity our land provides these improvements will have been in vain if a wrecking yard is allowed to operate within the area. We love our home; we love our community and wish to see this great area preserved for present and future residents in its current form.
- In our opinion we live in an amazing part of the country, we did not choose to live in an Industrial Area, we can see the "Wreckers" through the trees from our house, over the years the collection of trucks has grown considerably and we no longer go down to the creek as it is already an eye sore, should approval be granted we believe this will get worse.
- These truck wrecks are very unsightly from anyone's house.

*Comment:* It is acknowledged that currently there may be concerns from a couple of the adjoining properties, which would be visually most affected. It is considered reasonable that some of the trucks and other equipment be relocated to be contained within a smaller area which is not visible from the adjoining properties, and the extension of an earth mound, to provide further screening.

Visual amenity is also addressed later in this report.

It is noted that the points raised in some of the submissions allude to the proposal being a new development commencing. This may indicate that the current operations are unknown to some adjoining landowners.

#### Inappropriate use of rural land, more appropriate in an industrial estate

- The approval for this truck wrecking business, without conditions, is not suited to a rural agricultural area, but more to an industrial estate.
- The business has grown very large with excess truck bodies and trailers being stored on site.

*Comment:* Industrial uses are more appropriately located in the Industry zone, however the use does require a large amount of land and that the use has been operating for approximately 18 years. It would be difficult to locate such a use in an industrial estate. A detailed assessment against the planning scheme provisions is contained later in this report.

#### Harbouring of vermin and snakes

- With this storage of truck bodies and trailers, there has been a slight increase in vermin in the area. Snakes, foxes, rabbits and wild cats are breeding in the property.

*Comment:* It is considered appropriate that conditions be imposed in relation to the maintenance of the area which contains the trucks and associated parts. This will include the control of grass growth and the appropriate storage of some equipment, such as tyres.

#### Risk of fire

- A fabricating business should be designed to operate within an industrial zone, whereby fires from potential welding sparks are minimised. In our circumstance, because the potential business will be in the centre of a rural area, full of fuel, being dried grass and timber in a heightened concern of ours.

*Comment:* The area containing the use is not within the Bushfire hazard overlay. There is a dam available within the footprint of the use which could be used for fire fighting purposes. There is clear access to the dam from the entrance to the use. It should be a condition of any approval that a clear access is always provided to the dam from the entrance, and signs are erected directing persons to the location of the dam.

#### Precedence

- If this property is granted approval for an industrial business, it will set a precedent for future or present owners in our vicinity to do the same.
- Approving this application can also open up for other land holders or new investors to conduct Industrial Business here, again we stress our choice is not to live in an Industrial Area.

*Comment:* All developments are assessed on their individual merit and compliance with the planning scheme. The approval of this use will not necessarily allow other developments to be established. In most instances a development application would be required to be lodged with Council.

#### Devaluation of surrounding properties

- Should we in the future wish to sell our property we believe that living in close proximity to an Industrial Business can only negatively affect our property value.
- If industrial actives are allowed, it will affect the selling price of our property. It will cause devaluation due to an unsightly wrecking yard being the main view from our property. Carcasses of trucks and buses is not what you should be seeing when you walk the boundary of our property instead a rural environment of trees and livestock.

*Comment:* No evidence or market related verification has been supplied validating the claim that the proposed development devalues adjoining properties. 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 Industry use code, the Carparking and loading code, the Landscaping code, the Outdoor lighting code, the Physical infrastructure code, the Bushfire hazard overlay code and the Flood hazard overlay code.

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

The purpose of the Rural zone is to:

- *Provide opportunities for non-rural uses that are compatible with agriculture, the environment and the landscape character of the rural area where they do not compromise the long term use of the land for rural purposes.*

The specified local government purpose for the zone is as follows:

- (e) *Protect the landscape character and its associated visual and scenic amenity by ensuring that development is sensitive and responsive to the scenic amenity of the area, maintenance of vegetation cover in significant areas, and control of signage.*
- (f) *Minimise the potential for conflict between rural uses and other uses.*
- (g) *Provide opportunities for diversification to support on going economic viability through pursuit of new markets and industries associated with rural production or the natural environment. Encouragement will be given to activities that complement or value-add to existing rural activities and do not conflict with natural resource value or nearby rural activities.*
- (m) *Protect areas subject to flooding from development that could impact on flood plain functions or could be harmed by rising flood waters.*

This purpose is achieved through the following overall outcomes:

Relating to the entire zone

*(viii) Non-rural uses including tourist uses and industries to value add to rural enterprises:*

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

Specific to Sandstone rises and traprock hills precinct

- (i) The agricultural values in this precinct are protected from development that could impact in a negative manner on these values while providing for farm diversification, including intensive animal industries in appropriate locations.*
- (iv) Farm diversification activities may be located in this precinct where they do not conflict with or reduce the productive capacity, vegetation or scenic values of the land. ...*

The use occupies approximately eight percent of the entire property. The remainder could be used for rural purposes, such as grazing.

The Sandstone rises and traprock hills precinct is identified as an area for farm diversification and non-rural uses. The precinct is not necessarily identified for its high scenic or agricultural values. It is the precinct in which intensive animal uses are encouraged, where appropriate.

The use does not specifically value-add to an existing rural activity, however it is considered that with the inclusion of appropriate conditions, the use will not adversely impact on the agricultural use of the land, the environment or the use of surrounding properties.

The surrounding properties are used for grazing purposes.

The use requires a significant amount of land for outdoor storage and a property which is appropriately screened from public areas.

Council must be satisfied that adequate measures can be put in place to ensure the use does not adversely impact upon surrounding agricultural uses.

The use will not contribute to ribbon development.

The assessment associated with the ERA indicates that suitable conditions can be imposed to ensure the use has no impact on the environment or adjoining properties by means of air, water, groundwater, noise, waste and land. Council's Senior Environmental Officer has recommended conditions to be imposed on any development which will ensure there is no adverse impact. The conditions to be imposed include, but are not limited to, the control of vermin, the operator being a registered operator, control of noise levels, maintenance of trafficable areas, storage of hazardous materials, the control of spills, and the disposal and storage of waste items. A full copy of the ERA assessment is included to this report as an Attachment.



*General; Access; Amenity, public health and safety; Scenic amenity:* The proposed development needs to demonstrate compliance with the following Performance outcomes:

- PO1 The rural or natural environment character of the land is retained. Uses established in the Rural zone do not conflict with rural land uses or the natural, scenic and community values of the area.
- PO8 Development is sensitive and responsive to the scenic amenity of the area. The appearance and siting of buildings, other structures, carparking areas or signage is compatible with the scenic character of the area, the design of any nearby structures and is respectful and sympathetic to any Local heritage place.

The Sandstone rises and traprock hills precinct is not identified as a precinct with high scenic value. The site is not visible from either Thanes Creek Road or Hart Road, however it would be partially visible from Thanes Creek and at least two dwellings on properties within the vicinity.

Conditions can be imposed requiring the consolidation of the use area, to be in areas which are less visible from adjoining properties, and the installation of earth mounds in appropriate areas. It is considered that these measures will greatly reduce the visual impact to surrounding properties.

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

As previously detailed, Council's Engineering Services department have indicated, Thanes Creek Road and Hart Road are constructed gravel roads of a good standard. There are no concerns regarding use of these roads at the current levels. Council officers have not noted deterioration of the roads which may result from such a use. Given the level of usage of these roads for the use, it is considered that there will not be adverse impact by dust or deterioration of the roadways. Conditions can be imposed to control the scale of the development.

It is considered that the use achieves compliance with the Performance outcome.

- PO6 All uses are located, designed, oriented and constructed to minimise noise, dust, odour or other nuisance from existing lawful uses including rural and industry uses.

Council's Senior Environmental Officer has completed an assessment of the ERA and has attached conditions. The assessment, and associated conditions, ensures that the use has no impact on the environment or adjoining properties by means of air, water, groundwater, noise, waste and land. As the ERA assessment has been completed in relation to these matters, it is considered that this Performance outcome has been complied with.

### ***Industry use code***

The proposed development complies with the Code with regards to Built form and streetscape.

*Location:* The Code requires the land to not be included in the Flood hazard overlay. The majority of the property is within the hazard area. This will be addressed later in this report.

As previously detailed in the Rural zone code, this code similarly requires access to a constructed sealed road. The associated Performance outcome states as follows;

- PO2 The site is accessed via a road that is of a standard to adequately cater for the traffic generated by the use without causing traffic hazards, damage to the road or dust nuisance to persons or property not connected with the use.

In line with the Rural zone code, it is considered that the level of usage of both Thanes Creek Road and Hart Road in relation to the proposed use is minimal and will not cause any dust nuisance.

There are no dwellings located within close proximity to the gravel roads in this location.

Council's Engineering Services department have no concerns regarding damage to the roads from the use, particularly given it has operated for approximately 18 years, and no heavy vehicles damage has been specifically identified on these two gravel roads.



*Amenity:* The Code requires compliance with the following Acceptable outcomes:

AO5 The use to be consistent with the objectives set out in the *Environmental Protection (Noise) Policy 2008* and the *Environmental Protection (Air) Policy 2008*.

Council's Senior Environmental Officer has assessed the Environmentally Relevant Activity aspect of this development. It has been determined that with the implementation of conditions, the proposed development can achieve compliance with the Environmental Protection policies. A copy of the assessment report is included to this report as an Attachment.

AO7.2 Open storage areas in the Rural zone are screened from view from any road or from any dwelling not on the same site. The screen is of a solid material constructed to a height of at least 1.8 metres.

AO7.3 Building, structures or land uses for industry are screened from any dwelling other than a dwelling on the same site. The screening shall include at least:

- (a) a 1.8m high screen fence between the industry use and the dwelling in a location that screens the dwelling from the industry use; and
- (b) a landscaped buffer at least 3m wide located on the same site as the industry use.

The associated Performance outcome states as follows:

PO7 Uses are located and designed that the visual impact of the use is minimised.

Visual impact has previously been addressed many times in this report. It is considered appropriate that conditions be imposed to consolidate the use area, and in appropriate locations, require the construction of earth mounds.

*Environment:* The Code requires compliance with the following Performance outcome:

PO9 Stormwater is controlled to minimise the environmental impacts of runoff from the industry use on the water quality of surface and ground water.

The environmental associated impacts has been assessed as part of the ERA assessment, undertaken by Council's Senior Environmental Officer. A copy of the full assessment is included to this report as an Attachment.

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

The Code doesn't specify the number of carparking spaces to be provided. The associated Performance outcome states as follows:

PO1 Sufficient carparking is provided to accommodate the number and type of vehicles likely to be generated by the development having regard to the following:

- (a) The nature and operation of the use;
- (b) The likely number of users including residents and employees;
- (c) The hours of operation and the peak parking demand periods;
- (d) The availability of alternative parking in the vicinity including on street car parking;
- (e) In the case of residential development, the proximity to the Principal centre zone and the facilities contained within that zone or the availability of public transport;
- (f) The feasibility of physically providing parking on site including access restrictions and size of the site; and
- (g) The provisions of *Planning Scheme Policy –Off Street Carparking*.

Given the nature and location of the use, it is not considered appropriate or necessary to require carparking to be provided. As previously detailed, customers generally do not attend the site.

### ***Landscaping code***

There is currently no formal landscaping on site, except adjoining the main residence. All other landscaping on site is native vegetation.

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

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

### **Physical infrastructure code**

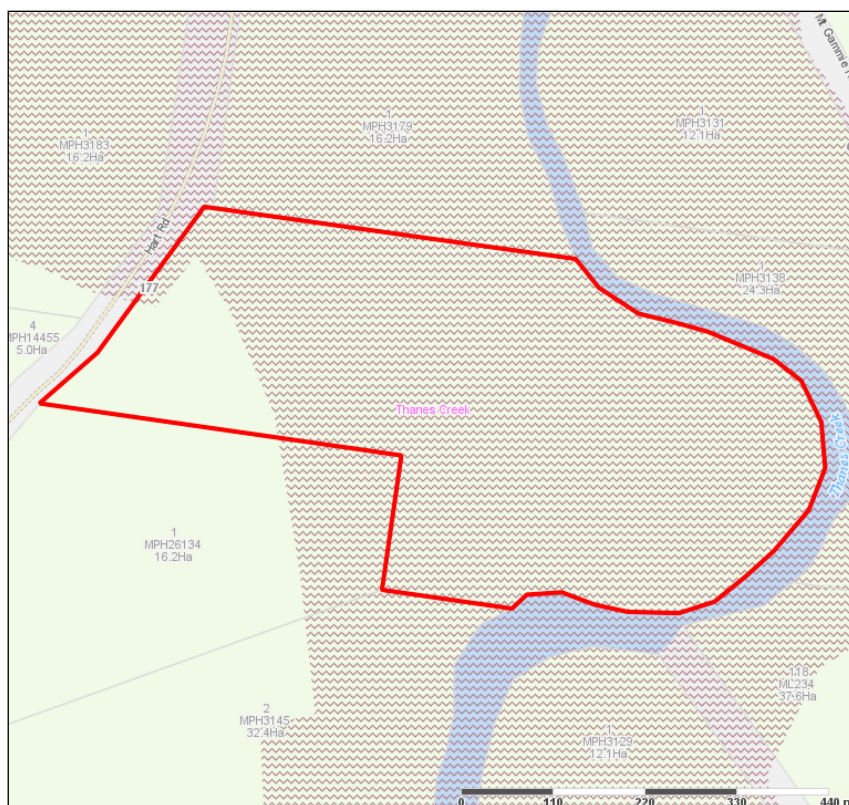
As the operator of the business also resides on the property, there are toilet facilities located in the dwelling. The dwelling is provided with all infrastructure expected in a rural area.

### **Bushfire hazard overlay code**

Whilst part of the property is included within the Bushfire hazard overlay, the location of the use is not located within the overlay.

### **Flood hazard overlay code**

The proposed development does not comply the Flood hazard overlay code, as the use area is shown as being flood prone on the Queensland Reconstruction Authority's flood mapping.



The location of the non-residential use cannot comply with the following Acceptable outcomes:

#### **AO2.3 In partial fulfilment of the PO**

Non-residential buildings are located and designed so that floor levels (except areas used for car parking) are not subject to flooding.

#### **AO3.2 Works in areas other than an urban area either:**

- (a) Do not involve a net increase in filling greater than 50 m<sup>3</sup>; or
- (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. Additionally, this is up to and including the DFE; or
- (c) Do not change flood characteristics (at the DFE) outside the subject site in ways that result in –
  - (i). Loss of flood storage;
  - (ii). Loss of/changes to flow paths;
  - (iii). Acceleration or retardation of flows; or
  - (iv). Any reduction in flood warning times elsewhere on the floodplain.

#### **AO4 (a) The manufacture or storage in bulk of hazardous materials takes place above the DFE flood level; and**

- (b) 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.

The associated Performance outcome states as follows:

- PO2 Development is resilient to flood events by ensuring that design and construction account for the potential risks of flooding.
- PO3 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.
- PO4 Development avoids the release of hazardous materials into floodwaters.

The flood overlay in this part of the Region is based on data from the Queensland Reconstruction Authority (QRA). When the QRA flood mapping is used, there is little correlation with the contours. It is known that there are discrepancies within the QRA flood mapping and this mapping could not be considered accurately reflecting a Defined Flood Event.

It is recommended that a note be included on this approval to indicate that Council does not have accurate flood information for this location, and that the potential flood liability of the site is unknown.

