



SOUTHERN DOWNS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

Dear Councillors

Your attendance is hereby requested at the General Meeting of Council to be held in the Council Chambers, Southern Downs Regional Council, 61 Marsh Street, Stanthorpe on **Wednesday, 16 March 2016** at **9.00AM**.

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

David Keenan

CHIEF EXECUTIVE OFFICER

10 March 2016

Attendance

10.30am Casual for a Cause Presentation - Granite Belt Support Services

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1. ATTENDANCE

2. APOLOGIES

3. CONDOLENCES

Recommendation

THAT Council recognise those recently departed from the region.

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 24 February 2016

Recommendation

THAT the minutes of the General Council Meeting held on Wednesday 24 February 2016 be adopted.

4.2 Special Council Meeting - 7 March 2016


Recommendation

THAT the minutes of the Special Council Meeting held on Monday 7 March 2016 be adopted.

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Chief Executive Officer	File Ref: 13.42

Recommendation

THAT Council receive the report and note the contents.


Report


The purpose of this report is to provide a summary of Actions resulting from resolutions from the February 2016 General Council Meeting.


A copy of the Actions report is attached.

Attachments

1. Actions from February 2016 General Council Meeting [View](#)

<div>  <div> ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING <div> Date From: 24/02/2016 Date To: 24/02/2016 </div> </div> </div>					
MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
24 February 2016	5.1	Actions from Previous Council Meeting	David Keenan	28 Feb 2016 - 3:39 PM - Marion Seymour Noted	29/02/2016
24 February 2016	15.2.1	Southern Downs Regional Council Credit Review - Discussion In Open Session	David Keenan	28 Feb 2016 - 3:42 PM - Marion Seymour Noted	29/02/2016
24 February 2016	7.1	Correspondence	David Keenan	28 Feb 2016 - 3:42 PM - Marion Seymour Noted	29/02/2016
24 February 2016	8.1	Petition SDRC 1.25% Pay Increase Backdated to 1 July 2014	David Keenan	28 Feb 2016 - 3:43 PM - Marion Seymour Noted - referred to Human Resources Manager	29/02/2016
24 February 2016	9.1	Financial Report as at 31 January 2016	Helen Gross	04 Mar 2016 - 2:43 PM - Sue Harrold No further action required.	4/03/2016
24 February 2016	9.2	Amendments to the Register of Delegations - Local Laws - Council to CEO for Subordinate Local Law No. 2 (Animal Management) 2011	Peter Gribbin	04 Mar 2016 - 2:43 PM - Sue Harrold Amendments to the Register of Delegations - Local Laws - Council to CEO for Subordinate Local Law No. 2 (Animal Management) 2011 - updated register and placed on website.	4/03/2016
24 February 2016	9.3	Executive Performance Report - January 2016	Peter Gribbin	04 Mar 2016 - 2:44 PM - Sue Harrold No further action required.	4/03/2016
24 February 2016	10.1	Engineering Services Department Monthly Report	Peter See	29 Feb 2016 - 8:47 AM - Barb Fagan Noted	29/02/2016
24 February 2016	10.2	Request to Postpone Payment of Fees - Dalveen Rural Fire Brigade	Peter See	29 Feb 2016 - 8:48 AM - Barb Fagan Correspondence sent advising of Council's resolution	29/02/2016
24 February 2016	10.3	Apex Park Dump Point	Michael Bell	29 Feb 2016 - 8:48 AM - Barb Fagan Memo to the Manager Community Facilities advising of Council resolution	29/02/2016
24 February 2016	10.4	Expression of Interest for Water Reservoir Renewal and Wastewater Treatment Plant Renewals	Tendekai Mapeza	29 Feb 2016 - 8:50 AM - Barb Fagan Memo sent to the Manager Water and Wastewater advising of Council's resolution	29/02/2016
24 February 2016	11.1	Regional Arts Development Fund Applications Round Two 2015/2016	Shelle Stebbings	01 Mar 2016 - 3:16 PM - Alison Blitrough Memo sent to MCS and CS Officers to action in accordance	29/02/2016

 ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING					Date From	24/02/2016
					Date To:	24/02/2016
					per Council Resolution	
24 February 2016	11.2	Delegation of Authority to Undertake Legal Action in Relation to Dog Attacks	Annette Doherty	01 Mar 2016 - 3:20 PM - Alison Blarough Memo sent to MES, PTP & LLC to action in accordance per Council Resolution	26/02/2016	
24 February 2016	11.4	Material Change of Use - Marie Harrison and Colin Wilson, 593 Killamey-Barrows Gate Road, Killamey	Angela O'Meara	01 Mar 2016 - 3:22 PM - Alison Blarough Decision Notice mailed to applicant.	26/02/2016	
24 February 2016	10.5	Allons-Clifton Road Load Limit	Peter See	03 Mar 2016 - 2:30 PM - Barb Fagan Noted - Follow up report to March 2016 Council Meeting	26/02/2016	
24 February 2016	11.5	Mobile Library Update	Shelle Stebbings	01 Mar 2016 - 3:23 PM - Alison Blarough Memo sent to MCS, CSO and PL to action in accordance per Council Resolution	26/02/2016	
24 February 2016	15.2	Southern Downs Regional Council Credit Review	David Keenan	28 Feb 2016 - 3:48 PM - Martin Seymour Noted - referred to the Audit & Risk Management Committee for comment	26/02/2016	
24 February 2016	11.8	Reconfiguration of Lot - Mervyn P Muller, 4 Rifle Range Road, Stanthorpe	Angela O'Meara	01 Mar 2016 - 3:34 PM - Alison Blarough Decision Notice mailed to applicant.	26/02/2016	
24 February 2016	12.1	Reports from Delegates	David Keenan	28 Feb 2016 - 3:48 PM - Martin Seymour Noted	26/02/2016	
24 February 2016	15.1	Compliance with Section 163 of Local Government Act 2009	David Keenan	04 Mar 2016 - 2:48 PM - Sue Harrold Mayor added to the ARMC - Meeting invitation to ARMC Meeting 3 March 2016 sent. 28 Feb 2016 - 3:48 PM - Martin Seymour Noted - Audit Committee advised of appointment	26/02/2016	
24 February 2016	15.3	Sandy Creek Bridge Tender - Release of Information	David Keenan	04 Mar 2016 - 2:48 PM - Sue Harrold Report added to the 3 March 2016 ARMC Agenda and sent as an attachment via email to ARMC members.	4/03/2016	
24 February 2016	15.4	Rates Exemption Request	Helen Gross	04 Mar 2016 - 2:50 PM - Sue Harrold THAT Council defer consideration to allow further information to be obtained, and invite representatives of the organisation to attend the 7 March 2016 Briefing Session for that purpose.	4/03/2016	
24 February 2016	15.5	Proposed Renewal of Lease	Peter Gribbin	04 Mar 2016 - 2:48 PM - Sue Harrold	4/03/2016	


 ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING					Date From: 24/02/2016 Date To: 24/02/2016
					A letter has been emailed to 2 Wing Australian Air Force Cadets (Doc. 2806630) today, advising them of Council's resolution and requesting that they advise Council if these terms acceptable.
24 February 2016	15.6	Proposed Postponement of Business Plan	Peter Gribbin	04 Mar 2016 - 2:40 PM - Sue Harcourt THAT Council postpone the presentation of the proposed Business Plan for a Council Asset until the June 2016 General Council Meeting.	4/03/2016
24 February 2016	15.7	Engineering Services - Sateyards Advisory Committee Meeting - 11 February 2016	Michael Bell	29 Feb 2016 - 9:52 AM - Barb Pagan Noted Memo sent to the Manager Community Facilities advising of Council's resolution	29/02/2016
24 February 2016	15.8	Major Events and Festivals Program 2016/17	Laurine King	01 Mar 2016 - 3:25 PM - Allison Blitrough Memo sent to MCS, CSO and SEO to action in accordance per Council Resolution	29/02/2016

6. DECLARATIONS OF CONFLICTS OF INTEREST

7. READING AND CONSIDERATION OF CORRESPONDENCE

7.1 Correspondence

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Chief Executive Officer	File Ref:

Recommendation

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

Report

1. **Australia Local Government Association** advising the National General Assembly of Local Government is to be held in Canberra from 19 - 22 June 2016 and calling for Council's to submit any motions on national priority issues for possible inclusion in the Agenda for the NGA (copy attached).

Action: Council to consider any possible motions for submission to the 2016 NGA Agenda.

Attachments

1. Australian Local Government Association [View](#)



AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

18 February 2016

Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

SOUTHERN DOWNS REGIONAL COUNCIL WARWICK BRANCH	
RECEIVED	
24 FEB 2016	
Action Officer	<input checked="" type="checkbox"/> File
Tsk	
Dst	
Fwd	

To the Mayor, Councillors and CEO

2016 National General Assembly of Local Government – Call for Motions

The 2016 National General Assembly of Local Government (NGA), to be held at the National Convention Centre in Canberra between 19th and 22nd June, is an opportunity for councils to identify and discuss national issues of priority for the sector and to agree on possible steps which could be taken to address these issues. Every council has the opportunity to raise relevant issues for debate at the NGA and I invite your council to participate in the 2016 NGA by submitting a motion for consideration.

The Australian Local Government Association (ALGA) Board is calling for motions for the 2016 NGA under the theme of *'Partners in an Innovative and Prosperous Australia'*. This theme reflects the renewed focus across all levels of government on the roles and responsibilities of the public sector and the challenge of meeting our communities' needs.

To be eligible for inclusion in the NGA Business Papers, motions must follow the principles set out by the ALGA Board, namely:

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

Please be aware that ALGA reserves the right to reject motions which do not meet these conditions. To assist councils in preparing motions, a Discussion Paper has been prepared and is enclosed with this letter. It is also available on the ALGA website at www.alga.asn.au.

Motions should be submitted via the online form on the website at www.alga.asn.au and should be received by ALGA no later than 22 April 2016. Any administrative inquiries can be directed to ALGA by calling 02 6122 9400.

I encourage you to ensure the views of your Council and your community are represented at the 2016 NGA and accordingly look forward to receiving your Council's motion.

Yours sincerely


Mayor Troy Pickard
President

Southern Downs Regional Council



DOC0208840

Call for Motions Guidelines and Background Information

The theme for this year's National General Assembly of Local Government (NGA) is *'Partners in an Innovative and Prosperous Australia'*. The NGA theme reflects current issues being debated nationally and priority issues facing local government and is your opportunity to contribute to the development of national local government policy.

The ALGA Board is now calling for motions for the 2016 NGA.

To assist councils in preparing motions, a Discussion Paper has been prepared and is available at www.alga.asn.au.

To be eligible for inclusion in the NGA Business Papers, motions must meet the following conditions:

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

Once submitted, motions will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the sub-committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the Business Papers. The sub-committee reserves the right to reject any motions which are not consistent with the conditions set out above, or to allocate these motions to the reserve section of the debate business papers to be dealt with only if time permits.

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

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

Motions that are agreed to at the NGA become Resolutions of the NGA. These Resolutions are then considered by the ALGA Board when setting national local government policy,

when the Board is making representations to the Federal Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any Resolution passed at the NGA.

Motions are to be submitted online at www.alga.asn.au and should be received by **ALGA no later than 11.59pm Friday 22 April 2016**.

The following information will be required when you submit a motion using the online form.

Motion

- Text of the Motion

National Objective

- Why is this a national issue and why should this be debated at the NGA?
- Maximum 100 words

Summary of Key Arguments

- Background information
- Supporting arguments
- Maximum of 300 words (additional information should be provided as speaking notes to the council representative who will move the motion at the NGA)

Declaration

You will need to declare that the motion has been endorsed by your council.



AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION

**National General Assembly of Local
Government**

19 - 22 June 2016

Call for Motions Discussion Paper

**'Partners in an Innovative and
Prosperous Future'**

Motions should be lodged electronically at www.alga.asn.au no later than

11:59pm on Friday 22 April 2016.