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

The footprint of the use area does not exceed the assumed 40 percent gross floor area and 90 percent impervious area, therefore no charge is applicable.

### **Conclusion**

The applicant proposes to legalise the use of the site for a motor vehicle workshop and scrap metal yard. The use has operated on the site for approximately 18 years, with no complaints being registered with Council, until recently.

The Sandstone rises and traprock hills precinct is identified as an area for farm diversification and non-rural uses. The precinct is not necessarily identified for its high scenic or agricultural values.

The site is not visible from either Thanes Creek Road or Hart Road, however it would be partially visible from Thanes Creek and at least two dwellings on properties within the vicinity.

Conditions can be imposed requiring the consolidation of the use area, to be in areas which are less visible from adjoining properties, and the installation of earth mounds in appropriate areas. It is considered that these measures will greatly reduce the visual impact to surrounding properties.

The environmental associated impacts have been assessed as part of the ERA assessment, undertaken by Council's Senior Environmental Officer. A copy of the full assessment is included to this report as an Attachment.

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 Medium impact industry (Motor vehicle workshop and scrap metal yard) and Fabricated metal product activities – Environmentally Relevant Activity No. 20 – metal recovery (recovering less than 100t of metal in a day) on land at 177 Hart Road, Thanes Creek, described as Lot 5 CP886432, Parish of Hanmer, County of Merivale, be approved subject to the following conditions:

### Schedule 1 - Southern Downs Regional Council Conditions

#### Approved Plans

1. The development of the site is to be generally in accordance with the following proposal 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
NA	NA	6 February 2015

#### Land Use and Planning Controls

2. This approval allows for the use of the site for the truck repairs and scrap metal.
3. Only one person is to undertake the use, including the off-site collection of vehicles and parts, mechanical repairs, delivery of scrap metals and other products, and the like. The person who operates the business is to permanently reside on the property.
4. The use is to be consolidated such that the use is generally contained within the area outlined in red on the following plan:



5. The development shall generally operate only between the hours of 7.00am to 6.00pm, Mondays to Saturdays; and not on Sundays and public holidays, except if there is no audible noise produced, i.e. only the use of spanners, ratchets and the like.
6. The number of customers visiting the site is to be limited to an average of one person per week.

7. If the use ceases to operate, all trucks, vehicle parts and other scrap metals are to be removed from the site within six months of the use ceasing.
8. The number of trucks and vehicles to be stored in association with the use is limited to 200.
9. The number of whole trucks transported to the site is limited to an average of one truck a month.
10. The approval will expire on 31 December 2025. Prior to the expiry of this relevant period, the applicant may apply to Council to change this approval to allow the use of the land to continue. There will be no fee associated with this request. In deciding this request and reviewing conditions of approval, Council will consider the level of compliance with the conditions of this approval, and the level of nuisance created by the use.

### **Building and Site Design**

11. A copy of the Form 21 (Final Inspection Certificate) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

### **Amenity and Environmental Controls**

12. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
13. Advertising Devices relating to the truck scrap metal and motor vehicle workshop may **only** be erected on the subject land, i.e. Lot 5 CP886432. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.
14. The use area is to be continually maintained to ensure the grass is kept at an appropriate length to prevent the harbouring of vermin and snakes.
15. All equipment, goods and materials must be located in a building or screened from view from all roads, other public places and adjoining land by fencing and/or dense landscaping.
16. 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**

17. A mound of at least 1.8 metre above the ground level is to be provided to ensure the dwellings on Lots 1 MPH26134 and Lot 1 MPH3129 are provided with a visual buffer from the use. **A plan is to be submitted to and approved by the Director Planning and Environment prior to the construction of the mounds. The mounds are to be provided within six months of the date this approval takes effect.** The mound should be allowed to naturally regenerate or native plantings can be provided on the mound. The mounds are to be maintained while the use of the property for a motor vehicle workshop and scrap metal yard remains.
18. Vehicles are not to be stacked on top of each other. All vehicles are to be stored at ground level.

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

19. The existing access and all-weather driveway is to be continually maintained from Hart Road.
20. All car parking, driveway and loading areas shall be constructed in gravel or similar materials, drained, laid out and regularly maintained.

### **Water Supply and Sewerage**

21. The site must be provided with a water storage reservoir having a minimum of 5000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater



tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:

- (a) the domestic take off from the tank is at or above the 5000 litre point; and
- (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

### **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) **Building Approval is to be obtained for the sheds on the property which do not currently have building approval**, in accordance with the *Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. **A Form 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing.**
- (iv) Council does not have accurate flood information for this property and therefore cannot determine the height of a Defined Flood Event (DFE). Therefore there is no guarantee of flood immunity.

### **Aboriginal Cultural Heritage**

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

### **Attachments**

- 1. Environmentally Relevant Activity Assessment [View](#)
- 2. Environmental Authority Schedule of Conditions [View](#)
- 3. Submissions received to application for Material Change of Use, 177 Hart Road, Thanes Creek [View](#)

## Checklist for assessing ERA – Environmental Authority Applications

The following table sets out a checklist to ensure all points are considered as part of the decision making process.

Requirement	Considered (Y / N)	Comments
Comply with any relevant regulatory requirement	Y	All regulatory requirements have been considered.
Regulatory Requirements as listed in s51 of the EP Reg:		
Carry out an environmental objective assessment against the environmental objective and performance outcomes mentioned in schedule 5, part 3, table 1; and	Y	Refer to Schedule 5 assessment below.
Consider the environmental values declared under this regulation; and	Y	Refer to Schedule 5 assessment below.
Consider each of the following under any relevant environmental protection policies—		
Environmental Protection (Air) Policy (i) the management hierarchy; (ii) environmental values; (iii) quality objectives; (iv) the management intent.	Y	Refer to Schedule 5 assessment below.
Environmental Protection (Water) Policy (i) the management hierarchy; (ii) environmental values; (iii) quality objectives; (iv) the management intent.	Y	Refer to Schedule 5 assessment below.
Environmental Protection (Noise) Policy (i) the management hierarchy; (ii) environmental values; (iii) quality objectives; (iv) the management intent.	Y	Refer to Schedule 5 assessment below.

Subject to the information above, have regard to each of the following:		
The application	Y	The application for ERA 20(1), metal recovering has been considered as part of this assessment.
Any standard conditions for the relevant activity or authority	Y	Not applicable.
Any response given for an information request	Y	The applicant provided an adequate response to the information request.
<p>The Standard Criteria (as identified within the Dictionary of the EP Act):</p> <p>(a) the following principles of environmental policy as set out in the Intergovernmental Agreement on the Environment—</p> <p>(i) the precautionary principle;</p> <p>(ii) intergenerational equity;</p> <p>(iii) conservation of biological diversity and ecological integrity; and</p> <p>(b) any Commonwealth or State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development; and</p> <p>(c) any relevant wild river declaration; and</p> <p>(d) any relevant environmental impact study, assessment or report; and</p> <p>(e) the character, resilience and values of the receiving environment; and</p> <p>(f) all submissions made by the applicant and submitters; and</p> <p>(g) the best practice environmental management for activities under any relevant instrument, or proposed instrument, as follows—</p> <p>(i) an environmental authority;</p> <p>(ii) a transitional environmental program;</p> <p>(iii) an environmental protection order;</p> <p>(iv) a disposal permit;</p> <p>(v) a development approval; and</p>		<p>(a) Not applicable.</p> <p>(b) Not applicable.</p> <p>(c) Not applicable.</p> <p>(d) Not applicable.</p> <p>(e) Refer to Schedule 5 assessment below.</p> <p>(f) Considered as part of development assessment.</p> <p>(g) Not applicable.</p>



<p>(h) the financial implications of the requirements under an instrument, or proposed instrument, mentioned in paragraph (g) as they would relate to the type of activity or industry carried out, or proposed to be carried out, under the instrument; and</p> <p>(i) the public interest; and</p> <p>(j) any relevant site management plan; and</p> <p>(k) any relevant integrated environmental management system or proposed integrated environmental management system; and</p> <p>(l) any other matter prescribed under a regulation.</p>		<p>(h) Not applicable.</p> <p>(i) Not applicable.</p> <p>(j) Not applicable.</p> <p>(k) Not applicable.</p> <p>(l) Not applicable.</p>
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## Schedule 5 – Environmental Protection Regulation 2008

### Part 3 - Environmental Objectives and performance outcomes

Table 1 – Operational Assessment

Operational Assessment	Officer Comments
<b>Air</b>	
<i>Environmental Objective</i>	
The activity will be operated in a way that protects the environmental values of air.	The activity can be carried out to ensure the environmental values of air are protected.
<i>Performance Outcomes</i>	
<ol style="list-style-type: none"> <li>There is no discharge to air of contaminants that may cause an adverse effect on the environment from the operation of the activity.</li> <li>All of the following – <ol style="list-style-type: none"> <li>fugitive emissions of contaminants from storage, handling and processing of materials and transporting materials within the site are prevented or minimised;</li> <li>contingency measures will prevent or minimise adverse effects on the environment from unplanned emissions and shut down and start up emissions of contaminants to air;</li> <li>releases of contaminants to the atmosphere for dispersion will be managed to prevent or minimise adverse effects on environmental values.</li> </ol> </li> </ol>	<p>Possible contaminants that may be discharged to air include dust from trafficable areas. Trafficable areas include access road to the property and throughout the site. The applicant has stated that traffic movements for operational purposes to and from the site would be no more than twice per week and vehicles travelling on site are slow moving minimising dust. A condition can be placed on the authority to ensure trafficable areas must be maintained to minimise release of dust to the atmosphere.</p>
<b>Water</b>	
<i>Environmental Objectives</i>	
The activity will be operated in a way that protects environmental values of water.	The activity can be carried out to ensure the environmental values of water are protected.
<i>Performance Outcomes</i>	
<ol style="list-style-type: none"> <li>There is no actual or potential discharge to waters or contaminants that may cause an adverse effect on an environmental value from the operation of the activity.</li> <li>All of the following – <ol style="list-style-type: none"> <li>the storage and handling of contaminants will include effective means of secondary containment to prevent or minimise releases to the environment from spillage or leaks;</li> <li>contingency measures will prevent or minimise adverse effects on the environment due to unplanned releases or discharges of contaminants to water;</li> </ol> </li> </ol>	<p>Any potential contaminants such as batteries, oils, fuels will be stored in a covered and bunded area to prevent release. Quantities of batteries, oils and fuels are minimal and in the event of a release, could be easily contained through the use of a spill kit. It is unlikely any release would reach waters due to limited quantities of contaminants on site and the distance from workshop areas to Thanos Creek. The inclusion of a bund wall draining to the stormwater collection dam located in the south eastern corner of the site would prevent contaminants or wastewater entering waters.</p> <p>A condition can be placed on the authority to ensure spill kits are kept on</p>

<p>(c) the activity will be managed so that stormwater contaminated by the activity that may cause an adverse effect on an environmental value will not leave the site without prior treatment;</p> <p>(d) any discharge to water or watercourse or wetland will be managed so that there will be no adverse effects due to the altering of existing flow regimes for water or a watercourse or wetland;</p> <p>(e) the activity will be managed so that adverse effects on environmental values are prevented or minimised.</p>	<p>site in the event of spillage or leaks. Furthermore, all wastewaters must be captured on site and contained within the stormwater collection dam.</p>
<b>Wetlands</b>	
<i>Environmental Objective</i>	
The activity will be operated in a way that protects the environmental values of wetlands.	N/A. There is no wetland in the vicinity and Thanos Creek has been considered as part of 'Water' above.
<i>Performance Outcomes</i>	
<p>1. There will be no potential or actual adverse effect on a wetland as part of carrying out the activity.</p> <p>2. The activity will be managed in a way that prevents or minimises adverse effects on wetlands.</p>	N/A.
<b>Groundwater</b>	
<i>Environmental Objective</i>	
The activity will be operated in a way that protects the environmental values of groundwater and any associated surface ecological systems.	The activity can be carried out to ensure the environmental values of groundwater are protected.
<i>Performance Outcomes</i>	
<p>1. Both of the following apply –</p> <p>(a) there will be no direct or indirect release of contaminants to groundwater from the operation of the activity;</p> <p>(b) there will be no actual or potential adverse effect on groundwater from the operation of the activity..</p> <p>2. The activity will be managed to prevent or minimise adverse effects on groundwater or any associated surface ecological systems.</p> <p><i>Note –</i> Some activities involving direct releases to groundwater are prohibited under section 56 of this regulation.</p>	<p>The activity does not involve direct or indirect release of contaminants to groundwater. The soil type is primarily sandstone, assisting in the prevention of contaminants reaching groundwaters, in the case of a spill.</p> <p>A condition can be placed on the authority to ensure any contaminant spills are cleaned up as soon as practical, preventing releases to groundwater.</p>

Noise	
<i>Environmental Objective</i>	
<b>The activity will be operated in a way that protects the environmental values of the acoustic environment.</b>	<b>The activity can be carried out to ensure the acoustic environmental values are protected.</b>
<i>Performance Outcomes</i>	
<ol style="list-style-type: none"> <li>1. Sound from the activity is not audible at a sensitive receptor.</li> <li>2. The release of sound to the environment from the activity is managed so that adverse effects on environmental values including health and wellbeing and sensitive ecosystems are prevented or minimised.</li> </ol>	<p>Equipment used that may generate noise includes a compressor, power tools, hand tools and a forklift. The applicant has advised that the compressor is used no more than two hours per week. The compressor is suitably located in the workshop, which is approximately 200m from the nearest dwelling. Any mechanical work is conducted within the confines of the workshop. Work may be required to be undertaken outside of the workshop at times, however is undertaken in the location between the two sheds on site. The sheds will act as an acoustic barrier.</p> <p>A condition can be placed on the authority ensuring that all work is conducted within the confines of the workshop, and placing a noise limit on the authority ensuring noise levels do not exceed 5 dB(A) above background at the boundary. Hours of operation can be conditioned also.</p>
Waste	
<i>Environmental Objective</i>	
<b>Any waste generated, transported or received as part of carrying out the activity is managed in a way that protects all environmental values.</b>	<b>The activity can be carried out to ensure environmental values are protected from waste.</b>
<i>Performance Outcomes</i>	
<ol style="list-style-type: none"> <li>1. Both of the following apply – <ol style="list-style-type: none"> <li>(a) waste generated, transported or received is managed in accordance with the waste and resource management hierarchy in the <i>Waste Reduction and Recycling Act 2011</i>;</li> <li>(b) if waste is disposed of, it is disposed of in a way that prevents or minimises adverse effects on environmental values.</li> </ol> </li> </ol>	<p>Waste generation on site is minimal and includes oils, tyres and scrap metal. Oil is contained in two 200 litre drums and when full, are collected by oil recycler. Tyres are located in a storage shed and re-used when possible. Tyres unable to be re-used are disposed of at the nearest waste facility. Quantities of scrap metal on site is minimal due to most items being repaired and sold. A 15m<sup>3</sup> scrap metal collection bin can take up to 3 – 4 years to fill. Scrap metal is collected by recyclers either from Warwick or Brisbane.</p> <p>A condition can be placed on the authority to ensure all wastes are placed in suitable receptacles and serviced regularly.</p>
Land	
<i>Environmental Objective</i>	
<b>The activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna.</b>	<b>The activity can be carried out to ensure the environmental values of the land are protected.</b>

Performance Outcomes	
<ol style="list-style-type: none"> <li>1. There is no actual or potential disturbance or adverse effect to the environmental values of land as part of carrying out the activity.</li> <li>2. All of the following –               <ol style="list-style-type: none"> <li>(a) activities that disturb land, soils, subsols, landforms and associated flora and fauna will be managed in a way that prevents or minimises adverse effects on the environmental values of land;</li> <li>(b) areas disturbed will be rehabilitated or restored to achieve sites that are-                   <ol style="list-style-type: none"> <li>(i) safe to humans and wildlife; and</li> <li>(ii) non-polluting; and</li> <li>(iii) stable; and</li> <li>(iv) able to sustain an appropriate land use after rehabilitation or restoration;</li> </ol> </li> <li>(c) the activity will be managed to prevent or minimise adverse effects on the environmental values of land due to unplanned releases or discharges, including spills and leaks of contaminants;</li> <li>(d) the application of water or waste to the land is sustainable and is managed to prevent or minimise adverse effects on the composition or structure of soils and subsols.</li> </ol> </li> </ol>	<p>The activity does not involve disturbing land, soils, subsols, landforms, flora and fauna. In the event of a contaminant release or spill, this can be managed by the use of a spill kit. There is no release of wastewater to the land.</p>

# **Environmental Authority**

## **Environmental Protection Act 1994**

### **Section 195**

**No. ERAct14/0141**

Under the provisions of the *Environmental Protection Act 1994*, this authority is issued:

TO :

Foursims Investments Pty Ltd  
177 Hart Road  
Thanes Creek Qld 4370

In respect of carrying out environmentally relevant activity of:

**20(1) Metal recovery – (the relevant activity) consists of recovering metal by operating-**

- (a) a scrap metal yard; or
- (b) a facility for dismantling automotive or mechanical equipment, including debonding brake or clutch components.