Submitting Motions

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

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

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

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

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

Motions should be lodged electronically using the online form available on the NGA Website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received by ALGA no later than 11:59pm on Friday 22 April 2016, electronically in the prescribed format.

Please note that for every motion it is important to complete the background section on the form. Submitters of motions should not assume knowledge. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the sub-committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. Motions may be edited before inclusion in the Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the Business Papers.

For more information, please contact Clare Hogan at ALGA on (02) 6122 9400.

Preamble

The 2016 National General Assembly (NGA) is most likely to be held in the lead up to the next Federal election. During this time, all national political parties focus on leadership, key messages, marginal seats and political campaigning. National policy initiatives enter the public domain and all Australians are asked to engage in the political process and choose between competing ideas, election promises and the numerous candidates across the nation.

Last year's NGA theme was '*Closest to the People - Local government in the Federation*'. The theme reinforced the vital role of local government in Australia's system of government. It built on the Government's Federation White Paper process, which sought to clarify roles and responsibilities of the levels of government and potentially better align funding with respective responsibilities. It also acknowledged the development of a Green Paper on Taxation. The NGA greatly assisted ALGA in its advocacy and participation in the reform process.

Since then there has been much debate on taxation reform, which will culminate at the 2016 Federal election.

In December 2015 the Council of Australian Governments (COAG) reset the national political dialogue. COAG committed to:

'... close collaboration in areas of shared responsibility, including competition, tax, innovation, infrastructure, cities and regulation, as well as in health and education.'

COAG leaders agreed the principles for a new national economic reform agenda should be:

'...to deliver for all Australians no matter where they live:

- a stronger, more productive and more innovative Australian economy, with more jobs, more opportunities and higher living standards
- fairness and equity, with protection for disadvantaged and lower income Australians, and
- more efficient and high quality services.'

The theme of the 2016 NGA – '*Partners in an Innovative and Prosperous Future*' – invites councils from across Australia to consider the role of local government in this agenda, and how councils can play their role in the delivery of these objectives.

Many of the services and infrastructure provided by councils are not only critical to the social, cultural and environmental well-being of their communities, but also to the economic prosperity of their regions and the nation more broadly.

The NGA debate on motions and associated discussions will seek to highlight how local government can be more agile in delivering those services to communities, as well as send a strong and unified message to the Commonwealth.

Introduction

The 2016 NGA theme is *'Partners in an Innovative and Prosperous Future'*.

This year, the NGA debate on motions and associated discussions will seek to highlight how local government can be more efficient and effective. The discussions will look at how local government, working in partnership with other levels of government, the private sector and the not-for-profit sector, can innovate and create a prosperous future for the community it serves.

This year's theme builds on the work of the 2015 NGA which focused on local government's role in the Federation. The Commonwealth Federation Discussion Paper 2015 sets a context in which motions for this year's NGA should be developed.

The theme *'Partners in an Innovative and Prosperous Future'* seeks to focus attention on the role that local government can play in creating a prosperous Australia. The Federation Discussion Paper notes that Australia today is very different from the country it was at the time of Federation and poses the fundamental question: '... does [the Federation] provide the system of national governance that Australians need right now, and will it help or hinder efforts to adapt and thrive in the vastly different economic, political and social realities of the 21st century?'

To put this question in a local government context:

Are the government systems (including our own), processes and priorities, in many cases set up decades ago, still appropriate today?

Are they delivering accessible and fair systems and are they a help or hindrance? Do they facilitate business activity and contribute to higher living standards, or are they a drag on the local economy? Are they necessary or do they duplicate effort?

Technological change has created opportunities, making many traditional models of business and government obsolete. Have these opportunities been taken up?

Participatory democracy is being enhanced through empowering individuals and local communities with new knowledge and new ways of engaging with each other and with governments. Are these opportunities being captured?

Australian productivity and living standards are comparatively high by world standards. However, the current national productivity and reform debate recognises that without reform, Australia risks being left behind on the world stage—meaning fewer jobs, lower economic growth, and reduced living standards.

COAG has responded positively to this challenge. All governments have committed to collaborate particularly in areas of shared responsibility, including competition, tax, innovation, infrastructure, cities and regulation, as well as health and education.

The 2016 NGA seeks motions that suggest reform, innovation in government operations and opportunities to partner with local government that will support Australia's prosperity.

Local government role in national productivity

Over several decades, the NGA has called on the Australian Government to recognise the importance of greater levels of investment in local and regional infrastructure. This advocacy has been, in part, built on equity considerations as well as productivity considerations.

The NGA has called on the Australian Government to increase Financial Assistance Grants and Roads to Recovery (R2R) funding. These calls have been predominantly based on the need for the Commonwealth to help achieve horizontal equity (i.e. an equitable level of municipal services across the country) and the need to assist local councils to rebuild and maintain local infrastructure, particularly roads.

The rationale for permanent R2R funding and additional freight investment is that essentially the purpose of R2R is to restore the capacity of local roads to a standard able to sustain social and economic services, whereas additional funding through freight investment would be required to improve the standard of roads to meet the higher service levels required to handle higher productivity vehicles and significantly higher volumes of freight traffic.

The NGA's calls to the Australian Government have also sought recognition that local infrastructure provides important economic services. Local roads, for example, are an essential component of the national road network and therefore add to local and regional productivity and, in aggregate, make a significant contribution to state and national productivity.

Community infrastructure also plays an important role in local and regional economic development by enhancing the quality of life for residents as well as helping to attract and retain population, skilled workers and a local and regional workforce. The State of the Regions Report in 2015, commissioned by ALGA and written by National Economics, showed that there is a strong economic rationale for ensuring that all regions in Australia prosper. The report confirmed OECD findings that regional inequality reduces national productivity.

Local government's objectives in local economic development are diverse. They recognise local circumstances, availability of resources and the impact of external factors such as privatisation, technological change, globalisation and structural industry changes. For some councils, particularly in rural and regional areas, the focus is on stemming the decline in population, loss of businesses and local employment. For others, it is a focus on working with local businesses and the local community to optimise economic development and opportunities for the area.

Local government can facilitate and support economic development but it is frequently criticised for impeding economic development by imposing additional costs on business including through regulation, creating red-tape, providing unsuitable infrastructure etc.

Australian councils contribute significantly to the productivity and economy of their regions by focusing their efforts in three key strategic areas:

- creating and maintaining the investment environment – ensuring the availability of appropriate physical and social infrastructure, striving to deliver a quality public domain, and ensuring sufficient housing diversity and lobbying on behalf of local and regional communities for sufficient community services such as education and training, health and well-being, community safety and emergency services
- facilitating new local investment – actively promoting business development through facilitating local economic development, strategic planning, working with business

associations/main street organisations, and active involvement with tourism or other business activities, and

- attracting external investment through the creation of new business and capital – working with regional bodies such as RDA, Austrade and developers to attract and create new businesses and investment.

Local government has a key role to play in the provision of support services and infrastructure that underpins local and regional economic development, and therefore local government plays an essential part in achieving higher productivity. In broad terms, actions geared to creating and maintaining the investment environment in local and regional communities are considered to be of prime importance to a majority of local councils and it is this area that ALGA has focused its greatest attention.

Local government is a natural leader in local economic development because councils know their local business communities, workforce and comparative advantages better than anyone else. Local people and businesses are the key to economic growth and development and councils are perfectly positioned to work with local stakeholders to drive a bottom-up, place-based approach to achieve prosperity. Every council's economic development activity will be different according to the unique structures and needs of their local economies, as well as the capacity of the council and community.

Questions

Given the importance of local and regional infrastructure are there any national initiatives that could further assist local government to support local and regional productivity?

Are there areas of reform that local government can explore to enhance economic development and productivity?

Partnering

The term *partner* as a noun is defined as '... a person who takes part in an undertaking with another or others, especially in a business or firm with shared risks and profits.' In the context of the 2016 NGA, it can be interpreted as '... how councils can take part in an undertaking with others, including sharing the risk, for the benefit of the community'.

Local government provides a vast array of services and local infrastructure, often in partnership with others including other governments, the private sector, the community and not-for-profit sector.

Example of partnerships include:

- the provision of a local swimming pool in partnership with the private sector, or a not-for-profit organisation, that provides the management service of that facility
- the provision of Meals on Wheels in partnership with the community not-for-profit sector delivering meals to residents at their homes, and
- the provision of Home and Community Care (HACC) to targeted groups of clients in the municipality, in partnership with the federal and state governments which provide funding.

Other examples include:

- councils partnering with a university to provide locally-relevant research to inform decisions on issues such as development applications in areas that could be effected by sea level change
- partnering with other councils to share resources and skills, and
- partnering with the private sector to develop new and innovative ways of delivering services, such as electronic planning or apps to report pot holes.

A key feature of each of these examples is that each party brings different expertise, skills, resources and experiences to the specific undertaking. The combination of these skills, expertise and resources frequently results in innovation and the provision of a service in a way that would not be possible by either party separately.

An alliance between local government and other partners creates new opportunities for business as well as innovative services, increased efficiency, cost savings and more accessible service to the benefit of the community.

Questions

Please note, where local government is mentioned in the following questions it refers to local government as a whole, not specific proposals for partnerships at a single council level. Questions are designed to draw out new ideas that could transform the delivery of services and infrastructure at a systemic level.

Are there new opportunities for the Australian Government to partner with local government to deliver Commonwealth services at the local level? What would be the role of the Commonwealth in such a partnership? How would this benefit the community?

Are there partnerships that could be developed to maximise the opportunities to innovate and provide simpler, smarter and more reliable services and infrastructure at the local level? If so, what are these opportunities and what would be the role of the Commonwealth in supporting these partnerships?

Are there opportunities for the private sector to partner with local government to speed up and improve a local government service or function? What role could the Commonwealth play in facilitating these opportunities?

Innovation

The Australian Government has declared its strong support for innovation. The Government's National Innovation and Science Agenda says innovation is:

'... at the heart of a strong economy—from IT to healthcare, defence and transport—it keeps us competitive, at the cutting edge, creates jobs and maintains our high standard of living. It's not just about new ideas, products and business models; innovation is also about creating a culture where we embrace risk, move quickly to back good ideas and learn from mistakes.'

The statement has a focus on a range of objectives including:

- entrepreneurship and leveraging our public research
- increasing collaboration between industry and researchers to find solutions to real world problems and to create jobs and growth
- developing and attracting world-class talent for the jobs of the future, and
- government leading by example by embracing innovation and agility in the way we do business.

Questions

What is the role of local government in this innovation agenda?

Are these objectives relevant to local government itself? For example, is its role in increasing collaboration between industry and researchers to find solutions to real-world problems and to create jobs and growth? If so, how can these solutions be shared to the benefit of all councils and their communities. How could the Australian Government help this to occur?

What can local government bring to the table as a partner? For example, does local government hold data that, having regard to privacy issues, could be shared with the private sector which could put it to innovative uses? How could the Australian Government support this?

Are there digital innovations that could be introduced to local government that would increase the efficiency of businesses working with local government and vice-versa. How could the Australian Government support this?

Is there a role for local government to help innovative start-ups to rapidly transform their ideas into globally competitive businesses by giving them mentorship, funding, resources, knowledge and access to business networks? If so, how could the Australian Government support this?

Resourcing

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

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

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

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


Freezing the indexation of FAG's will reduce Commonwealth expenditures (and grants to councils) by more than \$925 million over the forward estimates. The freeze also means that the aggregate level of FAGs will be permanently reduced by almost 13 per cent, unless there is a future government decision to restore this base with a catch-up payment.

Councils are invited to submit motions to address this issue.

8. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

8.1 Petition - Permanent Upgrade of the Broadwater Crossing, Jimmy Mann Road

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Chief Executive Officer	File Ref:

Recommendation

THAT Council receive the Petition seeking permanent upgrade of the Broadwater Crossing on Jimmy Mann Road and refer it to the Director Engineering Services for investigation.