Threshold	Aggregate environmental score	3
1 recovering less than 100t of metal in a day	no score	C

at the following place(s): 177 Hart Road, Thanes Creek Qld 4370

and described as: Lot 5 on CP885432

The authority granted is conditional upon the above listed activities being carried out in accordance with the attached schedule of conditions.

Delegate of Administering Authority – Environmental Protection Act

Date:

Anniversary Date: 01 October

## **SCHEDULE OF CONDITIONS**

### **General**

1. A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
2. No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development authority.
3. The carrying out of the ERA must not result in the release of emissions or contaminants that cause an environmental nuisance or harm. This includes but is not limited to:
  - a) Noise;
  - b) Odour;
  - c) Dust;
  - d) Liquids; and
  - e) Light.
4. From commencement of an ERA to which this authority relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all ERA's that are carried out. The SBMP is to be completed within six (6) months from the commencement date of the activity.
5. All records required by this authority must be kept for 5 years.
6. The registered operator of an ERA to which this authority relates must contact the Council as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this authority, or any event where environmental harm has been caused or may be threatened.
7. All material shall be stored so as not to provide any harboursage or attraction for rats, mice or other vermin.
8. The registered operator of an ERA to which this authority relates must:
  - a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this authority;
  - b) maintain such measures, plant and equipment in a proper and efficient condition; and
  - c) operate such measures, plant and equipment in a proper and efficient manner.
9. The registered operator of the ERA must record the following details for all complaints/incidents received and provide this information to Council on request.

- a) time, date, name and contact details of the complainant;
  - b) reasons for the complaint/incident;
  - c) any investigations undertaken;
  - d) conclusions formed; and
  - e) any actions taken.
10. When requested by Council, monitoring and/or sampling must be undertaken by a suitably qualified person(s) to investigate any complaint of environmental nuisance (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days of receipt to Council. This must be undertaken in accordance with any direction given by Council at the time.
- If monitoring and/or sampling results indicate or where it is determined by an authorised person that environmental nuisance is being caused, you must:
- a) address the complaint, including the use of appropriate dispute resolution if required; and
  - b) immediately implement abatement or control measures so that emissions from site activities do not result in further environmental nuisance.
11. The owner or occupier of the land must, within 22 business days after the commencement of the notifiable activity, give notice to the *Contaminated Land Unit* under subsection 371 of the *Environmental Protection Act 1994*.

#### Noise

12. Noise levels emitted from the premises must not exceed 5 dB(A) above the background noise levels in the locality when measured from at the boundary of the property. There is to be no audible noise emitted beyond the boundary on Sundays and Public Holidays.
13. Any fixed noise emitting device (eg compressor, generator) must be suitably located, positioned and housed so as not to cause a nuisance.

#### Air

14. Trafficable areas within the approved place must be maintained using all reasonable and practicable measures necessary to minimise the release of windblown dust or traffic generated dust to the atmosphere.

#### Water

15. Any hazardous materials (eg batteries, oils and fuel etc) must be stored in a covered and bunded area.
16. Any liquid spills must be cleaned up as soon as practical and disposed of in an appropriate manner that ensures environmental harm does not occur. An appropriate spill kit for the management of wastes and hazardous liquids associated with the ERA must be readily available at the site. Anyone operating under this authority must be trained in the use of the spill kit.



17. There must be no release of waters and/or wastewaters that has been in contact with any contaminants at the site to any waters, drains etc. The bund wall on the eastern side of the premises must be maintained. If necessary, the bund wall may need to be extended to the north to prevent ingress of water to the site during periods of flooding.

**Waste**

18. A sufficient number of suitable waste and recycling receptacles must be provided on site at all times. Waste receptacles must be regularly serviced to prevent unsightly accumulations of waste or environmental harm being caused.
19. All regulated waste must be removed from the site by a regulated waste removal contractor authorised under the *Environmental Protection Act 1994*. The records for this disposal must be kept on site and be available for viewing by an authorised officer.
20. Tyres must be stored in a covered area and located so as not to provide a breeding place for mosquitoes.
21. Provision shall be made for the storage and removal of refuse and recyclables in accordance with the *Waste Reduction and Recycling Regulation 2011* to the satisfaction of the Director Planning and Environment.

**Light Control**

22. Any external light must be installed so that light shines down and away from adjacent premises and roads and does not exceed 8 lux at the property boundary.

**End of Conditions**

## **SCHEDULE OF DEFINITIONS**

**Activity** means the environmentally relevant activity or aspect of an environmentally activity to which this authority relates.

**Authorised Person** means an authorised person under the *Environmental Protection Act 1994*.

**Authority** means this environmental authority.

**Bunded** means an earth mound or similar structure (e.g. a concrete block wall), whether impervious or not, constructed to contain spilled material (e.g. batteries, oils and fuel etc).

**Contaminant** (as defined in section 11 of the *Environmental Protection Act 1994*) means:

- (i) A gas, liquid or solid; or
- (ii) An odour; or
- (iii) An organism (whether alive or dead), including a virus; or
- (iv) Energy, including noise, heat, radioactivity and electromagnetic radiation; or
- (v) A combination of contaminants.

**Environmental harm** (as defined in Section 14 of the *Environmental Protection Act 1994*) is any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance. Environmental harm may be caused by an activity:

- (i) Whether the harm is a direct or indirect result of the activity
- (ii) Whether the harm results from the activity alone or from the combined effects of the activity and other activities or factors.

**Environmental nuisance** (as defined in Section 15 of the *Environmental Protection Act 1994*) means – 'unreasonable interference or likely interference with an environmental value' caused by:

- (i) Aerosols, fumes, light, noise, odour, particles or smoke
- (ii) An unhealthy, offensive or unsightly condition because of contamination
- (iii) Another way prescribed by regulation

**EP Act** means the *Environmental Protection Act 1994*.

**ERA** means an Environmentally Relevant Activity under the *Environmental Protection Regulation 2008*.

**Lux** means the unit of measure of illuminance.

**Premises** means Lot 6 on CP886432.

**Regulated waste** means waste that is either:

- (i) Is commercial or industrial waste, whether or not it has been immobilised or treated; and

- (II) is of a type, or contains a constituent of a type, mentioned in schedule 7 of the *Environmental Protection Regulation 2008*; and includes:
  - a. for an element – any chemical compound containing the element; and
  - b. anything that contains residues of the waste.

**Release** in relation to contaminants means:

- (I) to deposit, discharge, emit or disturb the contaminant; and
- (II) to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
- (III) to allow the contaminant to escape; and
- (IV) to fail to prevent the contaminant from escaping.

**Road** (as defined in Schedule 6 of the *Land Act 1994*) means an area of land, whether surveyed or unsurveyed:

- (I) dedicated, notified or declared to be a road for public use; or
- (II) taken under an Act, for the purpose of a road for public use.

**Waters** means all Queensland waters and includes rivers, streams, lakes, lagoons, ponds, swamps, wetlands, surface waters, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), any groundwater and any part thereof.

**End of Definitions**

**From:** allanwebber1962@gmail.com  
**Sent:** Wednesday, 25 March 2015 3:41:00 PM  
**To:** General Enquiries  
**Subject:** Material change of use.

To CEO of SDRG,

I have received a letter from my neighbour at 177 Hart Road, Thanes Creek, Thane about a material change of use. I would like to object to the change on the grounds that the business has grown very large with excess truck bodies and trailers being stored there.

With this storage there is the increased sighting of vermin in the area. Snakes, fox's and wild cats breeding and along with rabbits.

These truck wrecks are very unsightly from anyone's house.

There is a increase of traffic use on Thanes Creek Road, Hart road and roads towards Leyburn and Pratten. Trucks and cars being delivered as well as taken away.

There are noise levels with petrol driven compressor and rattle gun activity , the starting of air start trucks and testing of this type of air start equipment.

This is not good for a quiet rural neighbourhood.

The fork lift which is rattles which stirs up stock.

The approval of this type of business in the quiet rural area would have devastating effects on each and everyone's property valuation in the area.

Thank You

Allan Webber

Ph. 0407960016

[http://web-cm-01:8080/dfsroot/databackstore/default/default/orig/docId/2493125/dw\\_get](http://web-cm-01:8080/dfsroot/databackstore/default/default/orig/docId/2493125/dw_get)[21/04/2015 5:36:13 PM]

*"Gradenfloe"*

*230 Thanes Creek Rd*

*Warwick Q 4370*



SDRC

PO Box 26

Warwick Q 4370

To Whom It May Concern

Proposed Development - Medium Impact Industry & Fabricated Metal Products  
Activities by Foursims Investment Pty Ltd

As a long time landholder at Thane and Thanes Creek I would prefer the area to remain Rural Residential.

Allowing medium impact industries to operate here would increase traffic and noise.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Andrew A. Costello".

Andrew Costello

15 April, 2015



Southern Downs Regional Council  
64 Fitzroy Street, Warwick, QLD, 4370  
Planning Department

SOUTHERN DOWNS REGIONAL COUNCIL WARWICK BRANCH RECEIVED - 9 APR 2015		
Action Officer	<input checked="" type="checkbox"/>	File
Tsk	<input type="checkbox"/>	
Del	<input type="checkbox"/>	
FWN	<input type="checkbox"/>	

RE: Application no. meu/01619+ERA/00220  
177 Hart Road Thanes Creek Lot 5 CP 886432

Enclosed is a list of objections regarding the above application.

We have owned our property since 1987 and have lived here since 1989 and run a cattle grazing block as most of the land holders out in this area do.

I think approval for this truck wrecking business without conditions is not suited to a rural agricultural area, but more to an industrial estate.

Also the gravel roads in this area are fragile and not suited to a lot of heavy vehicle traffic.

The adjoining properties will be devalued if re sold by the number of wrecked trucks and buses left on the property.

We trust that you will make the right choice in preserving this rural area and will acknowledge our concerns.

Sincerely,

Darryl & June Joe Kong.  
7 Mt Gammie Road, Thanes Creek



Southern Downs  
Regional Council  
64 Fitzroy St  
Warwick Qld 4370

A & S Horton  
"Belle Haven"  
136 Mt Gammie Rd  
Thanos Creek 4370

SOUTHERN DOWNS REGIONAL COUNCIL WARWICK BRANCH	
RECEIVED	
-7 APR 2015	
Action Officer:	<input checked="" type="checkbox"/> File
Tsk	<input type="checkbox"/>
Dst	<input type="checkbox"/>
Uwd	<input type="checkbox"/>

To Whom It May Concern:

RE: Application No MCU\01619 & ERA\00220

177 HART RD THANOS CREEK LOT 5 CP 886432

It is with careful consideration that we send to you our objections

To the above mentioned property being changed from Dwelling  
House to Medium Impact Industry & Fabricated Metal Product  
Activities.

Our concerns are as follows:

Environmental Impact: given that both our properties back onto  
Thanos Creek we would like assurance that it would not become  
Polluted by waste materials as this is a vital source of water for  
Livestock.

Visual Impact: in our opinion we live in an amazing part of the  
Country, we did not choose to live in an Industrial Area, we can  
See the "Wreckers" through the trees from our house, over the  
Years the collection of trucks has grown considerably and we no  
Longer go down to the creek as it is already an eye sore, should  
Approval be granted we believe this will get worse.

Southern Downs Regional Council



Noise: The Rural area in which we live is peaceful and we do not  
Want that to change, a change of usage of this property would see  
Noise levels increase again we will state that we choose to live in a  
Peaceful Rural Area not an Industrial Estate.

Road: as it is, both Thanos Creek and Hart Rds are generally in  
Need of repair, being gravel they don't cope with the already  
Increased volume of traffic in the area if several tonnes of Scrap  
Metal was to be carted along these roadways it will mean  
Significant increases of damage to the already suffering surface.

Property Value: should we in the future wish to sell our property we  
Believe that living in close proximity to an Industrial Business can  
Only negatively affect our property value.

What Next: Approving this application can also open up for other  
Land Holders or new Investors to conduct Industrial Business here  
Again we stress our choice is not to live in an Industrial Area.

Lifestyle: We believe Approval of this Application would grant  
Permission for expansion which could severely affect our quiet  
Rural Life.

Regards

 4667 4732

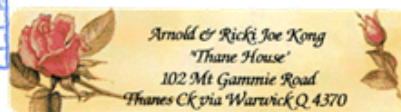
Andrew and Sharlene Horton

0411 293630



SOUTHERN DOWNS REGIONAL COUNCIL WARWICK BRANCH	
RECEIVED	
07 APR 2015	
Action Officer:	<input checked="" type="checkbox"/> File
Task:	<input type="checkbox"/>
Dist:	<input type="checkbox"/>
Env:	<input type="checkbox"/>

Southern Downs Regional Council  
64 Fitzroy Street, Warwick, QLD, 4370  
Planning Department



Ph (07) 4667 4883  
31 MARCH 2015

*Dear Sir,*

RE: Application no. meu/01619+ERA/00220  
177 Hart Road Thanes Creek Lot 5 CP 886432

Enclosed is a list of objections regarding the above application.

This area is not designed for an industrial business, and there will be serious environmental ramifications if a rural dwelling property becomes a medium impact and fabricated metal product activities.

All access is through Hart Rd via Thanes Creek Road off Cunningham Hwy, and through Big Hill Road from Pratten. Both of these routes are loose gravel and will not be able to withstand extra traffic. They will deteriorate rapidly, inconveniencing residents.

Also, a fabricating business should be designed to operate within an industrial zone whereby fires from potential welding sparked are minimised. In our circumstance because the potential business will be in the centre of a rural area full of fuel being dried grass and timber is a heightened concern of ours.

This is a quiet rural area that will be ruined with the increased noise levels if actives are allowed. We have already experienced this change and do not appreciate its affect on our wonderful lifestyle.

If industrial actives are allowed it will affect the selling price of our property. It will cause devaluation due to an unsightly wrecking yard being the main view from our property. Carcasses of trucks and buses is not what you should be seeing when you walk the boundary of our property instead a rural environment of trees and livestock.

There is no doubt there will be serious environmental impacts from the waste products. It will affect the waterways of Thanes Creek used by livestock and local wildlife. This contamination is unacceptable.

If this property is granted approval for an industrial business, it will set a precedent for future or present owners in our vicinity to do the same. This will destroy the relaxing and peaceful way of life we have come to experience since we bought our property in 1990.

Southern Downs Regional Council



\*DOC0186893\*

We came here for a lifestyle change, after living in Brisbane where we owned and managed a restaurant. In 1998 we built our home and have been residents in this area ever since. Over the last 16 years we have made improvements to our home to maximise the living opportunity our land provides these improvements will have been in vain if a wrecking yard is allowed to operate within the area. My brother and his family also live on a property in the area and feel the same way over this issue. We love our home; we love our community and wish to see this great area preserved for present and future residents in its current form.

We trust that you will make the right choice in preserving this rural area and will acknowledge our concerns.


Sincerely,

Arnold and Ricki Joe Kong.

*Arnold Joe Kong*  
*Ricki Joe Kong*

## 12.4 Material Change of Use - Stanthorpe Agricultural Society, 6 High Street, Stanthorpe

### Document Information

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Senior Planning Officer	<b>File Ref:</b> MCU01607

<b>APPLICANT:</b>	Stanthorpe Agricultural Society
<b>OWNER:</b>	Stanthorpe Agricultural Society
<b>ADDRESS:</b>	6 High Street, Stanthorpe
<b>RPD:</b>	Lot 259 BNT1180, Parish of Stanthorpe, County of Bentinck
<b>ZONE:</b>	Community facilities
<b>LAND AREA:</b>	11.8 hectares
<b>PROPOSAL:</b>	Caretaker accommodation
<b>LEVEL OF ASSESSMENT:</b>	Impact
<b>SUBMITTERS:</b>	Two (2)
<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 Caretaker's residence on land at 6 High Street, Stanthorpe, described as Lot 259 BNT1180, Parish of Stanthorpe, County of Bentinck, be approved subject to conditions.

### Report

The subject land is the Stanthorpe Showgrounds and sale yards. There are a number of buildings on the site which accommodate different functions, including the Men's Shed.





The applicant proposes to utilise a single caravan for the purpose of a Caretaker's residence from March to September each year. The applicant has provided the following justification for the caretaker's accommodation:

*The caretakers role includes administrative responsibilities associated with the Australian Small Wine Makers Show, which begins in March and includes distribution of promotional materials, registration of entrants, collection of fees, dealing with all correspondence and generally being the on the spot person. All of the activities of ASWS are located at the Stanthorpe Showground, including the phone line and the internet connection. It is therefore imperative that the caretaker be located there.*

*It is proposed that the caretakers caravan will be located adjacent to the amenities block and that he will have access to the amenities, toilet and laundry.*

*Grey water and black water is to be disposed of at the registered dumping point at the Stanthorpe Showgrounds.*

It is noted that during prelodgement discussions with the applicants, it was intended that the caretaker would be required from May until approximately two weeks after the Small Wine Makers Show, i.e. the second week in November.



The proposed development is not considered an ancillary use due to the purpose and the length of stay of the caravan. Particularly given that the actions associated with the Small Wine Makers Show conducted on site, encompasses approximately one month. As the caretaker's residence is not ancillary, the Planning Scheme requires Impact assessment.

### Referral

The proposed development required referral to the Department of State Development, Infrastructure and Planning (DSDIP) as the property adjoins a State-controlled road, High Street. The DSDIP have no requirements with regards to the application.

## ***Submissions***

Two (2) submissions were received to the application. The issues raised in the submissions are as follows:

### Inclusion of Lot 256 CP905324

- We note that the showgrounds clearly incorporates Lot 259 on BNT 1180 **as well as** the adjoining lot 256 on CP905324. This is clearly evident on the material (aerial photograph with hand notations) submitted by the applicant. In fact, the Exhibition Centre straddles this boundary, and the access road to High Street is also located on this land.

In our view, the exclusion of Lot 256 on CP905324 from the application means that the application is incomplete and is inconsistent with the well-established 'Pioneer principle', which requires that a development application should be made over the complete site of the activity to which the application relates.

In this case, the application should be made over the whole Showground site. This is especially so, if as stated, the caretaker is required for an activity to be undertaken in the Exhibition Building which is partially located on Lot 256 CP905324.

*Comment:* The subject application is over Lot 259 BNT1180 only, and all documentation regarding the application refers to only this lot.

The site plan submitted as part of the application indicates access for the caretaker's residence from Club Road, being Lot 259 BNT1180. A condition can be imposed to ensure it is made clear that access is via Club Road only.

The pavilion which is used as part of the Small Wine Makers Show, does straddle the boundary of Lot 259 BNT1180 and Lot 256 CP905324, therefore technically the submitter is correct that if the caretaker's duties associated Small Wine Makers Show is conducted in the entire pavilion, Lot 256 CP905324 should have been included in the application. Lot 256 CP905324 is a reserve, as opposed to Lot 259 BNT1180 which is a freehold title.

A strict interpretation of the law results in the need for a condition to be imposed that requires all operations which are the responsibility of the caretaker to be undertaken on Lot 259 BNT1180, this includes only the northern portion of the existing pavilion.

### Length of stay for the Caretaker's accommodation

- While the application material is extremely limited in information and detail, the stated purpose of the IDAS Form 1 application is for "Parking for 1 caravan from March – November each year to house second caretaker to provide on-site management and security of Australian Small Wine Makers Show & associated wine exhibits".

This period from March to November is over 9 months, which is considerably more than could be reasonable expected for the management and security for the stated wine event. It is unlikely that such an event would take more than 1 week.

Accordingly, there is some doubt as to the reason or need for the parking of the caravan. The material submitted by the applicant has not established a need for this additional caravan or caretaker.

*Comment:* Council sought further information in relation to a similar question as part of an information request to the applicant. As previously detailed, the applicant has provided advice on the need and role for the caretaker.

If the applicant were to apply for a permanent second caretaker's residence, not associated with the Small Wine Makers Show in particular, it is considered that such a use may be appropriate.

## Use of the land

- This is a Showgrounds, it is not to be a caravan park or camping accommodation. This will impact on the use of the Showgrounds. There would be much better and more suitable sites for this development.

We would appreciate for the Shire Council's support not to have this development approved.

*Comment:* Assessment against the Community facilities zone is included later in the report.

The proposed development is for the use of one caravan as a caretaker's residence, from March to November, for duties associated with the Small Wine Makers Show. The proposed development is not for a commercial caravan park.

If the Stanthorpe Agricultural Society wanted to operate a commercial caravan park, a separate planning application would need to be submitted to Council.

While the submitter may question the need for this second caretaker, from a land use perspective it is not unreasonable to propose that part of the activities at the Showground requires an additional caretaker. Nothing in the Planning Scheme precludes the approval of a second caretaker on a site of this type.

## **Assessment against the Planning Scheme**

This application required assessment against the Community facilities zone code, and the Physical infrastructure code.

### ***Community facilities zone code***

The purpose of the Community facilities zone is to:

- (a) Provide for the continued operation of a range of organised activities which includes sporting, cultural and educational activities where the activity is generally reliant on built and formed structures.

This purpose is achieved through the following overall outcomes:

- (a) Land included in this zone includes land used for significant community purposes and facilities. It includes the Commonwealth land at Wallangarra, major educational facilities, both privately and publicly operated, transport facilities, hospitals, civic spaces and facilities such as cemeteries and major utilities and depots.
- (b) The ongoing operation of these community purposes and facilities is protected and provision is made for redevelopment and expansion in keeping with the purpose and character of the facility and with community needs.
- (d) The viability of the community purpose is protected by excluding development that could limit the ongoing operation of existing community facilities or prejudice appropriate new activities.
- (e) The form of the development is specific to the facility in recognition of the particular operational, functional and locational criteria of the community purpose or facility.

The proposed caretaker accommodation can be considered to comply with the purpose of the zone.

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

It is considered that the proposed development is associated with the community facility and the use of it for the Small Wine Makers Show, and the Stanthorpe Agricultural Society has demonstrated a need for an additional caretaker.

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

The proposed development complies with the Code with regards to Water supply, Energy, Roads and rail, Development near underground utility services, and Crime prevention and safety.

*Waste water disposal:* The Code requires, where a reticulated sewerage system is available, that connection is made to the system. The applicant proposes to disposal of grey and black water at the registered dumping point, located at the Stanthorpe Showgrounds.

This is not a direct connection and requires persons to physically dispose of the waste water.

The associated Performance outcome states as follows:

PO2 All development has a safe, effective means of sewage treatment and disposal that meets acceptable public health and environmental standards.

It is considered appropriate that a sullage point be provided in a location which the caretaker's residence can permanently connect to whilst they are residing on the site. This will ensure that grey water can be disposed of appropriately.

In relation to black water disposal, if the caravan contains an onboard toilet, there will be a black water holding tank. It is considered appropriate that the caretakers dispose of the contents of the black water tank into the dump point located on site. This is standard practice for all caravans with onboard toilets.

Alternatively, the caretakers may utilise the ablutions located on the site.

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

It is considered that as the use is of such a small scale and is not a permanent use, that there is no basis to levy an infrastructure charge, particularly when considered in light of the large area, and the frequency and size of activities that can occur at the Showgrounds already without the need for a further approval.

### **Conclusion**

The applicant proposes to have a second caretaker's residence on site for the period of March to November each year, to assist with actions associated with the Small Wine Makers Show. The caretaker's residence will take the form of a caravan.

It is considered appropriate that a sullage point be provided in the vicinity of the caretakers residence so the caravan can be permanently connected, when it is on-site, for the disposal of greywater.

The on-site toilet waste will be captured in the onboard tank. The caretaker will be responsible for its disposal at the dump point located at the Showgrounds. This arrangement is the same for all caravans with onboard toilets. Alternatively, the caretaker may utilise the on-site ablutions.

The proposed development is considered reasonable and should be approved subject to conditions.

## **Recommendation**

THAT the application for Material Change of Use for the purpose of a Caretaker's residence on land at 6 High Street, Stanthorpe, described as Lot 259 BNT1180, Parish of Stanthorpe, County of Bentinck, be approved subject to the following conditions:

### **Schedule 1 - Southern Downs Regional Council Conditions**

#### **Approved Plans**

1. The development of the site is to be generally in accordance with the 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
Location of proposed caravan site	NA	24 November 2014

#### **Land Use and Planning Controls**

2. This approval allows for the use of the caravan for a second caretaker's residence, for the months of March to November yearly.
3. The caretaker's residence is to be associated with duties relating to the Small Wine Makers Show (or similarly titled show) only. If the use of the Showgrounds for the Small Wine Makers Show (or similarly titled show) ceases, this approval lapses.
4. The duties undertaken by the caretaker, associated with the Small Wine Makers Show are to be undertaken on Lot 259 BNT1180 only. This includes only the northern portion of the existing pavilion, which straddles Lot 259 BNT1180 and Lot 256 CP905324. This condition does not apply to the conducting of the wine show, which can be conducted within the entire pavilion.

#### **Building and Site Design**

5. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)

#### **Amenity and Environmental Controls**

6. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
7. General waste is to be disposed of in the on-site bins for regular collection, or alternatively taken directly to Council's waste facility.
8. No effluent or greywater is to drain on to the ground, from the site or into any watercourse.
9. The ablutions, including laundry facilities on-site are to be made available to the caretaker.
10. 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.

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

11. Vehicle access is to be from Club Road only. The existing access is to be continually maintained.

#### **Water Supply and Sewerage**

12. The caravan is to be connected to Council's reticulated water supply system. This connection can be made from an existing water tap located within the vicinity of the caretaker's accommodation.
13. The applicant is to provide a liquid waste disposal (sullage) point within 10.0 metres of the caretaker's residence. The disposal point is to be provided with a water stand pipe in an impervious paved area of at least 1.0m x 1.0m graded to a central drain connected to Council's reticulated sewerage system.



14. If the caretaker is utilising an on-board toilet in the caretaker's accommodation, the blackwater cassette is to be regularly emptied at the approved dump point located on-site.

### **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) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.

### **Aboriginal Cultural Heritage**

- (iv) 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 received to Material Change of Use, 6 High Street, Stanthorpe [View](#)



8<sup>th</sup> April 2015

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

Dear Sir,

**RE: Application MCU/01607 – Stanthorpe Showgrounds at 6 High Street Stanthorpe**

We act as Town Planning Consultants for Markdiffe Investments Pty Ltd, representing the owners and operators of the Stanthorpe Top of the Town Tourist Park. We have reviewed the current application MCU/01607 for a material change of use for a caretaker accommodation on land described as Lot 259 on BNT1180.

We note that the showgrounds clearly incorporates Lot 259 on BNT 1180 as well as the adjoining lot 256 on CP905324. This is clearly evident on the material (aerial photograph with hand notations) submitted by the applicant. In fact, the Exhibition Centre straddles this boundary, and the access road to High Street is also located on this land.

In our view, the exclusion of Lot 256 on CP905324 from the application means that the application is incomplete and is inconsistent with the well-established 'Pioneer principle', which requires that a development application should be made over the complete site of the activity to which the application relates.

In this case, the application should be made over the whole Showground site. This is especially so, if as stated, the caretaker is required for an activity to be undertaken in the Exhibition Building which is partially located on Lot 256 CP905324.

While the application material is extremely limited in information and detail, the stated purpose of the IDAS Form 1 application is for *"Parking for 1 caravan from March – November each year to house second caretaker to provide on-site management and security of Australian Small Winemakers Show & associated wine exhibits"*.

This period from March to November is over 9 months, which is considerably more than could be reasonably expected for the management and security for the stated wine event. It is unlikely that such an event would take more than 1 week.

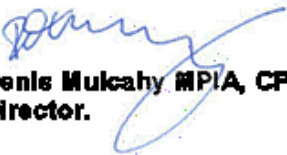
ABN : 90 307 341 638  
Planning Solutions (Qld) Pty Ltd  
At Mulcahy Family Trust  
www.plansolutions.com.au

PO Box 355 The Gap Qld 4061 Denis Mulcahy T: 07 3300 0063

E: mail@plansolutions.com.au

Accordingly, there is some doubt as to the reason or need for the parking of the caravan. The material submitted by the applicant has not established a need for this additional caravan or caretaker.

Yours faithfully,



**Denis Mulcahy MPA, CPP  
Director.**

13 April 2015

P.O. Box 235  
Stanthorpe Q  
4380

The Assessment manager  
Southern Downs  
Regional Council  
P.O. Box 26  
Warwick Q 4370



Dear Sir,

Referring to application no. 124/10167 or any other proposed development for ancillary camping and caravan accommodation.

In regard of this we strongly believe and do not agree with such a discussion to be approved by Shire Council or other, and never in the future to be approved.

As this is a showground not to be a caravan park or camping accommodation and as this will also put impale on the showground. There would be much more better suitable sites for this development.

We would appreciate for Shire Council support not to have this development approved.