Report

The attached letter and petition has been received from residents and users of Jimmy Mann Road, Broadwater seeking permanent upgrade of the Broadwater Crossing to a safe cemented pipe crossing.

The residents and users are concerned that the surface is causing damage to users' vehicles and is unsafe particularly when water rises during periods of heavy rain.

The letter does recognize that a Council grader has been over the road and creek crossing since mid February which has improved the situation.

Attachments

1. Letter from Gwendolyn Smith [View](#)
2. Petition - Jimmy Mann Road [View](#)

The CEO
Southern Downs Regional Council
61 Marsh Street
Stanthorpe Qld 4380

Dear Sir,

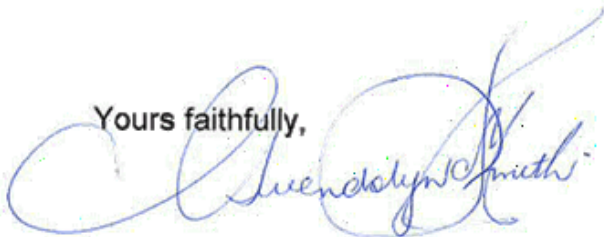
We, the residents and users of Jimmy Mann Road, seek your assistance in having a permanent upgrade of the road and particularly at the Broadwater Creek crossing.

This crossing has been poorly maintained for many years and is currently covered by very rough river stones. This surface is causing considerable damage to user's vehicles and is unsafe particularly when water rises obviously during periods of heavy rain rendering the crossing impassable and also results in further erosion. This causes inconvenience to the residents on the western side of the Broadwater who are then forced to use a longer route to reach town, their homes and or farming properties. (The crossing needs to be made safer)

We have gathered signatures of those concerned in the hope that this matter will be given the serious attention it needs. These signatures are presented in the formal petition attached. We also understand that the Council struggles financially however, we are all faithful rate payers and therefore believe that our concerns are worthy of your kind consideration.

PS Since the commencement of organizing the petition, we have had a grader go over the road and the creek crossing has had stones dropped over it. Thank you for this – it has helped

Yours faithfully,



GWENDOLYN M SMITH
On behalf of the Petitioners
218 Jimmy Mann Road
STANTHORPE QLD 4380

March 9, 2016

Petition to Southern Downs Regional Council

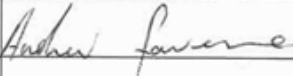

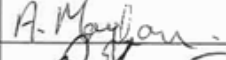

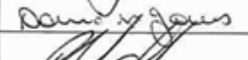
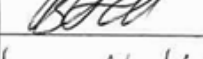
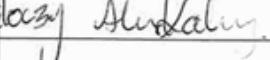
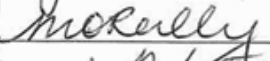



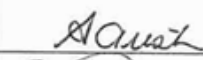

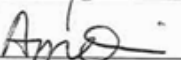
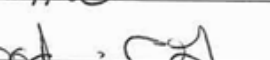
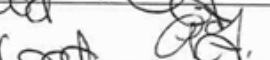
Petition summary and background	Residence and Users of Jimmy Mann Road seek permanent upgrade of the Broadwater Crossing to safe cemented piped crossing
Action petitioned for	We, the undersigned, are concerned citizens who urge Council to act now to Upgrade Jimmy Mann as the Broadwater crossing is so rough vehicle damage is assured by constant use

Printed Name	Signature	Address	Comment	Date
Pam MATHERS	P.O. Mather	51 Furness Rd ^{Broadwater}	^{to use this road} There is a lot of people walking	20/2/16
KAY BEVERIDGE	K Beveridge	12.5 Furness Rd Broadwater	Very bad crossing	20/2/16
JOHN FURNESS	J Furness	153 FURNESS RD BROADWATER	USELESS XING	20/2/16
MARIE ZABBA	M Zabbia	679 Jimmy Mann Rd		16.02/16
HOWARD SWEET	H Sweet	215 ELKS LANE		17/02/16
SANDRA SWEET	S Sweet	215 ELKS Lane.	About time	17-2-16
Lauren Kelly	L Kelly	741 SPRING CREEK RD		18-2-16
JOE SPINA	J Spina	36 MANDALAY RD		18/2/16
Joie Spina	J Spina	Mandelkew Rd		18/2/16
David Hansen	D Hansen	VALENTI LOT -		18/2/16
R GARRITY	R Garrity	4/21 Granite Street		
MAX HUNTER	M Hunter	5 PEARSON ST BROADWATER		18/2/16
ST CANNARO	S Cannaro	15 HARRIS ST. STANTHOPE		18-2-16
R. LOFARO	R Lofaro	143 DUNES RD, SEVENTH		18-2-16

Petition to Southern Downs Regional Council

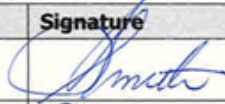









Petition summary and background	Residence and Users of Jimmy Mann Road seek permanent upgrade of the Broadwater Crossing to safe cemented piped crossing
Action petitioned for	We, the undersigned, are concerned citizens who urge Council to act now to Upgrade Jimmy Mann as the Broadwater crossing is so rough vehicle damage is assured by constant use

Printed Name	Signature	Address	Comment	Date
LAUREL LYNCH		310 Jimmy Mann Rd		15/02/16
Megan Maughan		108 Jimmy Mann Rd	I cross 6x a day and it is damaging my car	15/2/16
David Maughan		108 Jimmy Mann Rd	Time to fix it properly and stop washing \$\$\$	15/2/16
Jane Roberts		4 Catherine st, Stanthorpe		16/02/16
David Amos		203 LaFors Rd Sevenlea	Do your job and fix it	16/02/16
BRETT HENCKSEN		15 LANE ST STANTHORPE		16/02/16
Sharon Kelly		73 Rich st Stanthorpe		16/02/16
TIM KIRBY		40 Sugar loaf Rd Stanthorpe		16-2-16
STEPHEN FAVRO		12 PIONEERS PARADE	ITS ABOUT ROAD SAFETY	16-2-16
CHARNO FAUJAD		15 HIGH ST STANTHORPE		
WARREN HARROLD		28 HILLCREST ST, STANTHORPE		16-2-16
DAVID HARRISON		50 DENHAM ST STANTHORPE		16-2-16.

Printed Name	Signature	Address	Comment	Date
Andrew Favero		45 Brock Ave Stanthorpe.		16-2-2016.
Jan Maughan		108 Jimmy Mann Rd.		16-2-2016
Alan Maughan		108 Jimmy Mann Rd.		16/2/16
Patrick Lynch		310 Jimmy Mann Rd.		17/2/16
DONNA JONES		115 Jimmy Mann Rd.		17-02-16
BRANDON LACE		115 Jimmy Mann Rd.		17/02/2016
Alicia Michaela Kozay		291 Jimmy Mann Rd.		17/2/16.
Megan O'Reilly		269 Jimmy Mann Rd.		17/2/16.
Alf Pollock		470 Jimmy Mann Rd.		17/2/16.
Leah Furness		483 Jimmy Mann Rd.		17/2/16
LEAH FURNESS.		483 Jimmy Mann Rd.	This Road is 54 ft.	17/2/16
Amette Austin		551 Jimmy Mann Rd.		17/2/16
Tracey Quinn		654 Jimmy Mann Rd.	This road cost as	17/2/16.
Arielle Quinn		654 Jimmy Mann Rd.	two tyres.	17/2/16.
Carolyn Flood		664 Jimmy Mann Rd.		17-2-16
Adam Flood		664 Jimmy Mann Rd.		17/2/16.

Petition to Southern Downs Regional Council

Petition summary and background	Residence and Users of Jimmy Mann Road seek permanent upgrade of the Broadwater Crossing to safe cemented piped crossing
Action petitioned for	We, the undersigned, are concerned citizens who urge Council to act now to Upgrade Jimmy Mann as the Broadwater crossing is so rough vehicle damage is assured by constant use

Printed Name	Signature	Address	Comment	Date
G.M. SMITH		218 Jimmy Mann Rd	ROAD SURFACE DAMAGES VEHICLES	22/2/16
S. Rossow		193 Beverley Rd,	ive had to have my wheels realigned from going over these roads.	23/2/16
Tina Daniells		258 Guntle Rd	Road Surface is shocking to drive on!	23/2/16
P. Smith		42 MT TULLY RD	Realignment on my car	23/2/2016
J SMITH		20 MAGUIRE LA	CREEK CROSSING DANGEROUS ON BIKE.	23/2/16
R SMITH		37 MARSH ST.	CROSSING AND RAPID EROSION UNSAFE & DAMAGING	23/2/16
B SMITH		20 MAGUIRE LANE	CREEK CROSSING IS SUB-STANDARD & DAMAGES TYRES	23/2/16
R.M. SMITH		218 Jimmy Mann Road	It's a sad road	23/2/16
B. Rossow		193 Beverly Rd Severnlea	THE ROAD GUTS OUR VEHICLE SUSPENSION	23/2/16
R. STARR		20 TORRISI TCE	Crossing causing damage to heavy vehicle and tyre	24/2/16
			ROAD SURFACE: SHOCKING. NEEDS IMPROVEMENT	24/2/16

Petition to Southern Downs Regional Council

Petition summary and background	Residence and Users of Jimmy Mann Road seek permanent upgrade of the Broadwater Crossing to safe cemented piped crossing
Action petitioned for	We, the undersigned, are concerned citizens who urge Council to act now to Upgrade Jimmy Mann as the Broadwater crossing is so rough vehicle damage is assured by constant use


Printed Name	Signature	Address	Comment	Date
Brownway + George Martin	B Martin	219 Church Rd The Summit.		14/2/16
TERENCE BONNER	Terence	24 Castlick Lane Broadwater	Have shot 10m in road that uses this road.	14/2/16
Barbara O'Connor-Nash	Barbara	24 Castlick Lane Broadwater		14/2/16
Pauline Martin	P Martin	113 Carnell Rd Severnlea		15/2/16
STEPHEN MARTIN	S Martin	113 CARNELL RD SEVERNLEA		15/2/16
Kirsty Beckett	K Beckett	327 Jimmy Mann Rd STANTHORPE	Vehicle damage is a concern.	15/2/16
COREY THOMPSON	C Thompson	202 SPRING CREEK Rd		18/2/16
WEEKY FEATHERSTON	W Featherston	6 Manns la STANTHORPE		26/2/16
Kirsty Cosmo	K Cosmo	3 Smith St, Stanthorpe		26/2/16
Corina Thompson	C Thompson	4 Burton Cr, Orpe		26/2/16
Katrina Inch	K Inch	397 Gillbaird Rd Stpe		26/2/16
Katrina Howard	K Howard	PO Box 852, Stpe		26/2/16

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9. EXECUTIVE

9.1 Financial Report as at 29 February 2016

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Manger Finance & Information Technology	File Ref: 12.13

Recommendation

THAT Council receive and note the Financial Report as at 29 February 2016.

Report

A review of Council's operating performance against forecast shows that the net operating position of \$23.2m which is 19.2% over the estimated position for the financial year to date of \$19.5m.

The main reason for the difference is that operating expenditure is under budget by 8.2%.

Eight months of expenditure has occurred, while all of the rates for the financial year have been accounted for.

Income Statement

Total operating revenue of \$59.3m is over the expected year to date estimate of \$59.1m by 0.26%. Capital revenue of \$3.5m has been received for the year.

Overall operating expenditure of \$39.5m is \$3.5m under the year to date estimate of \$43.1m with employee costs being around \$1.1m under budget and materials and services being \$2.2m under the year to date estimate.

Capital Works in Progress

Capital works expenditure to 29 February 2016 is \$8.8m which is 40.9% of the capital works budget of \$21.5m.