Thanking you  
Yours Sincerely  
M. Calott  
M. CALOTT  
J. Calott  
J. CALOTT


Southern Downs Regional Council



"DOC0187661"

## 12.5 Reconfiguration of Lot - Gary Hayes & Partners Pty Ltd (Crompton and Pope), Cunningham Highway and Gladfield Back Road, Gladfield

### Document Information

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Senior Planning Officer	<b>File Ref:</b> RC\01463

<b>APPLICANT:</b>	Gary Hayes and Raymond A Crompton
<b>OWNER:</b>	Raymond A, Jillian S, & William J Crompton, and Anne-Marie Pope
<b>ADDRESS:</b>	Gladfield Back Road, Gladfield
<b>RPD:</b>	Lots 1-4 & 7-10 RP22029, Lots 2 & 4 RP22032, Lot 1 RP168854, Lot 1658 M34621, Lot 5 SP187705, Lot 1 SP187704, Lot 1 RP22018, Lots 10 & 11 RP180901, Parish of Gladfield, Lot 3 ML2136, Parish of Glengallan, County of Merivale
<b>ZONE:</b>	Rural
<b>PROPOSAL:</b>	Realignment of boundaries - (18 lots, into 17 lots (with a maximum of 16 lots in the final stage) in three stages)
<b>LEVEL OF ASSESSMENT:</b>	Impact
<b>SUBMITTERS:</b>	One (1)
<b>REFERRALS:</b>	Nil

### Recommendation Summary

THAT the application for a realignment of boundaries (18 lots, into 17 lots (with a maximum of 16 lots in the final stage) in three stages) on land at Gladfield Back Road, Gladfield, described as Lots 1-4 & 7-10 RP22029, Lots 2 & 4 RP22032, Lot 1 RP168854, Lot 1658 M34621, Lot 5 SP187705, Lot 1 SP187704, Lot 1 RP22018, Lots 10 & 11 RP180901, Parish of Gladfield, Lot 3 ML2136, Parish of Glengallan, County of Merivale, be approved subject to conditions.

### Report

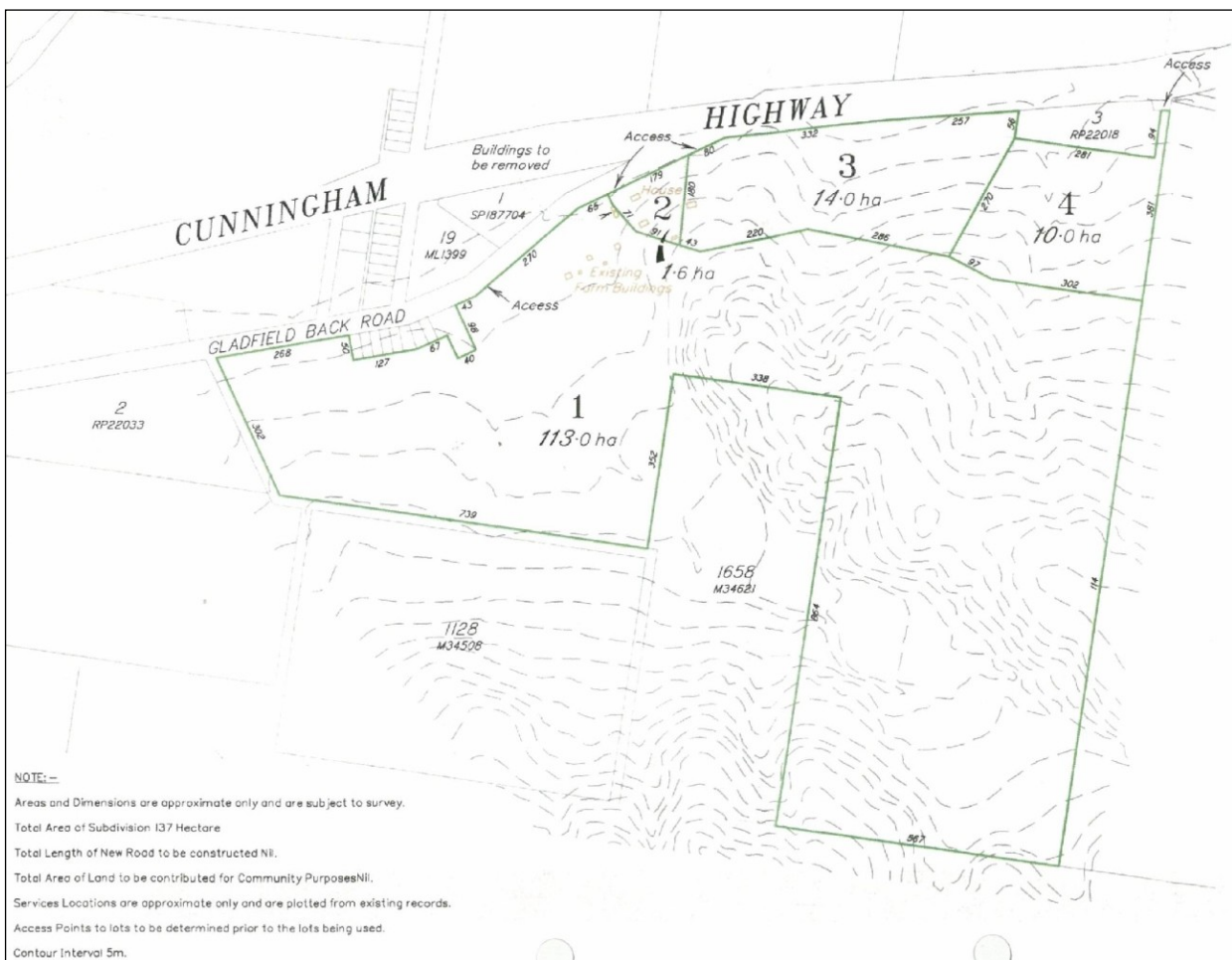
The proposed realignment involves 18 lots. All of the lots have access; however some lots only have access to an unmade road reserve. The Cunningham Highway and the constructed section of Gladfield Back Road provide access to 11 of the lots. Lot 11 RP180901 contains a residence and a number of farm sheds, whilst all other lots are vacant. The lots range in size from 1,012 square metres to 49.0 hectares.

The majority of lots are predominately used for cultivation, although there are parts of the land used for grazing stock.





It should be noted that Council approved a realignment of boundaries (four lots) on 10 August 2011 (File Ref: RC\01275). The approved plan is as follows. The survey plan was signed by Council on 3 February 2015, however does not appear to have been lodged with the Titles office yet.

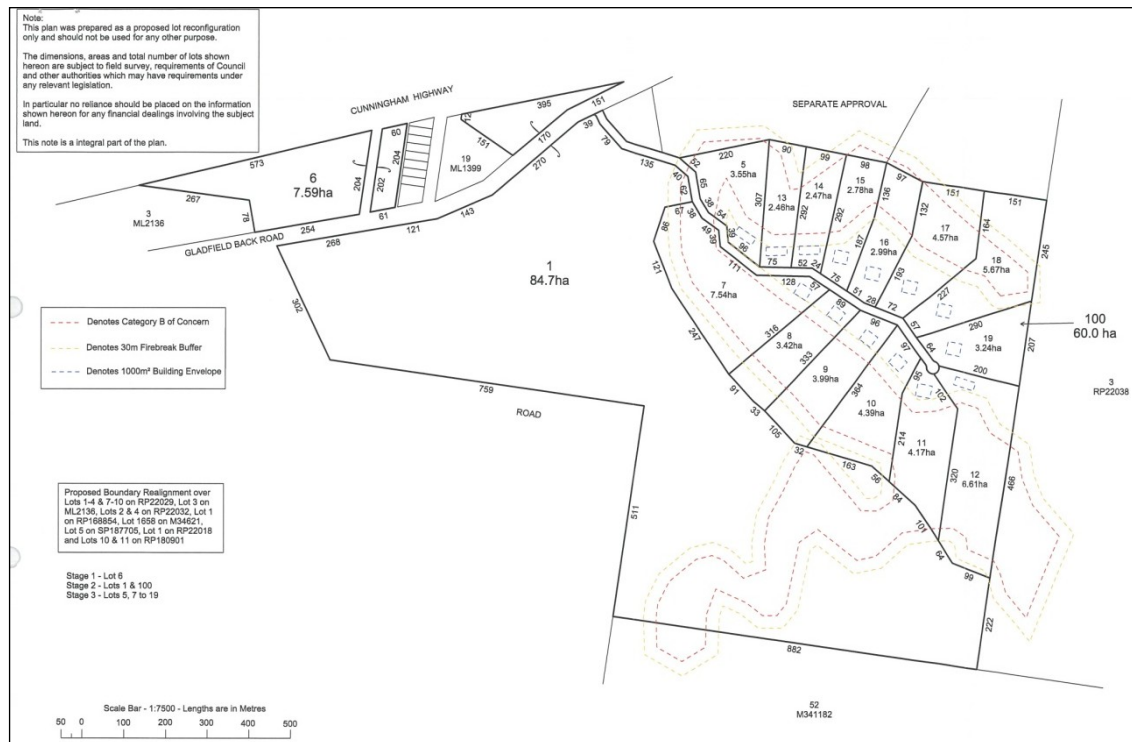


The proposed realignment involves 18 lots. The proposal is to reconfigure the lots so that the better quality agricultural and grazing land is amalgamated into one large rural lot, and ultimately 15 rural residential size lots are created within the poorer quality land along the ridge line to the property's north-east.

The applicant has proposed to stage the development as following:

- Stage 1 – Proposed Lot 6.
- Stage 2 – Proposed Lot 1 and Lot 100.
- Stage 3 – Proposed Lots 5, 7 to 19.

Proposed Lot 100 will be created as part of Stage 2, however in Stage 3 the remainder of the rural residential allotments will be created over Lot 100 and only 16 lots will be created in Stage Three.



Original lot	Original area	Proposed lot	Proposed area
Lot 1 RP22029	1,012 m <sup>2</sup>	100	60.0 hectares
Lot 2 RP22029	1,181 m <sup>2</sup>	1	84.7 hectares
Lot 3 RP22029	1,181 m <sup>2</sup>	5	3.55 hectares
Lot 4 RP22029	1,012 m <sup>2</sup>	6	7.59 hectares
Lot 7 RP22029	1,012 m <sup>2</sup>	7	7.54 hectares
Lot 8 RP22029	1,012 m <sup>2</sup>	8	3.42 hectares
Lot 9 RP22029	1,012 m <sup>2</sup>	9	3.99 hectares
Lot 10 RP22029	1,012 m <sup>2</sup>	10	4.39 hectares
Lot 2 RP22032	2,023 m <sup>2</sup>	11	4.17 hectares
Lot 4 RP22032	6,424 m <sup>2</sup>	12	6.61 hectares
Lot 1 RP168854	1,750 m <sup>2</sup>	13	2.46 hectares
Lot 5 SP187705	5,059 m <sup>2</sup>	14	2.47 hectares
Lot 1 SP187704	2.05 hectares	15	2.78 hectares
Lot 1 RP22018	43.3 hectares	16	2.99 hectares
Lot 10 RP180901	46.3 hectares	17	4.57 hectares
Lot 11 RP180901	49.022 hectares	18	5.67 hectares
Lot 1658 M34621	28.1 hectares	19	3.24 hectares
Lot 3 ML2136	6.383 hectares		

All new lots will be of sufficient area to accommodate on-site sewerage disposal.

The proposed reconfiguration will reduce the number of allotments with direct access to the Cunningham Highway.

There is a church, recreation reserve and hall in close proximity to the proposed rural residential lots. The township of Maryvale is situated a few kilometres to the east, and has a school, community hall, church, hotel and park.

### **Referral**

The proposed development required referral to the Department of State Development, Infrastructure and Planning (DSDIP) in relation to adjoining a State-controlled road, the Cunningham Highway, and the property contains remnant vegetation.

The DSDIP requires conditions to be attached to any approval.

### **Submissions**

One (1) submission was received to the application. The issues raised in the submission are as follows:

- **Water Supply**

*Submitters:* The residential allotments of the rural residential allotments will all be putting bores down as there is no readily available water on the ridge. A former resident and member of a longstanding family in the Gladfield area, since 1908, there have been many unsuccessful attempts to get water by both boring and well sinking. All water for both domestic, livestock and gardening purposes would have to be sourced from rain water tanks, which in droughts inevitably fail, necessitating very expensive water cartage for residents.

*Comments:* The applicant has given no indication as to the supply of water; however it is likely that roof water collection will be the main source. There has been no indication that bore water will be required as a water source for this development. When a bore is used solely for Stock and Domestic purposes only, the landowners do not require approval from the Department of Natural Resources and Mines, however a Registered Driller must be engaged by the landowner.

- **Bushfire risk**

*Submitters:* The area is bushfire prone, being mainly Eucalypt forest and on a ridge with resultant potential fast moving fires able to burn uphill from all directions. Moreover the surrounding country is quite rugged forest with understory shrubs and grass in which it is almost impossible to carry out fire fighting.

Also the property adjoining the eastern boundary of the proposal is being established as a forestry plantation of various Eucalypt species presenting another potential fire hazard.

*Comments:* The issue of bushfire will be addressed later in the report.

- **Destruction of habitat**

The proposal is not environmentally sound, bringing people, motor vehicles and domestic animals such as dogs and cats into a low density grazing area much of which is still covered by natural vegetation and fauna including a small koala colony. Most of the farming activity in the Gladfield district is carried out on the valley floor and flood plain of Glengallan Creek, extending up the more gentle slopes on either sides, leaving the steeper slopes such as the one where this subdivision is planned and mountainsides still covered in forest, and thus protected from soil erosion. The inevitable clearing of vegetation following subdivision would not be environmentally desirable.

*Comments:* The subject property contains "Of Concern Dominant" regional ecosystem vegetation. The applicant has indicated that it is intended to have covenants over proposed Lots 6 to 12 to ensure that dwellings are constructed on the higher land, adjacent to the road. The covenant areas will include the steeper country and the natural vegetation, which is approximately 100-150 metres in width.



As the clearing of remnant vegetation is permitted for the construction of residences, it is considered desirable that building envelopes be identified on the smaller lots to reduce the amount of clearing that would be necessary for the construction of dwellings. It is considered appropriate that covenants also be provided over proposed Lots 5, and 13 to 18, as there is mapped Regional ecosystem vegetation on these lots. The protection of this vegetation is important to maintain a linkage.

No clearing of remnant vegetation is to occur under this approval, and any clearing of vegetation will require assessment by Department of Natural Resources & Mines.

- **Farming Activities to Continue and Need**

*Submitters:* An “acreage” subdivision in the totally rural district of Gladfield would be an inappropriate land use as there are no surrounding urban facilities. The Southern Darling Downs is more than adequately supplied with existing small towns, many with larger allotments such as Killarney, Yangan, Maryvale, Tannymorel, Allora, Hendon, Mt Marshall, etc. These all require the provision of costly urban services of varying degrees. Another one at Gladfield would be totally unnecessary.

*Comments:* It must be made clear that 18 lots currently exist, ranging from 1,012 square metres to larger lots. The proposal improves the current situation by allowing larger areas per lot, which is a significant improvement. While all services will be paid for by the developer, the use of these lots will be for rural not urban pursuits, not requiring urban services. Any approval can be conditioned to require a covenant to be placed over all rural residential allotments prohibiting the construction of residential buildings in the vicinity of rural lots. This will reduce the potential for complaints about neighbouring agricultural activities. The covenants will ensure the maintenance of the vegetation buffer along the rear of the rural residential allotments.

The need for additional allotments is not a planning matter.