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	-	83,000	83,000	88,668	106.8%	15,044	103,711	125.0%
Buildings	277,882	-	277,882	12,308	4.4%	24,026	36,333	13.1%
Plant & Equipment	1,000,000	111,878	1,111,878	1,064,455	95.7%	63,579	1,128,033	101.5%
Roads, Drains & Bridges	12,539,401	1,571,796	14,111,197	5,605,628	39.7%	-	5,605,628	39.7%
Water	2,340,295	27,105	2,367,400	882,762	37.3%	-	882,762	37.3%
Wastewater	655,000	-	655,000	53,203	8.1%	-	53,203	8.1%
Other Assets	2,461,000	409,672	2,870,672	911,388	31.7%	55,614	967,002	33.7%
Total	19,273,578	2,203,451	21,477,029	8,618,412	40.1%	158,262	8,776,674	40.9%

Budget Implications

The third quarter budget review will take place following the end of March 2016 and the results will be presented to Council.

Policy Consideration

Operational Plan 2015/2016

8.22 Provide and maintain strategies to ensure Council's long term financial sustainability

8.22.1 Review and update the 10 year Financial Plan

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

Community Engagement

Nil.

Legislation/Local Law

Local Government Act 2009

Local Government Regulation 2012

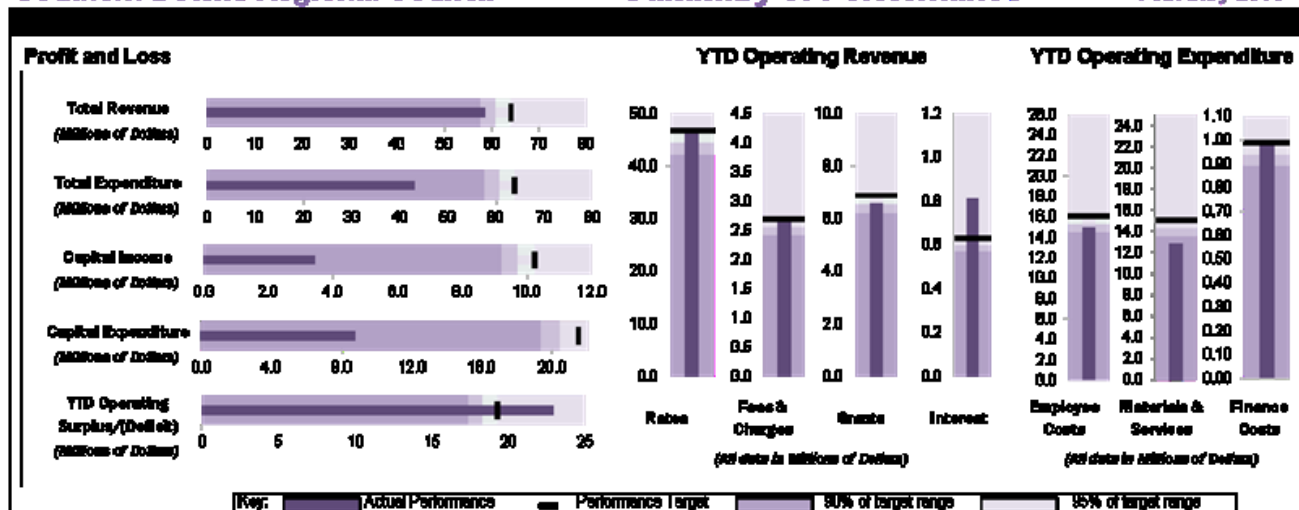
Options

1. Receive and note the Financial Report as at 29 February 2016.
2. Do not receive and note the Financial Report as at 29 February 2016.

Attachments

1. Finance Report as at 29 February 2016 [View](#)
2. Investment Register [View](#)

Southern Downs Regional Council Summary of Performance February 2016



Operating Performance Summary

Operating Revenue

Total operating revenue of \$58.3m is under the year to date estimate with a 0.29% variance.

Council has received more interest than budgeted. Contract and sales revenue is over budget by 7.1% and rent is under budget by 8.3%.

Operating Expenditure

Year to date operating expenditure of \$39.5m is \$3.5m under the year to date budget estimate of \$43.1m.

Employee costs are around \$1.1m under the year to date estimate and materials and services are \$2.2m under the year to date estimate.

Capital Works

At 29 February 2016, \$8.6m of the \$21.5m budget has been spent on capital works and capital purchases which is 40.0% of the full year budget.

Major capital works to be undertaken this financial year include \$13.8m for roads and bridges and \$3.0m for water and waste water. Council has a budget of \$1m for plant replacement, which has now been spent.

Balance Sheet

At 28 February 2016 Cash at Bank and Investments total \$39.5m.

Council has maintained its ability to meet all its current commitments with a working capital ratio of 3.64:1.

Total loans (current and non current) that are outstanding amount to \$28.9m.

Southern Downs Regional Council Income Statement February 2016

Audited 2015 Actual \$		Annual 2016 Budget \$	Planned 2016 YTD Budget \$	Planned 2016 YTD Actual \$
Revenue from ordinary activities				
27,300,805	General Rates	28,199,626	28,199,686	28,222,373
262,873	Rural fire brigade levy	271,332	271,332	272,403
20,727,694	Utility Rates and Charges	23,150,167	20,969,032	20,692,363
(2,918,503)	Less Discounts	(1,667,396)	(1,667,396)	(1,612,842)
(493,991)	Rates on Council properties	(574,820)	(512,620)	(511,176)
44,878,879		49,378,989	46,868,853	47,863,124
4,047,884	Fees and Charges	3,691,344	2,694,753	2,712,401
1,162,544	Interest	808,700	632,330	815,217
2,733,236	Contract & Sales Revenue	1,985,834	1,335,339	1,429,717
718,800	Rent and Other Income	872,308	688,536	624,499
8,336,019	Government Grants and Subsidies	7,863,640	6,895,673	6,612,617
61,877,362	Total Operating Revenue	64,682,954	59,166,784	59,257,576
Expenses from ordinary activities				
24,834,955	Employee Costs	24,308,223	16,128,450	15,068,922
21,704,602	Materials and Services	21,351,113	13,137,682	12,966,896
13,442,052	Depreciation and Amortisation	16,199,431	10,799,923	10,498,640
2,201,128	Finance Costs	2,019,937	989,140	984,546
64,182,737	Total Operating Expenses	63,878,726	43,855,197	39,519,885
(2,385,376)	Operating Surplus/(Deficit) before capital items	724,228	16,851,587	19,738,571
Other Capital Amounts				
4,437,889	Capital Grants, Contributions and Donations	10,227,573	3,411,230	3,329,177
(243,140)	Other capital income and (expenses)	-	-	(72,639)
1,939,573	Net Result Surplus/(Deficit)	18,951,883	19,462,736	23,195,889

Explanation

Income Statement

This Statement outlines:

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

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

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

Southern Downs Regional Council Balance Sheet February 2016

Audited 2015 Actual \$		Annual 2016 Budget \$	Planned 2016 YTD Actual \$
	Current Assets		
13,786,320	Cash assets & Investments	11,352,000	33,304,370
3,877,171	Receivables (includes Rates & Utilities receivable)	5,390,000	10,432,284
915,300	Assets held for sale	152,000	697,630
314,326	Inventories	246,000	466,269
18,893,317		17,140,000	45,100,573
	Non-Current Assets		
946,000	Investment Property	946,000	946,000
771,201,565	Property, plant and equipment	780,008,000	725,013,589
350,257	Other Financial Assets	879,000	283,542
22,887,425	Capital works in progress	-	11,278,762
970,006	Intangible Assets	970,000	1,648,681
796,355,254		782,883,000	739,178,574
815,248,571	TOTAL ASSETS	799,943,000	784,271,147
	Current Liabilities		
3,415,351	Creditors and other payables	5,661,000	3,937,205
6,375,107	Provisions	2,960,000	6,806,513
1,904,798	Interest bearing liabilities	2,177,000	2,005,578
11,695,456		10,798,000	12,749,297
	Non-Current Liabilities		
28,030,430	Interest bearing liabilities	25,712,000	26,918,393
3,808,205	Provisions	4,261,000	3,966,082
31,838,634		30,973,000	30,884,475
43,534,091	TOTAL LIABILITIES	41,771,000	43,633,772
771,714,480	NET COMMUNITY ASSETS	759,172,000	740,637,375
	Community Equity		
237,018,454	Asset Revaluation Reserve	214,889,000	182,723,268
534,696,026	Retained surplus	544,283,000	557,914,106
771,714,480	TOTAL COMMUNITY EQUITY	759,172,000	740,637,375

Explanation

Balance Sheet

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

Key Ratios	Budget	YTD Actual	On Target?	Key Ratios	Budget	YTD Actual	On Target?
Working Capital Ratio (Current Assets / Current Liabilities) 1.59 : 1 3.54 : 1 ✓ Target Ratio > 1:1 > 1:1 <p>This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.</p>				Interest Coverage Ratio (Net Interest Expense / Total Operating Revenue) (%) 1.27% 0.60% ✓ Target Ratio Upper Limit (%) 10.0% 10.0% <p>This ratio indicates the extent to which a Council's operating revenues are committed to interest expenses. As principal repayments are not operating expenses, this ratio demonstrates the extent to which operating revenues are being used to meet the financing charges associated with debt servicing obligations.</p>			
Operating Surplus Ratio (Net Operating Surplus / Total Operating Revenue) (%) 17.0% 39.1% ✓ Target Ratio 0.0% to 15.0% > 0.0% to 15.0% <p>This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes.</p> <p>A positive ratio indicates the percentage of total rates available to help fund proposed capital expenditure. If the relevant amount is not required for this purpose in a particular year, it can be held for future capital expenditure needs by either increasing financial assets or preferably, where possible, reducing debt.</p>				Asset Sustainability Ratio (Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense) 132.6% 83.6% ✗ Target Ratio Lower Limit (%) > 60% > 60% <p>This is an approximation of the extent to which the infrastructure assets managed by the Council are being replaced as these reach the end of their useful lives. Depreciation expense represents an estimate of the extent to which the infrastructure assets have been consumed in a period. Capital expenditure on renewals (replacing assets that the Council already has) is an indicator of the extent to which the infrastructure assets are being replaced.</p>			
Net Financial Liabilities Ratio ((Total Liabilities - Current Assets) / Total Operating Revenue) 39.5% -2.5% ✓ Target Ratio Upper Limit (%) ≤ 60% ≤ 60% <p>This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.</p> <p>A positive value of less than 60 per cent is the benchmark as determined by the Department of Local Government. It indicates that Council has the capacity to fund liabilities and to have the capacity to increase its loan borrowings. A positive value greater than 60 per cent but less than a 100% indicates that Council has the capacity to fund liabilities but has limited capacity to increase its loan borrowings.</p> <p>A ratio less than zero (negative) indicates that current assets exceed total liabilities and; therefore, Council has the capacity to increase its loan borrowings.</p>				Comments on Ratio Results. <p>The reported ratios are taken from the Department of Local Government guidelines on sustainable financial management. When looking at ratios it is important to acknowledge that they represent a snapshot in time and that anomalies in the reported results are not taken in isolation. The targets are those provided by the Department as a preferred range and results outside those ranges will require further consideration.</p> <p>Whilst changes to the legislation have amended the required ratios, the ratios listed will continue to be reported on.</p> <p>The Operating Surplus Ratio is currently outside the target ratio as all the rate revenue has been recognised for the year with only two months of the expenses and other revenue contributing to the total. The Asset Sustainability Ratio is under the target lower limit as there has only been two months of activity for assets.</p>			