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

This application required assessment against the Rural zone code, the Reconfiguring a lot code, the Biodiversity areas overlay code, the Bushfire hazard overlay code.

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

The overarching purpose of the Rural zone is to protect rural land for rural use and protect good quality agricultural from alienation or diminished productivity.

With regards to the realignment of boundaries, the associated outcome of the Rural zone is as follows:

- (iii) *In the limited areas where land can be subdivided and boundaries rearranged, subdivision improves the suitability of land for sustainable farming or grazing and maximises the consolidation of agricultural land in single lots and does not impact negatively on environmental or scenic values. Rearrangement of boundaries does not result in the creation of small lots in highly productive localities where the potential for conflict between existing intensive agricultural uses and potential new residential uses is increased.*

The proposal will result in the better quality agricultural and grazing land is amalgamated into one large rural lot, and ultimately 15 rural residential size lots are created within the poorer quality land along the ridge line to the property's north-east.

It is considered that the inclusion of covenants on proposed Lots 5 to 19 will ensure that there will be vegetated buffers and dwellings are appropriately located. The proposed development will not impact on the rural and natural environment character of the land.

The relevant Acceptable outcome of the Rural zone code states as follows:

- (a) *The number of new lots including the balance area is equal to or less than the total number of original lots.*

- (b) *The lots that are to be rearranged are each greater than 4,000 m<sup>2</sup> and can be used in their current form for a dwelling house in accordance with the Assessment criteria in this planning scheme (except for the provision of existing legal and practical road access).*
- (c) *A lot*
  - (i). *with an area of less than 4,000 m<sup>2</sup>; or*
  - (ii). *that cannot currently be used for a dwelling house in accordance with the relevant planning scheme codes; or*
  - (iii). *that physically cannot be used for development;**may be amalgamated with other lots but will not be counted in the total number of original lots as referred to in (a) above.*
- (d) *The new lots have an area of at least 2 ha.*
- (e) *All lots with an area of less than 4 ha are located on the least productive portion of the site.*
- (f) *Building envelopes of at least 400 m<sup>2</sup> can be provided on all lots. The building envelope:*
  - (i). *excludes land which has remnant vegetation and includes appropriate firebreak setbacks; and*
  - (ii). *excludes land which is located within 200 m of a watercourse; and*
  - (iii). *complies with the setbacks required for a dwelling house in accordance with the Assessment criteria in this planning scheme.*
- (g) *Where possible new lots with an area of less than 4 ha are located to form a logical extension of an existing community.*

Ten of the existing lots are less than 4,000 square metres and a dwelling house cannot be constructed on the lots without the need for a planning approval.

While such lots would not be acceptable as part of a Code assessable application for a realignment of boundaries, the applicant chose to proceed with the application as Impact assessable, as it was considered that the benefit from amalgamating the prime farm land into one lot was considerable.

The most desirable result is that the best farming land will be contained on one title, and the creation of ultimately 16 rural residential lots, as opposed to having a development application for dwellings on each of the smaller lots. The impact on the farming land from dwellings on each of the smaller lots would be very undesirable.

The land on which the rural residential lots are proposed is of significantly poorer quality.

It should be noted that the realignment of the smaller lots to the ridge was part of the original development application approved by Council on 28 June 2006.

All new lots have an area of at least two hectares and will contain building envelopes to ensure there are appropriate vegetated buffers.

The planning scheme requires new lots with an area of less than 4.0 hectares to be located to form a logical extension of an existing community. There is no land within the Township zone or main settlement within the locality of Gladfield.

The associated Performance outcome states as follows:

*Rearrangement of the boundaries of existing lots which are located adjacent to each other:*

- (a) *results in a more sustainable rural land resource;*
- (b) *does not lead to increased fragmentation of rural land;*
- (c) *does not increase the potential for conflict between rural and non-rural land uses;*
- (d) *allows for coordinated land management (including ensuring water resources and the land to be irrigated are on the same lot);*
- (e) *avoids hazards (such as bushfire prone areas); and*
- (f) *results in improved environmental outcomes.*

As previously detailed, the proposed development will result in one larger rural lot which will contain better quality agricultural land and can continue to be used for rural purposes. This will

improve the existing land management and protect this land from further fragmentation. A very similar realignment was approved by Council on 28 June 2006.

The 15 rural residential allotments are located on the poorer quality land, along the ridge line, and will include covenants to restrict the location of dwellings, to ensure there is no conflict with the rural use of the surrounding land.

It is considered that the proposed development complies with the Performance outcome.

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

The land is physically suitable for the anticipated future land use of the land. The creation of a larger rural allotment and providing road frontage to all lots, are considered to have planning merit.

The retention of the vegetated buffer can be conditioned to reduce the potential for conflict between the rural and rural residential uses of the land.

Connection to electricity and telecommunications and the construction of a sealed internal road for the rural residential lots are appropriate requirements.

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

The part of the land generally following the vegetated slope has been identified as being within the Biodiversity areas overlay.



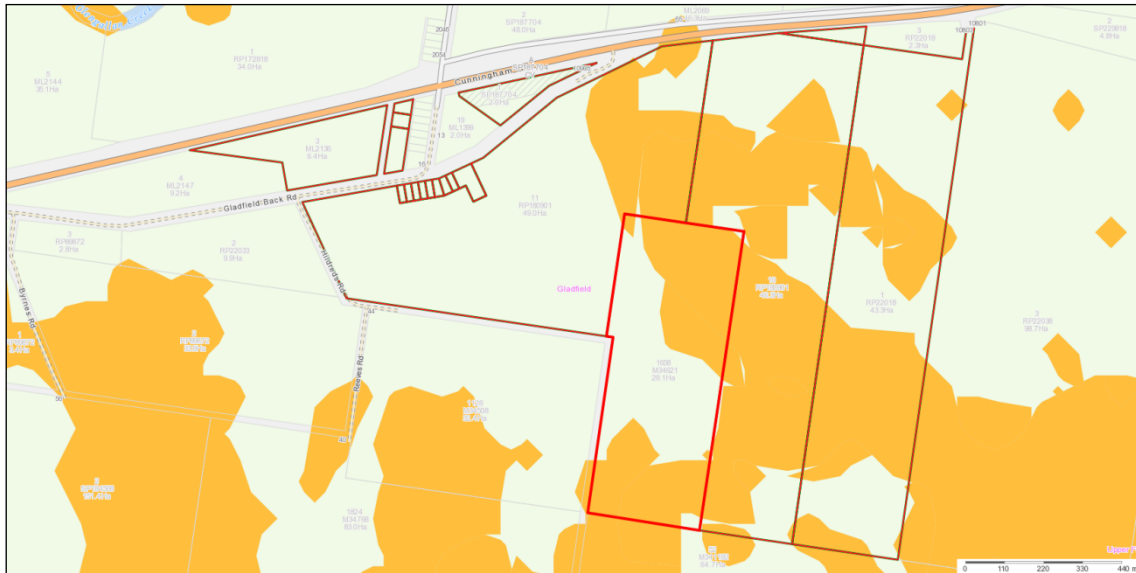
The rural residential allotments will be affected by the overlay, however the applicant has indicated that covenants can be provided to ensure there is no impact on the area.

The proposed roadway to access the rural residential allotments from Gladfield Back Road will dissect the overlay area

The Department of State Development, Infrastructure and Planning (DSDIP) were a Concurrence agency for the proposed development, in relation to remnant vegetation. The DSDIP have required conditions to be attached to any approval in relation to this matter.

### ***Bushfire hazard overlay code***

Similarly, the part of the land generally following the vegetated slope has been identified as being within the Bushfire hazard overlay.



As the number of allotments affected by bushfire hazard will be increased as the rural residential allotments are proposed on the ridge line. It is proposed to include covenants on the rural residential lots, which can require the building envelopes to not be within the hazard area.

## Conclusion

The proposed development involves the amalgamation of land into one larger rural lot, and the consolidation of smaller lots in the part of the land of lesser agricultural quality.

The rural residential allotments will be required to have sealed road access, electricity, and are in proximity to the more closely settled area of the Gladfield district. The Maryvale township, which includes additional services, is located approximately five kilometres from the proposed development.

The proposal involves the construction and sealing of roads from the Cunningham Highway, via Gladfield Back Road, to the rural residential allotments.

The applicant will be required to provide covenants over the proposed rural residential allotments to ensure appropriate buffering is provided between rural residential lots and adjoining rural uses and the Cunningham Highway.

The Planning Scheme states that the overriding policy of the Council is to achieve a more sustainable natural resource outcome. It is considered that there is benefit in having the majority of the land amalgamated into a rural lot, and the smaller lots being more appropriately located on the less productive land with frontage to a sealed road.

The proposed development is considered acceptable and should be approved subject to conditions.

## Recommendation

THAT the application for a realignment of boundaries (18 lots, into 17 lots (with a maximum of 16 lots in the final stage) in three stages) on land at Gladfield Back Road, Gladfield, described as Lots 1-4 & 7-10 RP22029, Lots 2 & 4 RP22032, Lot 1 RP168854, Lot 1658 M34621, Lot 5 SP187705, Lot 1 SP187704, Lot 1 RP22018, Lots 10 & 11 RP180901, Parish of Gladfield, Lot 3 ML2136, Parish of Glengallan, County of Merivale, be approved subject to the following conditions:

### Schedule 1 - Southern Downs Regional Council Conditions

#### Approved Plans

1. The development of the site is to be generally in accordance with the following proposal 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 realignment - Gladfield Back Road, Road	T0793 PP 002	9 March 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.

#### Road Closure

3. The applicant is to make application to the Department of Natural Resources and Mines to close the road reserves of the three unmade roads that adjoin the following land:
  - Road reserve to the east of Lot 1 RP168854 and Lots 2 and 4 RP22032; and
  - Road reserve to the east of Lot 3 ML2136

These areas of road reserve are to be amalgamated with proposed Lot 6 and no new lots created. A copy of the advice from the Department of Natural Resources and Mines must be submitted to Council for approval prior to the signing of the Plan of Subdivision.

#### Dedications

4. A 6.0 metre x 3 chord truncation on both corners of the new road serving the rural residential lots and Gladfield Back Road is to be dedicated for road purposes at no cost to Council.

#### Easements and Covenants

5. A statutory covenant for the continued maintenance of the treed buffers is to be provided over proposed Lots 7 to 12, 19 and 18. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision for Stage 3.
6. The applicant is to submit for approval by the Director Planning and Environment a **plan showing building envelopes** on proposed Lots 5, 7 to 19 that meet the following criteria:
  - All building envelopes are to have an area of at least 600 square metres **plus** an area for effluent disposal.
  - All building envelopes must not include land with a slope exceeding 10%.
  - All building envelopes must allow for a buffer of at least 60 metres to rural land (i.e. proposed Lot 1 and Lot 3 RP22038).
  - All building envelopes must not include any area of land identified as containing remnant ecosystem.
7. A covenant is to be provided over proposed Lots 5, 7 to 19 prohibiting the residential use of any building unless such buildings are constructed within the building envelopes approved in accordance with Condition 6. The covenant documentation is to be prepared by Council's solicitor at the developer's cost. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision for Stage 3.

## **Amenity and Environmental Controls**

8. Declared pest plants on **all** the land subject to this application must be destroyed to the satisfaction of the Manager Environmental Services, prior to Council signing the Plan of Subdivision for Stage 1.
9. Prior to Council signing the Plan of Subdivision, the applicant must ensure that all lots are in a clean and tidy state, e.g. free of scrap materials and rubbish from the construction process, and fallen timber. Fallen timber within the areas identified as remnant ecosystem, that has fallen due to natural processes, may remain.
10. The applicant shall seek to maintain the maximum number of existing trees on the land
11. All cleared or lopped timber and vegetation must be processed on site by wood chipping, mulching or similar method. Any processing of trees or vegetation must be carried out in a safe manner and without any adverse environmental impacts from noise or dust emissions, and in accordance with any requirements under the *Environmental Protection Act 1994*.

## **Fencing, Landscaping and Buffers**

12. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the planting of the treed buffers.** 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.
13. Buffer areas of 40.0 metres in width are to be provided along and within the boundaries of proposed Lots 7 to 12, 19 and 18, where they adjoin proposed Lot 1 and Lot 3 RP22038. Within these buffer areas, existing native vegetation is to be retained and allowed to naturally regenerate. Within the central 20 metres of these buffer areas, random plantings of a variety of native trees and shrubs of differing growth habits are to be provided at spacings of 4-5 metres. The trees and shrubs must be of species that are fast growing, frost resistant and drought hardy. The buffer is to have a mature tree height of at least 3.0 metres. **The trees and shrubs are to be planted prior to the signing of the Plan of Subdivision for Stage 3.** The vegetated buffers are to be maintained so they form an effective buffer.
14. The treed buffer referred to in Condition 13 shall be planted and maintained in accordance with the approved Landscaping Plan. Prior to approval of the Plan of Subdivision, a bond for the amount of \$20,000 shall be submitted to Council for the maintenance of this buffer. The bond must be in the form of cash, bank cheque or irrevocable bank guarantee. The bond shall be returned 12 months after the Plan of Subdivision is registered in the Office of Registrar of Titles subject to the satisfactory establishment and maintenance of the buffer. If the buffer is not maintained in accordance with the conditions of this approval, Council may call up the bond to undertake planting to satisfy the requirements of this approval. The terms and conditions of the bond will include details of its purpose and intended use. Council or its agents must be allowed access to the site to undertake any works required in accordance with this condition.

## **Car Parking and Vehicle Access**

15. Vehicle access is to be constructed to all proposed Lots in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.) The access must be constructed in bitumen, or similar material, at a location which provides adequate sight distance in either direction. If necessary, the property access gateway must be located within a setback such that all vehicles proposed to enter and/or exit the land are able to stand clear of the carriageway whilst the property gateway is being opened and/or closed.

## **Roadworks and Stormwater Drainage**

16. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless

otherwise required by the Director Engineering Services.

17. The new road, from Gladfield Back Road, servicing the rural residential lots is to be constructed in bitumen seal, and such works are to include mountable kerbing and channelling on those sections of road with steeper slopes where kerb flow velocities exceed 2.5 metres per second, stormwater drainage and the top dressing of footpaths with good quality top soil. The new road is to be a minimum of 16.0 metres wide with a minimum sealed carriageway width of 6.0 metres. Except, where no kerb and channel is provided, roads shall have a minimum seal width of 7.5 metres, with a concrete edge strip. This work is to be completed as part of Stage 3.
18. A sealed road, with a pavement width of at least 6.0 metres, including stormwater drainage, is to be constructed from the Gladfield Back Road intersection with the Cunningham Highway, to connect with the proposed new road accessing the rural residential allotments. This work is to be completed as part of Stage 3.
19. The design and construction of roads within the development are to incorporate measures to reduce traffic speeds within the development and to enhance the pedestrian safety and streetscape quality of the development.
  - (a) All intersections within the subdivision are to be designed as right angles, and treated so as to constrict vehicular movements and enhance both the safety and streetscape quality of the intersection, e.g. be incorporating landscaping and pavement treatments.
  - (b) All roads within the subdivision are to be designed to reduce traffic speeds. This may include speed control measures including variations to pavement treatments, road narrowing with appropriate landscape treatments and a reduction in the length of straight sections of road by the incorporation of variations to the alignment of the carriageway.
  - (c) A variation in cul-de-sac head treatment may be incorporated which include the provision of parking bays, landscaping and alternative turning area designs. The design is to allow for a refuse collection truck to manoeuvre within the cul-de-sac. Tee or hammer-head designs are not permitted.
20. Street name signs are to be provided in accordance with Council's standard design for street signs.
21. 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).

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

22. At Stage 3, underground reticulated electricity is to be provided from the existing overhead supply to proposed Lots 5, 7 to 19, 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.
23. 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.

24. Street lighting shall be provided in accordance with AS/NZS 1158.

### **Operational Works**

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

### **Advisory Notes**

- (i) No clearing of remnant vegetation or regulated regrowth vegetation is to occur under this approval. A Development Permit for Operational Works must be obtained from the Department of Environment and Resource Management for the clearing of any remnant vegetation, unless exempt under Schedule 24 of the *Sustainable Planning Act 2009*.
- (ii) 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);
  - Roadwork details;
  - A Stormwater Management Plan;
  - If the development involves new roads, the proposed names for new roads; and
  - An Erosion and Sediment Control Plan.

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

### **Aboriginal Cultural Heritage**

- (iii) 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**

- (iv) 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**

- (v) 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.**
- (vi) 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 conditions as a Concurrence agency**

SDA-0714-012817

Our reference: SDA-0714-012817

Your reference:

**Attachment 1—Conditions to be imposed**

No.	Conditions	Condition timing
Development permit for reconfiguring a lot (clearing native vegetation)		
7.2.4 —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Department of Natural Resources and Mines (DNRM) 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.	The development must be carried out generally in accordance with the following plan: <ul style="list-style-type: none"> <li>Proposed Realignment, Gladfield Back Road, Gladfield, MinStaff Survey Pty Ltd, 09 March 2015, Reference T0793, Drawing number T0793 PP 002, Revision B.</li> </ul>	At all times.
2.	No new built infrastructure within 30 metres of regulated vegetation, with the exception of boundary fences and access roads.	At all times.
3.	Clearing of regulated vegetation for new boundary fences must not exceed 5 metres on either side of the boundary line.	At all times.

Our reference: SDA-0714-012817

Your reference:

### **Attachment 2—Reasons for decision to impose conditions**

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the clearing works are carried out in the location and to the extent specified on the approved plans.

Our reference: SDA-0714-012817

Your reference:

**Attachment 3—Approved plans and specifications**

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
<b>Aspect of development: Development permit for reconfiguring a lot</b>				
Proposed realignment, Gladfield Back Road, Gladfield	MinStaff Survey Pty Ltd	09 March 2015	T0973 T0973 PP 002	B

## **Attachments**

1. Submission received to application for Material Change of Use, Cunningham Highway and Gladfield Back Road, Gladfield [View](#)

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

71 Boland Rd.,  
Southbrook Qld. 4363.  
29 May 2014

SOUTHERN DOWNS REGIONAL COUNCIL  
WARWICK BRANCH  
RECEIVED  
02 JUN 2014

Task	Allocated	✓	File
Dst			
Fwd			

Dear Sir/Madam,

With regard to the proposed subdivision development in three stages at Gladfield as outlined in the letter dated 12 May 2014 Ref No. W4405 sent by consulting surveyors Gary Hayes & Partners Pty. Ltd. and the enclosed photocopy of a Qld. Government Public Notice to that effect, I wish to make the following comments.

I and my family as the southern adjoining neighbouring landholder, which since retiring from farming we have leased for grazing to a district resident, wish to lodge an objection to the proposed development for the following reasons.

1. An "acreage" subdivision in the totally rural district of Gladfield would be an inappropriate land use as there are no surrounding urban facilities. The Southern Darling Downs is more than adequately supplied with existing small towns, many with larger allotments such as Killarney, Yangan, Maryvale, Tannymorel, Allora, Hendon, Mt. Marshall etc. to name but a few and all requiring provision of costly urban services of varying degrees. Another one at Gladfield would be totally unnecessary.

2. There is no readily available underground water on the 15 proposed allotments on the ridge. As a former resident of the Gladfield district for 36 years and my family before that since 1908 I am aware of a number of unsuccessful attempts to get water by both boring and well sinking on and adjacent to this ridge. All water for both domestic, livestock and gardening purposes would have to be sourced from rain water tanks which in droughts inevitably fail, necessitating very expensive water cartage for residents.

3. Despite opinions to the contrary in the papers supporting the application which my wife and I read at the Warwick council office on 28 May 2014, the area is bushfire prone, being mainly Eucalypt forest and on a ridge with resultant potential fast moving fires able to burn uphill from all directions. Moreover the surrounding country is quite rugged forest with understory shrubs and grass in which it is almost impossible to carry out fire fighting. Also the property adjoining the eastern boundary of the proposal is being established as a forestry plantation of various Eucalypt species presenting another potential fire hazard.

4. The proposal is not environmentally sound, bringing people, motor vehicles and domestic animals such as dogs and cats into a low density grazing area much of which is still covered by natural vegetation and fauna including a small koala colony. Most of the farming activity in the Gladfield district is carried out on the valley floor and flood plain of Glengallan creek extending up the more gentle slopes on either sides leaving the steeper slopes such as the one where this subdivision is planned and mountainsides still covered in forest, and thus protected

Southern Downs Regional Council



\*DOC0144977\*



2

from soil erosion. The inevitable clearing of vegetation following subdivision would not be environmentally desirable.

I remain


Yours faithfully,

*F P Brown*

(F.P. Brown)

## 12.6 Material Change of Use and Reconfiguring a Lot - Ian Pettiford (Nspire Planning and Design), 12 Clarke Street, Warwick

### Document Information

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: General Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 29 April 2015
	Senior Planning Officer	<b>File Ref:</b> MCU\01584 & RC\01506

<b>APPLICANT:</b>	Ian Pettiford
<b>OWNER:</b>	Ian R, Craig R, and Shane M Pettiford
<b>ADDRESS:</b>	12 Clarke Street, Warwick
<b>RPD:</b>	Lot 5 RP218135, Parish of Warwick, County of Merivale
<b>ZONE:</b>	Medium density residential
<b>LAND AREA:</b>	1,620 square metres
<b>PROPOSAL:</b>	<ol style="list-style-type: none"> <li>1. Multiple dwellings (Five units) and Building Format Plan with Land; and</li> <li>2. Subdivision of one into two lots</li> </ol>
<b>LEVEL OF ASSESSMENT:</b>	<ol style="list-style-type: none"> <li>1. Code for multiple dwelling units and building format plan with land; and</li> <li>2. Impact for reconfiguring of a lot.</li> </ol>
<b>SUBMITTERS:</b>	One (1)
<b>REFERRALS:</b>	Nil

### Recommendation Summary

THAT the application for Material Change of Use for the purpose of Multiple dwellings (Five units) and Building Format Plan with Land; and Subdivision of one into two lots, on land at 12 Clarke Street, Warwick, described as Lot 5 RP218135, Parish of Warwick, County of Merivale, be approved subject to conditions.

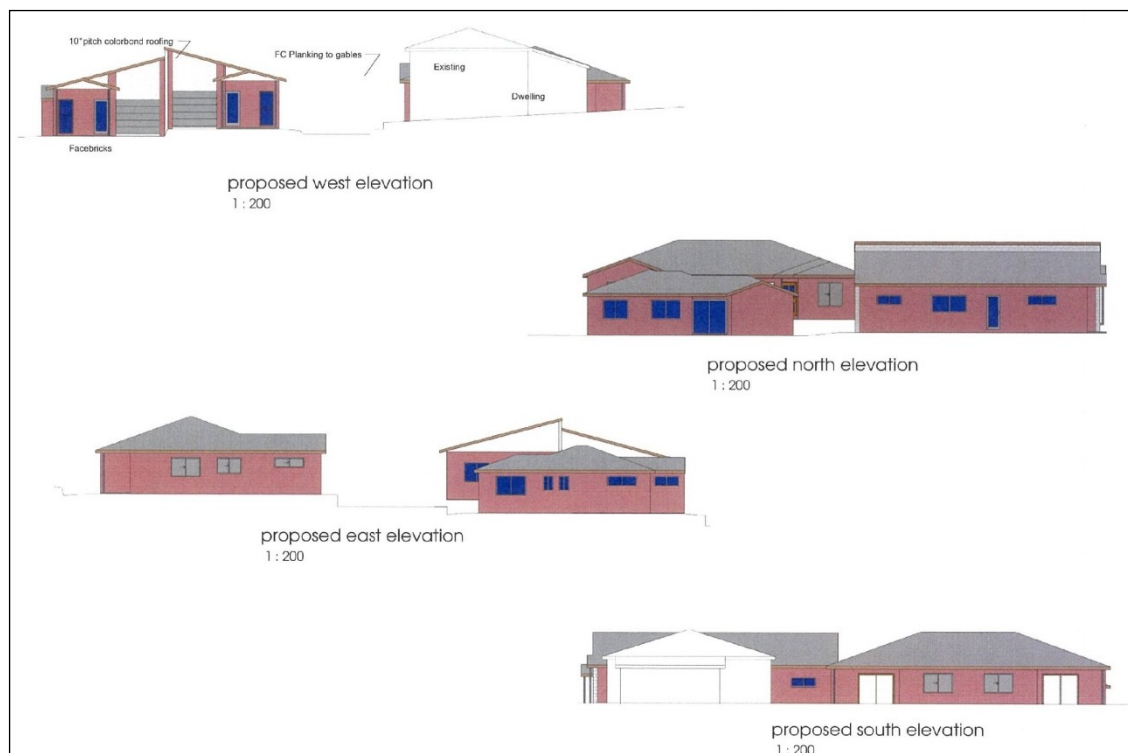
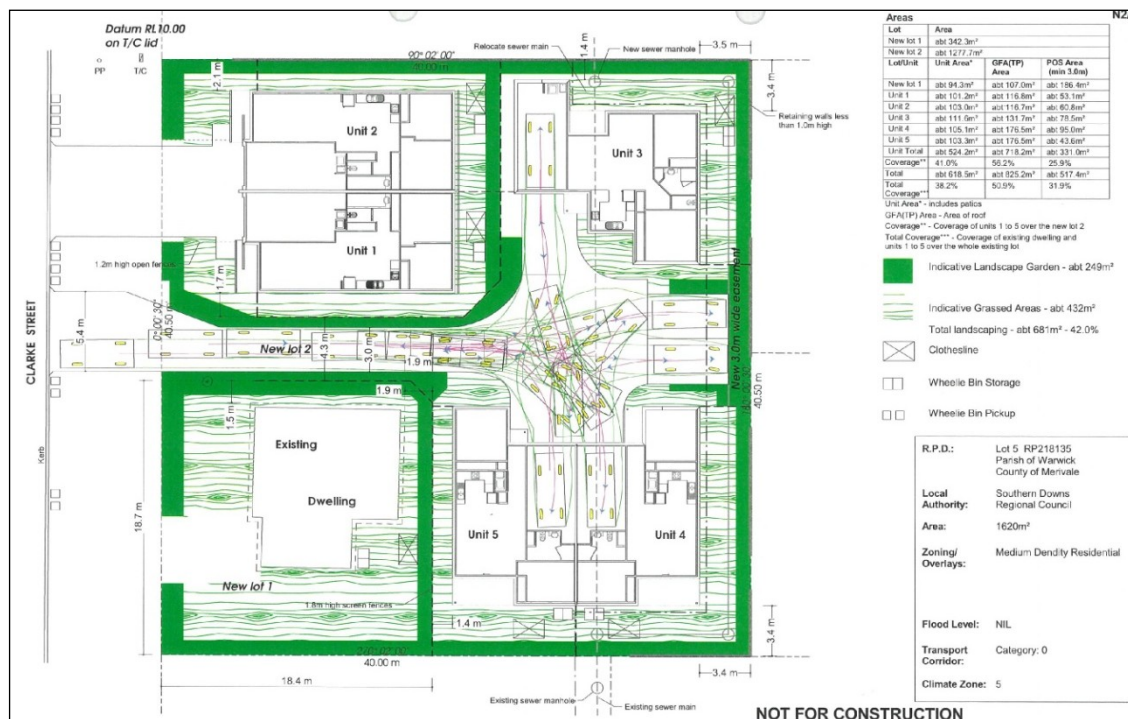
### Report

A report was previously presented to the January 2015 General Council Meeting and the application was deferred pending a redesign of the proposed development, taking into consideration the following points:

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

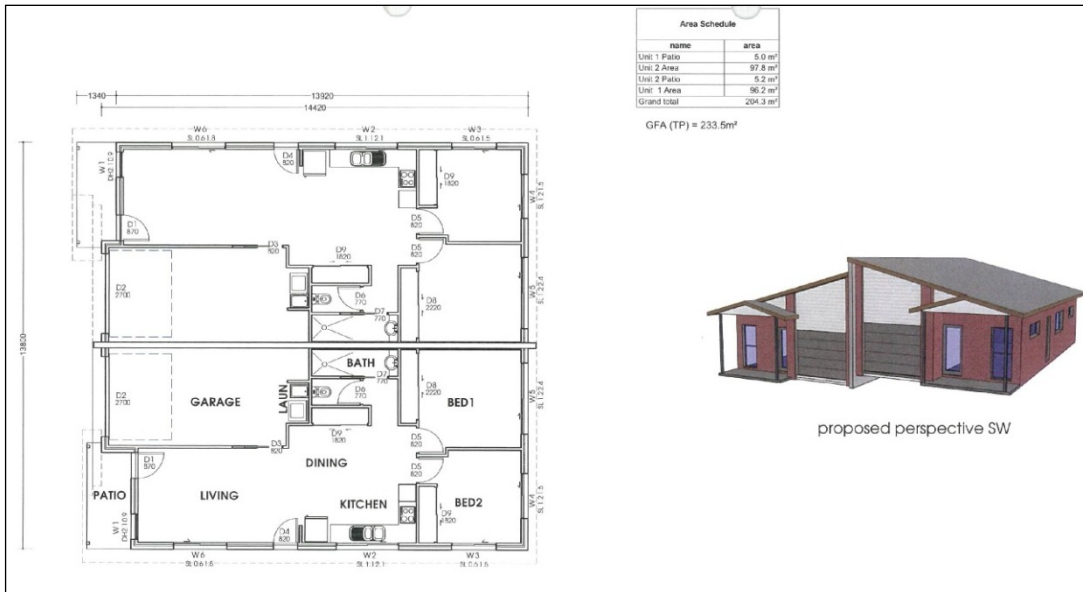
- Any amended plan is to show the turning circles, demonstrating how the vehicles associated with the units will enter and exit the site in forward gear, excluding any units with direct access to Clarke Street.