INVESTMENTS REGISTER

as at 29 February 2016

CASH MANAGEMENT

1030am CALLACCOUNT

		<u>PRINCIPAL</u>	<u>INTEREST RATE</u>
GENERAL	QTC SDRG Acct	\$ 4,040,085.88	2.53%
TOTAL	QTC	<u>\$ 4,040,085.88</u>	

BANK BILLS AND BDO

<u>DATE</u>	<u>DESCRIPTION</u>	<u>PRINCIPAL</u>	<u>INTEREST RATE</u>	<u>MATURITY DATE</u>
5-Sep-16	GCCU	\$ 800,000.00	2.90%	2-Mar-16
5-Sep-16	GCCU	\$ 800,000.00	2.90%	5-Mar-16
26-Nov-16	NAB	\$ 805,745.88	2.88%	16-Mar-16
2-Dec-16	NAB	\$ 882,942.22	2.90%	2-Mar-16
2-Dec-16	BANK WEST	\$ 805,484.92	2.80%	2-Mar-16
3-Dec-16	BANK WEST	\$ 805,805.48	2.80%	3-Mar-16
5-Dec-16	BANK WEST	\$ 805,805.48	2.80%	5-Mar-16
6-Dec-16	SUNCORP	\$ 800,000.00	2.83%	7-Apr-16
9-Dec-16	SUNCORP	\$ 800,000.00	2.83%	7-Apr-16
10-Dec-16	BANK OF QLD	\$ 800,000.00	3.00%	10-Jun-16
16-Dec-16	GCCU	\$ 807,881.64	2.88%	16-Apr-16
16-Dec-16	SUNCORP	\$ 805,027.40	2.98%	16-Jun-16
17-Dec-16	BANK WEST	\$ 805,388.04	2.80%	16-Mar-16
21-Dec-16	NAB	\$ 805,885.70	3.02%	21-Mar-16
22-Dec-16	NAB	\$ 884,883.02	3.00%	21-Mar-16
5-Jan-16	GCCU	\$ 807,881.64	2.88%	5-Apr-16
7-Jan-16	NAB	\$ 807,881.64	3.07%	13-Apr-16
14-Jan-16	GCCU	\$ 887,884.70	2.88%	14-Apr-16
14-Jan-16	BANK OF QLD	\$ 809,945.62	3.00%	11-May-16
20-Jan-16	BANK OF QLD	\$ 809,244.93	3.00%	18-May-16
21-Jan-16	WCU	\$ 888,001.15	2.85%	20-Apr-16
26-Jan-16	NAB	\$ 808,870.14	3.00%	27-Apr-16
3-Feb-16	BANK OF QLD	\$ 800,000.00	2.90%	3-May-16
4-Feb-16	NAB	\$ 808,888.73	3.00%	4-May-16
5-Feb-16	BANK WEST	\$ 811,105.78	2.80%	12-May-16
11-Feb-16	NAB	\$ 811,486.11	3.00%	11-May-16
11-Feb-16	BANK OF QLD	\$ 810,098.99	2.98%	12-May-16
11-Feb-16	BANK OF QLD	\$ 809,807.12	3.00%	8-Jun-16
16-Feb-16	WCU	\$ 812,285.28	2.78%	16-May-16
17-Feb-16	BANK WEST	\$ 704,882.88	2.80%	19-May-16
17-Feb-16	BANK OF QLD	\$ 811,588.22	3.00%	18-Jun-16
18-Feb-16	WCU	\$ 888,182.88	2.78%	25-May-16
18-Feb-16	BANK OF QLD	\$ 1,820,815.70	3.00%	22-Jun-16
24-Feb-16	GCCU	\$ 811,885.67	2.88%	24-May-16
26-Feb-16	NAB	\$ 810,883.46	3.00%	26-May-16
16-Feb-16	SUNCORP	\$ 300,000.00	2.75%	17-May-16
TOTAL		<u>\$ 28,585,825.88</u>		
GRAND TOTAL				<u>\$ 33,438,815.24</u>
		Weighted Average	2.92%	
		BBSW 90 days rate	2.28%	

FUNDS BREAKDOWN

<u>FUND</u>	<u>PRINCIPAL</u>
GENERAL	\$ 38,189,815.24
RESERVE	\$ -
TRUST	\$ 300,000.00
GRAND TOTAL	<u>\$ 38,489,815.24</u>


INSTITUTION BREAKDOWN

(30% MAXIMUM AT ANY ONE INSTITUTION)

<u>INSTITUTION</u>	<u>PRINCIPAL</u>
CSA	\$ -
BNBNDGO	\$ -
WCU	\$ 2,488,430.28
SUNCORP	\$ 2,705,027.40
GCCU	\$ 4,863,311.66
HERITAGE	\$ -
BANK OF QLD	\$ 7,271,208.68
QTC	\$ 4,040,085.88
NAB	\$ 7,328,825.16
OTIBANK	\$ -
BANK WEST	\$ 4,789,024.69
	\$ 38,438,815.24
GRAND TOTAL	<u>\$ 38,438,815.24</u>

9.2 Executive Performance Report - February 2016

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Senior Community Contact Co-Ordinator Manager Corporate Services	File Ref: 06.01; 06.03.01

Recommendation

THAT Council receive and note the Executive Performance Statistics for February 2016.

Report

Attached to this report are the Executive Performance Statistics for February 2016.

These statistics provide an overview of performance from a number of business units within Council.

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, requests received by Council, Right to Information and Information Privacy application progression data and any economic development movements within the region.

Budget Implications

Nil.

Policy Consideration

Operational Plan 2015/16

8.2 Develop and implement policies and procedures to effectively manage HR resources and practices across the entire SDRC organisation

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

Community Engagement

Nil.

Legislation/Local Law

Nil.

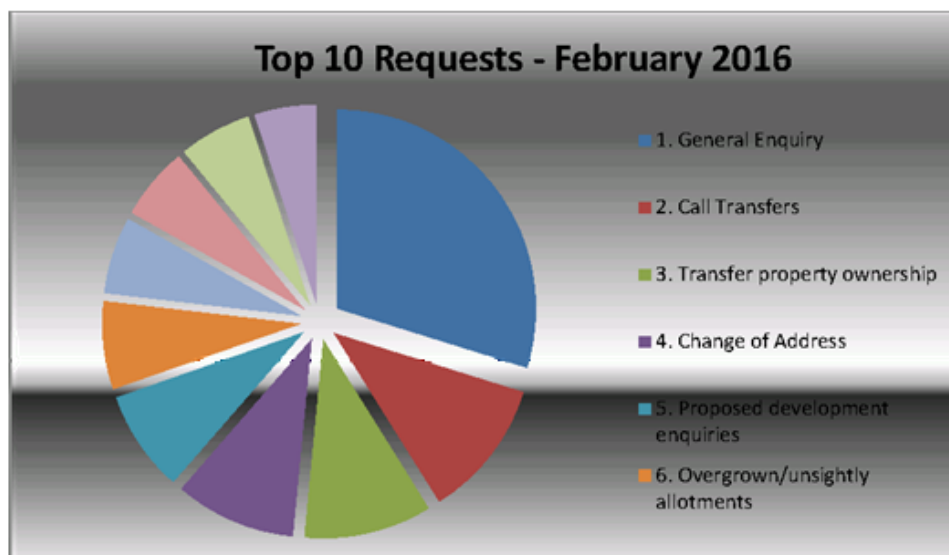
Options

1. Receive and note the contents of this report.
2. Do not receive and note the contents of this report.

Attachments

1. Executive Performance Statistics [View](#)

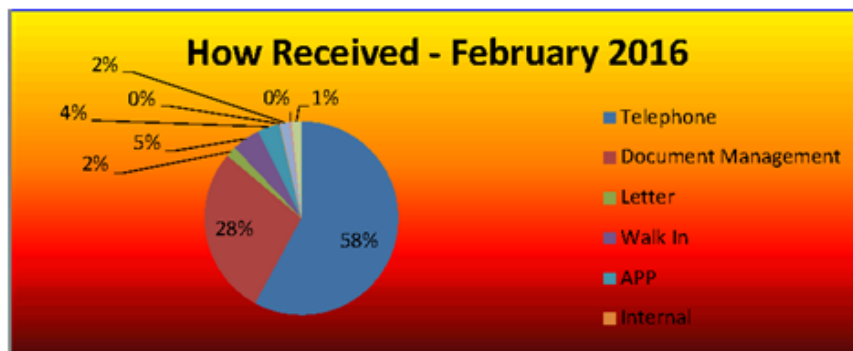
Top 10 Requests



Top 10 Merri Customer Requests

	Request Type	Received		Request Type	Received
1	General Enquiry	166	6	Overgrown/unsightly allotments	40
2	Call Transfers	63	7	Parks & Gardens maintenance	35
3	Transfer property ownership	58	8	B-Double routes	33
4	Change of Address	55	9	Pension Subsidy	33
5	Proposed development enquiries	46	10	Request for grading	28

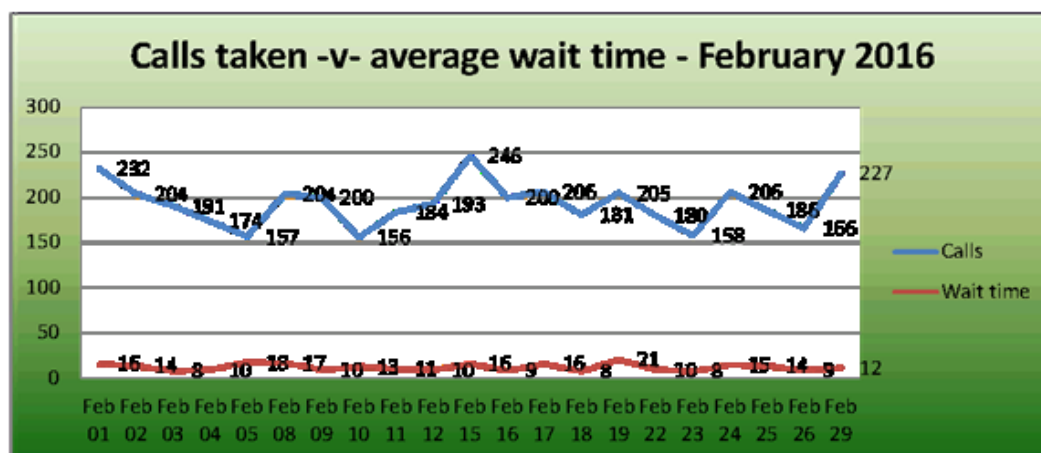
How Received	Count	How Received	Count
Telephone	782	Internal	0
Document Management	381	Web	23
Letter	24	Email	4
Walk In	63	Traveller	22
APP	51		
Total - 1,350			



District/Service	Total	Open	Closed
Business & Community Services			
Community Facility Services	158	46	112
Community Services	2	0	2
Corporate Services	282	3	279
Finance	284	27	257
Information Services	30	7	23
Total	756	83	673
Engineering Services			
Engineering Services	214	55	159
Infrastructure Services	20	3	17
Water and Waste Water	8	4	4
Works	319	64	255
Total	561	126	435
Executive			
Executive	22	9	13
Human Resources and Organisational Development	8	5	3
Total	30	14	16
Planning and Environment			
Environmental Services	250	50	200
Local Laws Dept	443	189	254
Planning and Development	276	43	233
Planning and Environment	4	4	0
Total	973	286	687
SDRC Total	2,320	509	1,811

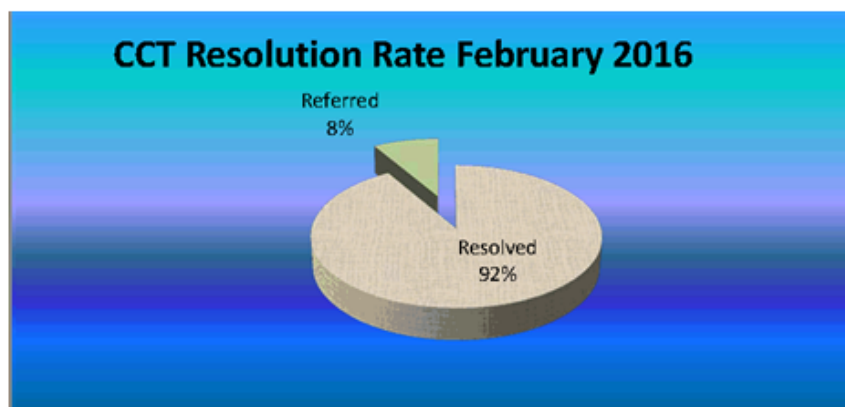
Escalation Status Report February 2016

Request ID	Details	Explanation	Status at 4/3/16
100198	Request consideration re potential large water bill – Locke St Warwick	Awaiting response from Manager Water & Waste Water	Open
99914	Water seeping under bitumen Redgwell St		Finalised
100406	Leaking fire hydrant Himyar Drive	Replaced hydrant top	Finalised
100433	Concerns re storm water work done in Anemone St and request for officer to contact and discuss		Open
100443	Complaint re storm water works in Hibiscus St		Open
100473	Request info on why Law Rd is not connected to sewer		Open
100489	Stop tap not turning off fully in Cullen St	Replaced meter, tap and box	Finalised
100685	Water leak Drayton St Layburn	Repaired	Finalised
100708	Low water pressure – Lyons Cres		Finalised
100718	Customer concerns re possible leak because a pool of water hasn't evaporated		Open
100799	Water leak – Deconlay St	Repaired	Finalised
100906	Sewerage blockage Wallace St	Cleared	Finalised
100917	Stop tap has seized at Golf Links Ave		Open
100961	Water meter leak – Herbert St Allora	No leak identified	Finalised
101008	Corroded stop tap at Shilliday St needs to be replaced	Replaced	Finalised
101445	Sewer overflow Horsman Rd		Open
101474	Complaint re colour of water at Glengallen Rd property		Open
101490	Complaint re colour of water at South Street Allora property		Open
100082	Blue metal and sand in middle of Council land in Anemone St is causing water to back up onto Margaret's property		Open
100605	Bitumen damaged by tree roots – between Douglas Rd and Lefaro Lane		Open
100958	Tree branches overhanging road at Cannon Creek Rd		Open
101172	Dog attack – Back Creek Rd Severnlea	Under investigation and complainant kept informed	Open
101377	Straying dog causing nuisance at 98 Wallace St	Under investigation	Open



Community Contact Resolution Rate

Total Contacts	Resolved	Referred
3,902	3,571	331



Right To Information (RTI) Applications

There were no RTI Applications processed during February 2016.

CCTV Applications

Twelve applications were processed during February 2016.


Economic Development Unit

1. The eighth Darling Downs South West Planners Forum was held at the Warwick Town Hall on 16 and 17 February 2016. Fifty-eight Planners and Economic Development Officers, including the new Director General and Director for Planning attended. For any this was their first visit to the Southern Downs and they were impressed with the quality of facilities and produce. The success of this Forum has led to the Planning Institute of Australia (PIA) wanting to host the 2017 PIA Queensland State Conference in Stanthorpe.

10. ENGINEERING SERVICES DEPARTMENT REPORTS

10.1 Engineering Services Department Monthly Report

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Director Engineering Services	File Ref: 04.15.01

Recommendation

THAT Council receive the Engineering Services Department Monthly Report

Report

The following is provided for the information of Councillors.

COMMUNITY FUNDING AS AT 29 FEBRUARY 2016

Number	Task Description	Project
100683 - In-Kind Assistance Program		
D9522-15	Leyburn Sprints Committee Inc	1,699.92
0000532	Warwick Polocrosse Club Inc.	1,420.15
0000533	Warwick & District Historical Society In	366.40
0000538	Killarney Bonfire Night Committee	842.23
0000609	Cunningham Polocrosse Club	1,117.02
0000768	Wings Over Warwick 2015	1,414.72
0000886	Warwick District Drag Racing Association	1,445.27
0000836	Granite Belt Bowmen Inc.	1,301.83
0000837	Mingoola Public School P & C Committee	610.14
0000860	Warwick Christian College	412.18
0000917	Warwick Aero Modellers	1,725.57
0001987	Karara Campdraft Association	245.28
0001988	Killarney Show and Rodeo Society Inc	350.07
Grand Total		12,950.78

WORKS CONSTRUCTION & ASSETS

Capital Works Undertaken During February 2016

Project:	Gravel Resheeting 15/16 - Stage 1 & 2 (CP800006), Stage 3 (CP800040)
Budget:	\$1,200,000 (total budget for stages 1, 2 & 3); Council fund \$550,000 & RTR fund \$650,000
Description:	Gravel resheeting
Start Date:	6-Jul-15
Est End Date:	30-Jun-16
% Complete:	Stage 1 - 100%; Stage 2 - 100%; Stage 3 - 10%; Overall 75% completed
Expenditure to date:	\$829,300
Estimated Final Expend:	\$1,200,000
Project Officer:	Pat Lyons, Heath Tomkins & Nathan Kamalan
Comments:	Stage 3 commence and resheeting works are scheduled between other capital works.

Project:	Resealing SDRC (CP800036) / RTR funded (CP800039) - Stage 1, 2 & 3
Budget:	\$1,050,000 (\$350K for preparation works & \$700K for resealing works; SDRC fund is \$510K & R2R fund is \$540K)
Description:	Resealing
Start Date:	16-Nov-15
Est End Date:	22-Dec-15
% Complete:	100% of Stage 1, 2 & 3
Expenditure to date:	\$840,300
Estimated Final Expend:	\$1,050,000
Project Officer:	Rob Brookes & Pat Lyons
Comments:	Stage 1, 2 & 3 completed & Stage 4 scheduled to commence in late March 16.

Project:	TIDS Eukey Road widening Stage 4 (CP800045)
Budget:	\$1,098,000
Description:	Road widening works from Ch 4.9 - 7.9 km & Ch 7.9 - 10.5 km
Start Date:	6-Oct-15
Est End Date:	31-Mar-16
% Complete:	75%
Expenditure to date:	\$835,500
Estimated Final Expend:	\$1,098,000
Project Officer:	Heath Tomkins
Comments:	Works from Ch 4.9 - 7.9 km completed. Works from Ch 7.9 to 10.5 commenced in January 2016

Project:	TIDS Inverramsay Road (CH 5.4 - 8.5 km) (CP800061)
Budget:	\$1,098,000
Description:	Rehabilitation & road widening works from Ch 5.4 - 8.5 km
Start Date:	18-Jan-16
Est End Date:	27-May-16
% Complete:	25%
Expenditure to date:	\$294,000 actual exp & \$453,000 commitments
Estimated Final Expend:	\$1,098,000
Project Officer:	Nathan Kamalan
Comments:	Sealing of first kilometre (CH7.5 - 8.5 km) scheduled for mid March 16.

Project:	Lyndhurst Lane Bridge (CP800041)
Budget:	\$2,760,000
Description:	Lyndhurst Lane bridge & approach works by Contractor, Contract amount is \$1,145,600
Start Date:	Early Dec 15
Est End Date:	Mid May 16
% Complete:	90%
Expenditure to date:	\$866,600 actual exp. & commitments of \$330,200
Estimated Final Expend:	For the contract works \$1,250,000
Project Officer:	Jaya Jayaratne
Comments:	All bridge works completed except installation of bridge barriers. Approach road works in progress

Capital Works Forecast to Commence in March 2016

Project:	Gravel Resheeting 15/16 - Stage 1 & 2 (CP800006); Stage 3 (CP800040)
Budget:	\$1,200,000 (total budget for stages 1, 2 & 3); Council fund \$550,000 & RTR fund \$650,000
Description:	Gravel resheeting
Est Start Date:	6-Jul-15
Est End Date:	30-Jun-16
Project Officer:	Pat Lyons, Heath Tomkins & Nathan Kamalan
Comments:	Stage 3 commenced and resheeting works are scheduled between other capital works. Most of the remaining resheeting will be carried out in June 16.

Project:	Resealing SDRC / RTR funded - Stage 4
Budget:	\$1,050,000 (\$350K for preparation works & \$700K for resealing works; SDRC fund is \$510K & R2R fund is \$540K)
Description:	Resealing
Est Start Date:	1-Mar-16
Est End Date:	4-Mar-16
Project Officer:	Rob Brookes
Comments:	Stage 4 is being finalised and could commence in late March 16

Project:	TIDS Eukey Road widening Stage 4 (CP800045)
Budget:	\$1,098,000
Description:	Road widening works from Ch 4.9 - 7.9 km & CH 7.9 -10.5 km
Est Start Date:	7-Oct-15
Est End Date:	31-Mar-16
Project Officer:	Heath Tomkins
Comments:	Road widening works from Ch 4.9 - 7.9 km completed in December 15. Works commenced from CH 7.9 -10.5 km in January 16. Sealing scheduled for mid March and it is anticipated that all works will be completed by the end of March 16.

Project:	TIDS Inverramsay Road (CH 5.4 - 8.5 km) (CP800061)
Budget:	\$1,098,000
Description:	Rehabilitation & road widening works from Ch 5.4 - 8.5 km
Est Start Date:	18-Jan-16
Est End Date:	27-May-16
Project Officer:	Nathan Kamalan
Comments:	Final seal for 14/15 job) CH 2.7 -5.4 to be completed

Project:	Upper Wheatvale Road (CH 1.52 - 2.65 km and 4.16 - 5.52 km) (CP800076)
Budget:	\$350,000
Description:	Rehabilitation & road widening works
Est Start Date:	7-Mar-16
Est End Date:	6-May-16
Project Officer:	Pat Lyons
Comments:	

Project:	Lyndhurst Lane Bridge (CP800076)
Budget:	\$2,760,000
Description:	D & C Lyndhurst Lane bridge & approach works by Contactor. Contract amount is \$1,145,600
Est Start Date:	Early Dec 15
Est End Date:	Mid May 16
Project Officer:	Jaya Jayaratne
Comments:	All bridge works completed except installation of bridge barriers. Approach road works in progress. Overall 80% complete.

Traffic Counts

No information this month

Design

Works Section

Blackspot Projects, Warwick & Stanthorpe

The design of safety improvements at a number of intersections in Warwick has been carried out. These include Tooth & Pratten Streets, Dragon & Fitzroy Streets, Grafton & Wantley Streets, Grafton & Canning Streets and Guy & Pratten Streets.

The draft proposals have been prepared for the Warwick intersections and approval from with the local road safety committee has been obtained. Plans will now be finalised.

In Stanthorpe, safety improvements are to be made at the intersection of Railway & Creek Streets. Detailed survey has been carried out and preliminary design prepared. The current proposal may impact on some private accesses so possible alternatives are being considered.

Lyndhurst Lane Bridge Approaches

Requested to begin design of the approaches to the Lyndhurst Lane Bridge beyond the extents of the current construction contract. Detailed survey has been carried out for approximately 400m either side of the bridge. Design has commenced now that the scope of work has been finalised by the Works Section.

Water and Wastewater Section

Wallangarra Road - Hale Haven Drive Water Main

Draft plans have been prepared for new water main linking existing mains on Wallangarra Road to Hale Haven Drive. This is to ensure supply to South Stanthorpe in the event of failure of an existing pump station. The work will involve crossing a rail corridor and the application process for this is continuing including the required geotechnical investigation which is being handled by the Water & Wastewater section. Rock is preventing attainment of the required cover in the railway corridor so W&W are reviewing options for the alignment.

Stanthorpe YMCA Water Connection

Request received to prepare design for construction of fire fighting service to the YMCA building in Stanthorpe. This has now been completed and the service is installed.

Kenilworth St Reservoir Modifications

Water & Wastewater required a plan of the proposed new valve pit at the Kenilworth Reservoir. A preliminary plan was prepared and issued for review.

Victoria Street Sewer Crossing, Condamine River

Requested to prepare concept plan for Request for Tender submission. This was carried out.

Other

Followed up with DNR&M regarding road opening on Ravenscroft Road. There is currently a discontinuity of the road and it is proposed to dedicate a portion of unallocated state land to road reserve to remove it. DNR&M advised that the matter should be finalised this month.