The applicant and his client attended a meeting with Council officers to discuss the redesign points. The applicant has subsequently submitted revised plans addressing Council concerns, which are as follows:

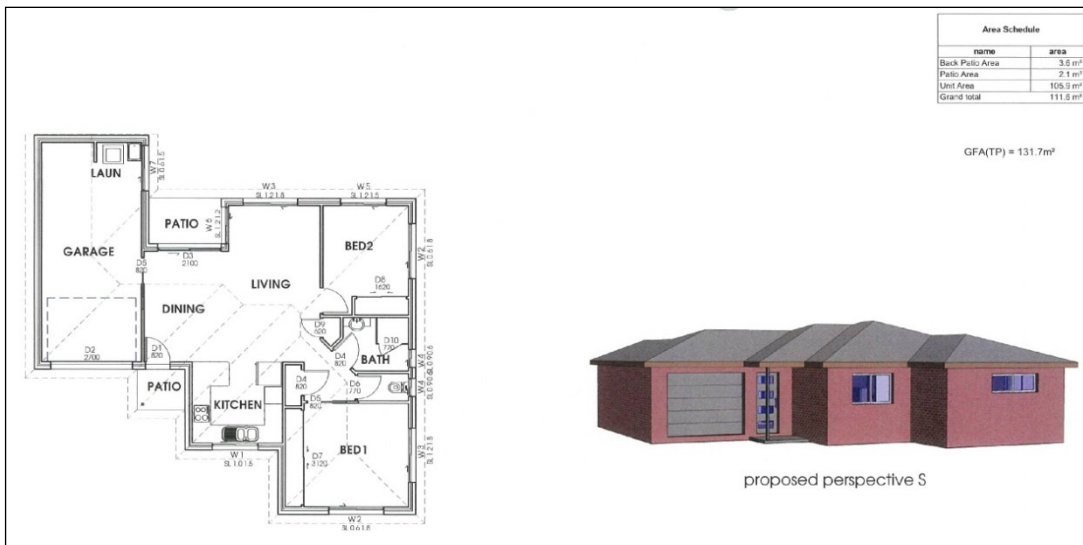




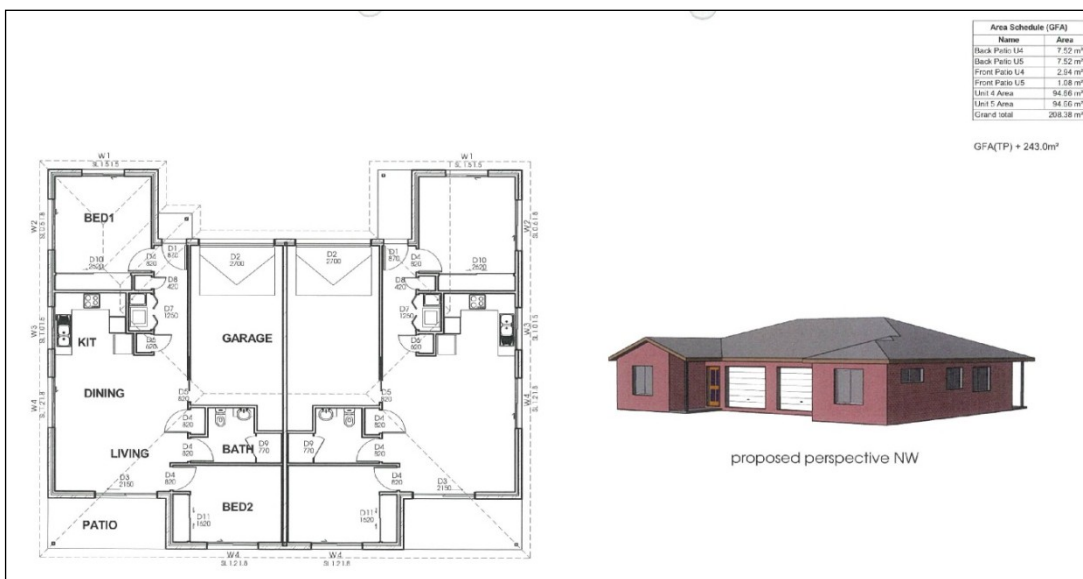
## Proposed units one and two



## Proposed unit three



## Proposed units four and five



The applicant has provided the following written response:

*The garage/laundry on unit three is closer than the required 3.0 metre setback, however the setback to the remainder of units three and five meet the requirements (slightly over to allow for guttering to be outside the easement).*

*The turn paths for the vehicles are shown. All vehicles can make a forward in and reverse out off the garages and parking spaces and then forward out of the site in one movement, with the exception of the visitor space beside unit four. If there is a car parked in front of the unit three garage, the vehicle from car park near unit four must do a second movement to exit the site in forward gear. It is only a small shuffle and considered reasonable in the circumstances.*

The applicant has proposed a redesign which includes the relocation of the sewer main, which currently traverses the property. The relocation of the sewer around the property boundaries has allowed for a more appropriate layout with increased setbacks.

#### *Side and rear setbacks, and Amended turning circles*

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

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

The side and rear setbacks have been increased to in excess of 3.0 metres, except for the northern side of proposed unit two, and a section of approximately 3.7 metres on the northern side of proposed unit three, which are 2.1 and 1.4 metres, respectively. The section of unit three which is reduced is the garage.

The associated Performance outcome states as follows:

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

The amended layout achieves compliance with density, landscaping, and private open space.

The small section of reduced setback along the northern side of proposed unit three, whilst being less than the requirements of the *Queensland Development Code* (QDC), which requires a 1.5 metre setback, is considered appropriate as it is associated with a garage and the remainder of the dwelling achieves the required setback.

The reduced setback to the northern boundary, with proposed unit two is considered appropriate given the setback to the adjoining dwelling, and the increased setbacks for the remainder of the proposed units. This setback was not of great concern in the original report.

The amended turning paths have been provided, which indicate that all vehicles associated with proposed units three, four and five can exit the site in forward gear, however it is noted that one of the visitor spaces is required to perform a second movement to enable exiting in forward gear. It is considered that the overall improvements in achieving a desirable outcome, which generally achieves compliance with the Acceptable outcomes, is a suitable trade-off.

It is considered that the proposed amended layout achieves compliance with the Performance outcome and will ensure the development is complementary and compatible with the surrounding residential area.

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

#### *Architectural treatments, and Design of proposed units 1 and 2*

The rooflines of the proposed units have been amended to be more consistent with the character of the area. The rooflines of proposed units three, four and five includes pitched rooves, with hips and gables.

The applicant has redesigned the Clarke Street elevation of proposed units one and two, in line with discussions with Council officers and the details of the original report to Council. The main difference in the design is the incorporation of a gable over the entrance to each unit. This feature greatly reduces the bulk of the design and ensures the development is in character with the area.

The change in design, including the rooflines, is an improvement and ensures the proposed units are of a scale representative of the surrounding residential character.

#### *Orientation and design of proposed units four and five*

The orientation of proposed units four and five has been amended, such that the entrance is on the northern elevation.

It is noted that the garages have been included in the centre of the building, opposed to having a garage on the western elevation to meet climatic principles. The internal layout is improved and will provide for better efficiencies.

It is considered that the orientation and layout of proposed units four and five is acceptable.

### **Adopted Infrastructure Charges**

#### *Subdivision only*

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

#### *Residential development only*

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

#### *Both subdivision and residential development*

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

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

### **Conclusion**

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

The applicant has amended the layout, taking into consideration the reasons for the deferral. The applicant has proposed a redesign which includes the relocation of the sewer main, which currently traverses the property. The relocation of the sewer around the property boundaries has allowed for a more appropriate layout with increased setbacks. The changes to the rooflines ensures the bulk of the building is in character with the surrounding residential area.

It is considered that all of the points have been adequately addressed and the proposed amended layout and design is an improvement. The application is recommended for approval.

## Recommendation

THAT the application for Material Change of Use for the purpose of Multiple dwellings (Five units) and Building Format Plan with Land; and Subdivision of one into two lots, on land at 12 Clarke Street, Warwick, described as Lot 5 RP218135, Parish of Warwick, County of Merivale, be approved subject to the following conditions:

### Schedule 1 - Conditions for Subdivision of one into two lots - Southern Downs Regional Council

#### 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
Site Plan	14CLARK - 102SP - DA4	24 March 2015

#### Easements and Covenants

2. An easement for sewer purposes is to be provide over proposed Lot 2 in favour of Council. The easement documentation is to be prepared by Council's solicitors at the developer's cost. A copy of the easement documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

#### Building and Site Design

3. All household drainage (including sewer house connection, stormwater drainage and interallotment drainage) and services (including electricity and telephone) associated with the existing dwelling on the land are to be relocated so that they are wholly contained within proposed Lot 1, or easements provided over this private drainage and services. A plan, drawn by a suitably qualified person, showing all drainage associated with the existing dwelling is to be submitted to Council to demonstrate compliance with this requirement.

#### Fencing, Landscaping and Buffers

4. A screen fence 1.8 metres high shall be erected along the northern, southern and eastern boundaries of proposed Lot 1 to provide visual screening. This screen fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high forward of the building line.
5. Crepe Myrtle trees (*Lagerstroemia*) are to be planted within the road reserve of Clarke Street. The trees are to be planted approximately 20.0 metres apart. The trees are to be of a minimum height of 1.5 metres at the time of planting.

#### Car Parking and Vehicle Access

6. Vehicle access is to be constructed to both proposed Lots in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)

Please note that a concrete industrial crossing is required to be provided to proposed Lot 2 as part of the Material Change of Use conditions.

#### Roadworks and Stormwater Drainage

7. A 2 metre wide concrete footpath must be provided along the street front for the entire development.
8. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Engineering Services.
9. Any retaining walls installed must not exceed one metre in height.

10. 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**

11. 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.
12. A sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system.

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

13. Underground reticulated electricity is to be provided to all the units on proposed Lot 2 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.
14. 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.

### **Adopted Infrastructure Charges Notice**

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

### **Advisory Notes**

- (i) An application must be submitted and approved by Council for a permit under Southern Downs Regional Council's Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its operation).

### **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 - Conditions for Material change of use - Southern Downs Regional Council

### Approved Plans

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

Plan Name	Plan No.	Date
Site Plan	14CLARK - 102SP - DA4	24 March 2015
Site Elevations	14CLARK - 201EL - DA2	24 March 2015
Floor Plan - Units 1 and 2	14CLARK - 110FP - DA4	24 March 2015
Floor Plan - Unit 3	14CLARK - 111FP - DA4	24 March 2015
Floor Plan - Units 4 & 5	14CLARK - 112FP - DA3	24 March 2015

### Easements and Covenants

2. An easement for sewer purposes is to be provided over the existing and proposed sewer main on the lot, in favour of Council. The easement documentation is to be prepared by Council's solicitors at the developer's cost. A copy of the easement documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

### Building and Site Design

3. The design, colours and materials of the building and pavement are to be in accordance with the residential character of the area. **Details of the, colours and materials of the building and pavement are to be submitted to and approved by the Director Planning and Environment prior to the issue of any Development Permit for Building Work.** The building and pavement are to be constructed in the approved design, colours and materials.
4. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
5. A copy of the Form 21 (Final Inspection Certificate) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

### Amenity and Environmental Controls

6. The wheelie bins are to be stored within the courtyard of each dwelling unit. A concrete pad is to be provided for the two bins in an appropriate location within each courtyard.
7. All service equipment and refrigeration units are to be positioned and housed so as not to cause nuisance or disturbance to persons or property not connected with the development.
8. Any lighting device is to be so positioned and shielded so as not to cause any glare nuisance to any nearby residential property or passing motorist, or to shine upwards into the night sky.

## **Fencing, Landscaping and Buffers**

9. A screen fence 1.8 metres high shall be erected along the side and rear boundaries, and to define each courtyard, to provide visual screening. This screen fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the road boundary.
10. Any steps in the retaining wall, the landscaping, clothesline and bin storage areas do not encroach within the 900 millimetre non-climbable zone against the 1.8 metre high fence common with Lot 7 RP815370.
11. Retaining walls must not exceed 1.0 metres in height.
12. Areas of private open space adjoining road frontages are to be screened to provide privacy for residents. Screen fencing provided within the building setbacks must be designed to provide visual screening and to ensure maintenance of the residential amenity of the area. This may include the use of recesses, landscaping, variation in materials and setbacks. Fencing along the road frontages of the land must be no higher than 1.2 metres. The height may be increased to 1.8 metres if the fence is at least 50% transparent.
13. **Details of the proposed fencing are to be submitted to and approved by the Director Planning and Environment prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.
14. Advanced tree plantings (i.e. minimum height of 1.5 metres at the time of planting) are to be provided as follows:
  - At least one within the front setback of both proposed units 1 and 2;
  - One within the landscaped area in front of proposed unit 3; and
  - One within the landscaped area in front of proposed unit 5.
15. Landscaped areas are to be provided on the site in accordance with Plan No. 14CLARK - 102SP - DA4, dated 24 March 2015, prepared by Nspire Planning and Design.
16. Crepe Myrtle trees (*Lagerstroemia*) are to be planted within the road reserve of Clarke Street. The trees are to be planted approximately 20.0 metres apart. The trees are to be of a minimum height of 1.5 metres at the time of planting.
17. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the issue of any Development Permit for Building Work.** The Landscaping Plan must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant, drought hardy and non-deciduous, 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. A concrete industrial crossing is to be constructed at the Clarke Street entrance to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
19. Car parking shall be provided on site in accordance Plan No. 14CLARK - 102SP - DA4, dated 24 March 2015, prepared by Nspire Planning and Design. All car parking, driveway and loading areas shall be constructed, sealed, line marked, drained, laid out and regularly maintained.

## **Roadworks and Stormwater Drainage**

20. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Engineering Services.

21. 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**

22. The proposed dwelling units are to be connected to Council's reticulated water supply system and sewerage system in accordance with the Queensland Plumbing and Wastewater Code. A separate water connection (including water meter) is to be provided for each dwelling unit within the development. A separate sewerage connection is to be provided for each dwelling unit.
23. The waste water main is to be relocated around the perimeter of the property, generally in accordance with Plan No. 14CLARK - 102SP - DA4, dated 24 March 2015, prepared by Nspire Planning and Design. The applicant is to consult Council's Manager Water and Water waste to determine the final location and details.
24. The development is to comply with Council's policy Works Near Water Supply and/or Sewerage Infrastructure Policy, which requires an application to be submitted to Council for approval, prior to the commencement of the works. It is not desirable to build over the infrastructure, alternative arrangements should be sought.

#### **Pedestrian Works**

25. A 2.0 metre wide concrete pedestrian footpath is to be constructed along the Clarke Street frontage of the site, in a location suitable to the Director Engineering Services.

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

26. Underground reticulated electricity is to be provided to each unit to the requirements of Ergon Energy.
27. 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 commencement of the use, 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**

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

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

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

#### **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) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (iv) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing.**
- (v) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Sustainable Planning Act 2009*. This application must be submitted with the following:
  - Relevant IDAS Forms;
  - The relevant fee in accordance with Council’s Schedule of General Fees and Charges;
  - Design, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);
  - A car parking plan showing the location and dimension of all parking areas, details of the proposed pavement treatment, and full engineering specifications of layout, construction, sealing, drainage and line marking;
  - A plan showing ingress and egress wheel and swept turning paths;
  - A Stormwater Management Plan; and
  - Details of the waste water main relocation.

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

### Aboriginal Cultural Heritage

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

## Schedule 3 - Conditions for Building Format Plan with Land - Southern Downs Regional Council

### 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
Site Plan	14CLARK - 102SP - DA4	24 March 2015

### Building and Site Design

2. All conditions of Schedule 2 of this Development Permit must be complied with to the satisfaction of the Director Planning and Environment, prior to the signing of the Plan of Subdivision.

## **Advisory Notes**

### **Aboriginal Cultural Heritage**

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

### **Approval Times**

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

### **Approval of Plan of Subdivision**

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

## **Attachments**

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 - Audit & Risk Management Committee (ARMC) Meeting - 12 March 2015**

**Reason for Confidentiality**

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**16.2 BCS - Washpool Recreation Reserve Operations**

**Reason for Confidentiality**

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**16.3 Establishment of a Preferred Supplier Register for Electrical, Data (SCADA and Communications Services**

**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.