Asset Management/Geographical Information System

Geographic Information Systems

- GIS officer is drawing the objects into GIS for as constructed, surveyed and found assets and process the data into the asset databases e.g importing the storm water dimensions from engineering drawings for a developers estate.
- Process storm water surveys by CCTV, import dimensions into GIS from road construction projects.
- Road side slashing areas have been mapped from a list of chainages for 345 roads from Parks and Open space
- GIS Officer created an overlay map of scanned survey plans for St George Springs development, Warwick to check for compliance for Town Planning.
- GIS Officer installed and configured water & wastewater maintenance software on tablet which was returned from repair.
- GIS officer is supporting the set out of survey points for the Water & Waste Water Department for the Applethorpe Water Main project.

Financial Asset Data

- The road class revaluation has been loaded into Mydata Development and Footpaths, Kerb & Channel, Drainage & Bridges capital expenditure (CAPEX) have been processed and loaded into Mydata Development and partially in Mydata Training. Processing of Roads as constructed & Bus shelters is to follow and prepared to finalize and hand over to Finance Department.
- The Water & Wastewater assets have been prepared and forwarded for Finance Department to proceed with future revaluation.

GIS & Tech 1 - One Council integration

- Water Assets as a pilot project has been reconciled successfully with Tech 1 via the GIS link , but could not be done for complicated assets such as in Civil and Equipment (Water Treatment Plants, Pump stations etc)
- The items in a treatment plant may have several objects (asset components) in the same location on a map. We successfully linked multiple objects say 1 of 5 on the map and link that to asset components and asset identification numbers in Tech 1 .This requires human interface , because the map may bring up the loyalty point and asked which of the objects to open from 1

to 5 and the same happens in Tech 1. This problem is further investigated and require Tech 1 expert advice for finding a feasible solution or not for automation and alleviation of human interface.

- Similarly roads have several components e.g Formation, Sub pavement, Pavement and Seal and prior to commencing with a trial it requires extensive checking of the road database to streamline the descriptions and rules to engage with Tech1 , to clean up what already has been placed into Tech 1 and synchronize the data with the road database.
- Technical expertise in Tech 1 is sought to find solutions to the integration challenges via our IT department.

Asset Management Plans (AMP)

- Roads, Storm water and Open Space Asset Management Plans are under development. The current roads data is being cleaned up and updated with Capex from 2014-2015. Other Categories as part of the road class are being finalized in the Capex break up and allocation of asset components into the asset classes.
- The annual review of Water and Wastewater AMPs is still underway.

Asset Management Policy and Strategy Review

- Officers review of the current Asset Management Policy and Strategy draft review & comments have been forwarded to management as a contribution for consideration.

As Constructed Information - ongoing

- The Asset Management Team is still gathering, surveying and processing detailed for missing assets found and as constructed information from capital works in 2014-15 for various categories.

Portal 4 D

- The contractor has visited the Warwick office and uploaded the required data to the council data base. Each category of roughness & rutting laser data needs processing by Portal 4 D (Large amounts of data require to be run at night). This is currently underway.

WATER & WASTEWATER

Water & Wastewater Report as at 29 February 2016

Recycled Water Tables

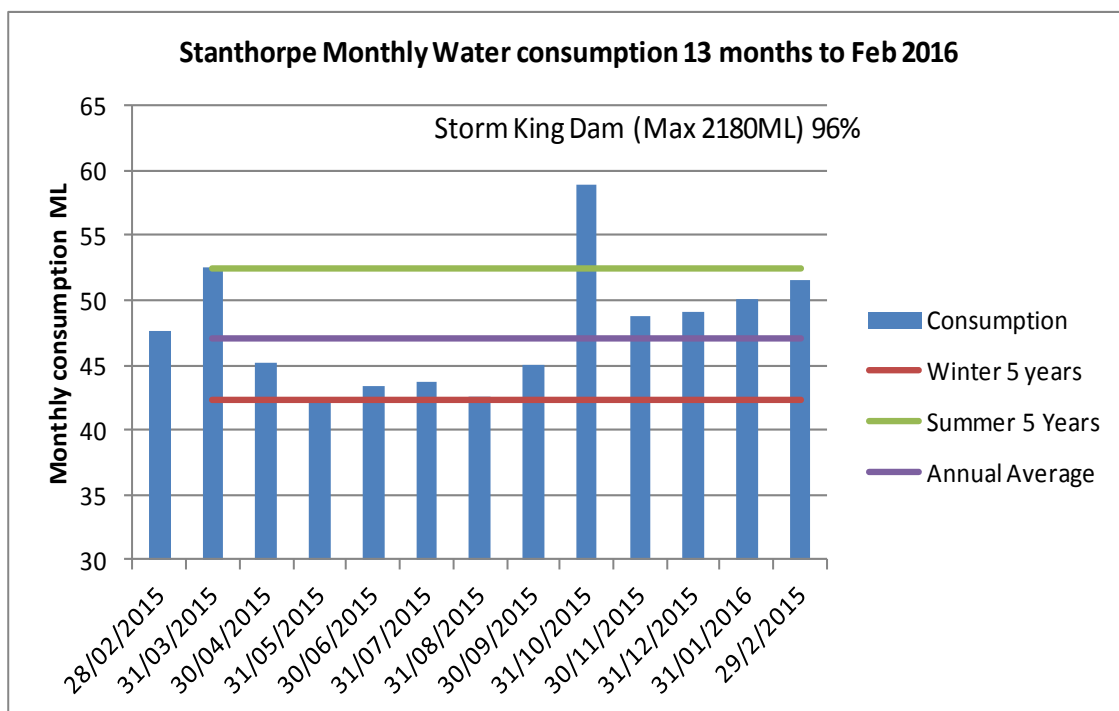
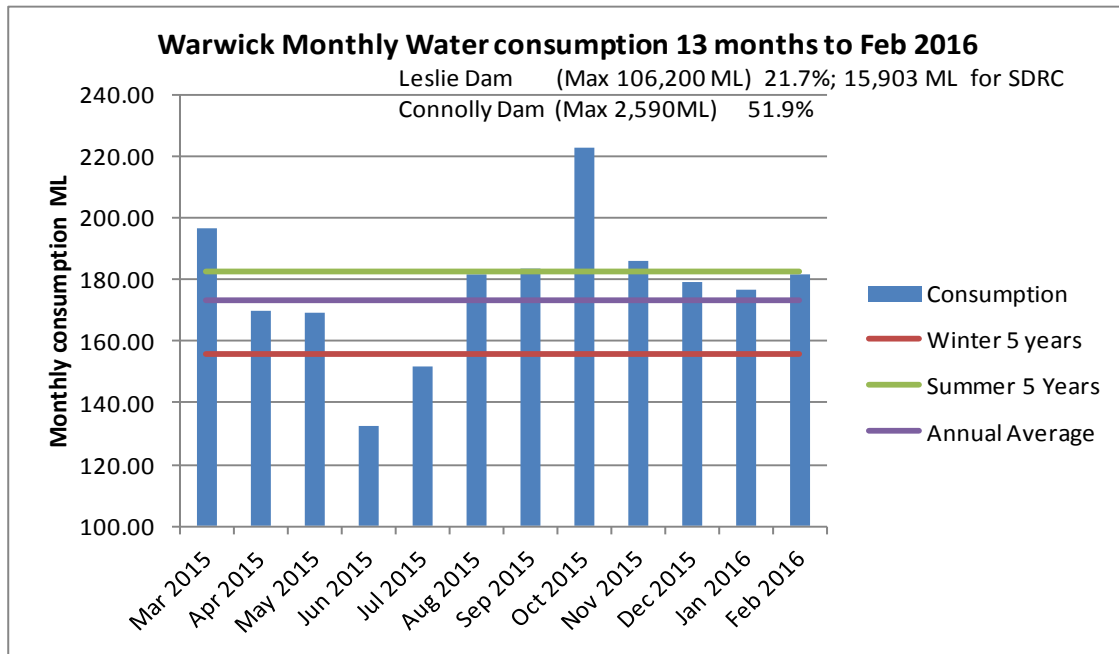
WWTP - Performance against target levels of service –February 2016.																					
Number	Licence compliance Parameters		WARWICK WWTP.						STANTHORPE WWTP.				Parameter	WALLANGARRA		DALVEEN		KILLARNEY			
			Class A.		STP outlet.		IRG.4. Class C. Lyndhhurst Stud.		Class B.		W1 release point. Quart pot creek.			CED Lagoon 7		IRG.1. CED		IRG.2.CED			
			Licence Target	Actual	Licence Target	Actual	Licence Target	Actual	Licence Target	Actual	Licence Target	Actual		Licence Target	Actual	Licence Target	Actual	Licence Target	Actual		
1	5 Day BOD. mg/L	Max	20	6	30	7			50	16	20		BOD	20	18						
2	TSS. mg/L	Max	5	8			30	23	100	16	30		TSS								
	TDS. mg/l				1000	496	1500	447	<1500	520	1000										
6	Turbidity NTU	Max	2	1.2									NTU								
7	pH	Min	6	7.6	6	7.4	6.5	8.8	6.5	7.7	6.5		pH	6.5	10.2	6.5	7.3	6.5	10		
		Max	8.5	7.6	8.5	7.4	9.0	8.8	9.0	7.7	9.0			9	10.2	8.5	7.3	8.5	10		
8	Free Chlorine Residual. mg/l	Min	0.2	0.2					0.3	0.3	0.3		Free Cl2								
		Max	5	6																	
	E. coli. cfu/100 mL	Max	<10	<2					<100	<10	<100		E.Coli								
3	Faecal Coliform	Max					1000	1400					F. Cols	1000	<100	1000	200	1000	200		
	Elec. Cond. uS/cm	Max					3000	688					E.C.								
9	SAR. mg/l						15	4.2	<10	6.7											
10	Total N. mg/L	Max						3.2	125	32.6	0.75		Tot. N								
11	Total P. mg/L	Max						0.79	20	6.82	0.1		Tot.P								
12	Boron mg/L	Max							<2	<0.05			Boron								
13	Chloride. mg/L	Max					250-800	105	<250	128			Chloride								
14	DO. mg/L	Min									6		DO								
15	Volume ML	ML		17.2		70.3	87.5			38.2											
16	Odour Complaint	No											Odour								
17	Other (Discharge to creek)	YES									Nil to creek		Other								
Legend																					
	Meeting Target																				
	Not Meeting Target																				
	Not Measured																				
##	Lab Error																				

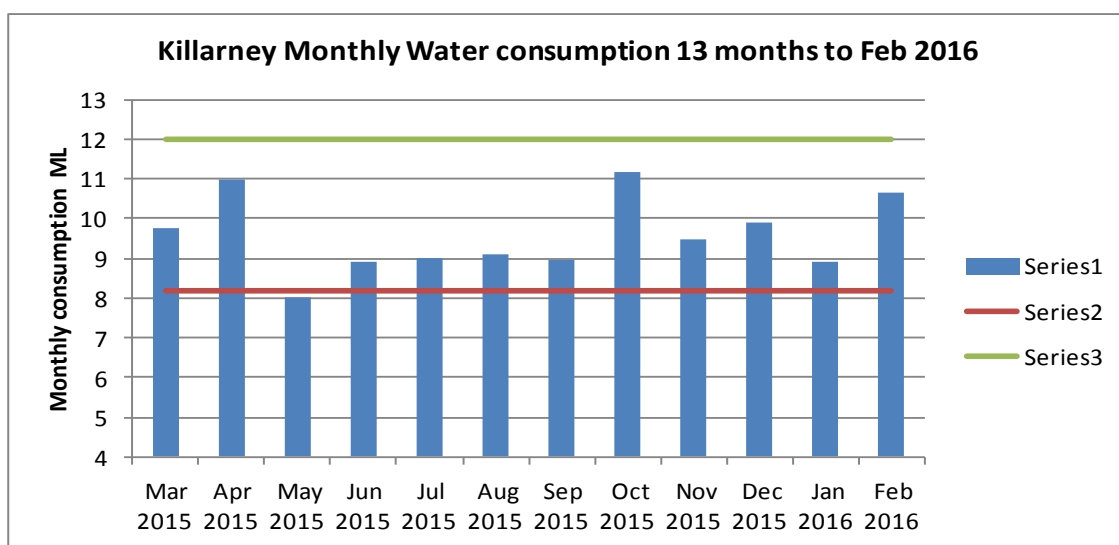
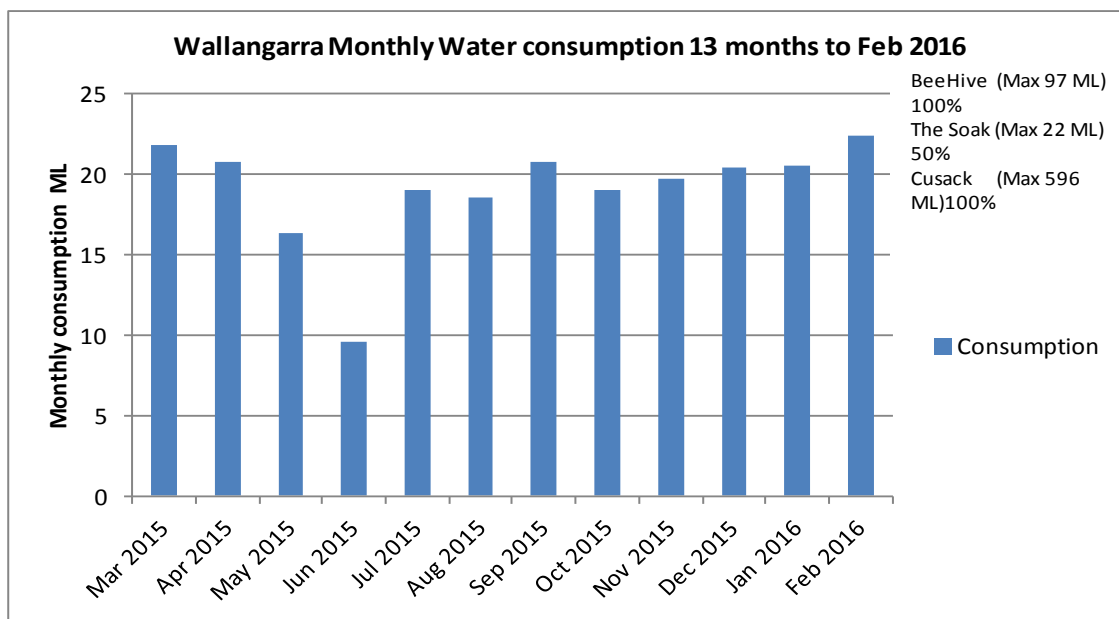
Stanthorpe Recycled Water Scheme												
Monthly Volume of Recycled Water Supplied (ML)												
Supply Year 2015-16	Group 1		Group 2					Group 3		Urban	Receiving Environment	Monthly Total
	Eastern Colour	DPI	Hendrick sen/Baro nio	Visentin 1	Visentin 2	Pinata 1 Kelly rd	Pinata 2 Ellwoods	Taylor	Wren			
July	13.9768	2.1194		1.5412		4.7463	0.5704	6.3563	2.0099			31.320
August	13.168	1.158		1.2024			7.014	6.7348	1.8744			31.151
September	15.580	0.368		1.2619	0.348	1.6576	1.7502	4.001	0.7223			25.689
October	13.085	1.300	0.200	4.006	5.391	1.995	0.600	6.055				32.632
November	12.4786	0.0017	4.5917	0.0023	5.5437	1.6693	0.0023	9.1594	0.0002			33.449
December	10.4488	0.1296	0.7393	0.0019	12.0556	4.775	0.00009	18.0656	0.2235			46.43939
January	14.6988	4.2832		0.0011	1.7554		0.0029	14.8133	2.0823			37.637
February	13.5626	1.9101		0.0002	2.7673		0.0017	13.0109	4.294			35.547
March												
April												
May												
June												
												273.865
Full Allocation (ML)	103	10	42	10	42	19	15	31	16			288
YTD Total (ML)	107	11	6	8	28	15	10	78	11			274
YTD Target (ML)	69	7	28	7	28	13	10	21	11			192
YTD Target (%)	156%	169%	20%	120%	100%	117%	99%	378%	105%			143%
Full Allocation (%)	104%	113%	13%	80%	66%	78%	66%	252%	70%			95%

Potable Water Table

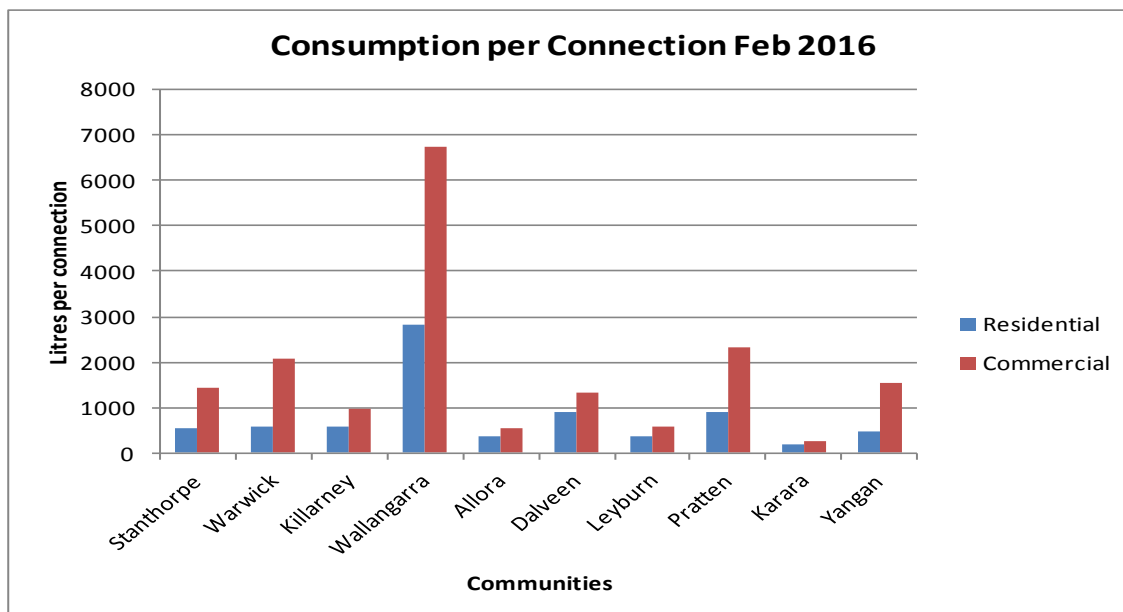
Water Supply from Treatment Plants – Month of				Feb-16				
Number	Licence compliance Parameters			ADWG Standard	Warwick WTP	Stanthorpe WTP	Killarney WTP	Wallangarra WTP
					Status	Status	Status	Status
1	Physical	NTU		<1				
		Taste Complaint						
		Odour Complaint						
2	pH	Minimum		6.5				
		Maximum		8.5				
3	Free Chlorine Residual (mg/L)	Maximum		<5.0				
4	<i>E. coli</i> (cfu/100mL)	Nil		0				
5	Other							
Notes!								
Legend								
	Meeting Target							
	Not Meeting Target							
	Not Measured							

Monthly Water Consumptions Graphs





Consumption per Connection February 2016



Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Nil

Options


1. Receive the report; or
2. Not receive the report.

Attachments

Nil

10.2 Apex Park Dump Point

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Manager Community Facilities	File Ref: 21.10/29.41

Recommendation

THAT Council resolve to apply a ten dollar (\$10) fee to the travelling public who use the Apex Park dump point, to offset some of the ongoing operational costs to provide this facility.

Report

On 24 February 2016, the author tabled a report to the General Council meeting seeking direction on the Apex Park Dump Point (Annexure A).

In response to the report, Councillors requested additional information on payment options and alternate locations.

Alternate Locations

One of the suggestions of Council was to explore alternate locations to site this infrastructure, with the Allora Show Grounds being specifically named.

Any location identified needs to be suitable to cater for vehicles towing caravans of various lengths. This removes some of the smaller parks from consideration where limited access or road frontages exist.

The Allora Show Grounds is a consideration, but the lessee for this site would need to be consulted. There would also need to be clear understanding of who owns and operates the infrastructure as it is unlikely that any private investor would do so without an economic return.

On 1 March 2016 the Allora Show Society was contacted to gauge their view on a dump point. The discussion revealed that a private dump point already exists at the Allora Show grounds, however, the ASS was not looking to expand on the current arrangement due to the problems they have experienced. This appeared to include misuse of the system and an inability to monitor utilisation. The ASS indicated that they also have explored the payment option, however, with no ability to monitor the system, were reluctant to head down this path.

Consideration would also need to be given to proximity to the main street of Allora to encourage greater expenditure by the travelling public in the local community.

According to the *South Gippsland Recreational Vehicle RV Strategy 2014* ("the Strategy") the average weekly spends of RV tourists when travelling is about \$500. This is generally broken down as follows:

- Fuel \$210
- Expenses \$160

- Repairs/maintenance \$25
- Site fees \$51
- Other \$46

According to the Campervan and Motorhome Club of Australia ("CMCA") website, an RV Friendly Town™ is one that meets a set of guidelines to ensure they provide certain amenities, and a level of service for travellers, which includes:

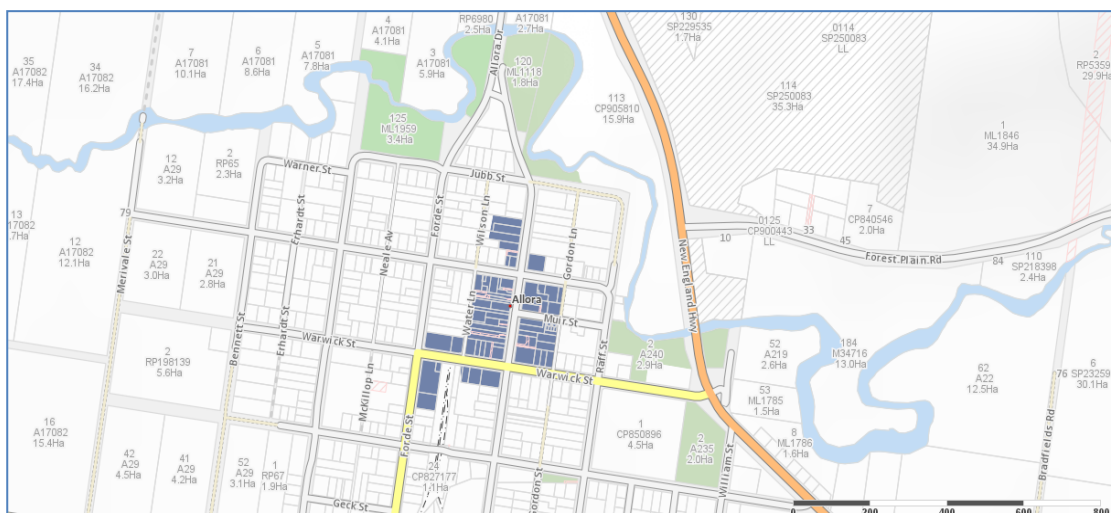
- Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce.
- Provision of short term, low cost overnight parking (24/48 hours) for self-contained RVs, as close as possible to the CBD.
- Access to potable water.
- Access to a free dump point at an appropriate location.
- Provision of long term parking for self-contained RVs.
- Access to medical facilities or an appropriate emergency service.
- Access to a pharmacy or a procedure to obtain pharmaceutical products.
- Visitor Information Centre (VIC) with appropriate parking facilities.
- VIC to provide a town map showing essential facilities, such as short and long term parking areas, dump point and potable water.
- RV Friendly Town™ signs to be erected within the town precinct.

A number of those criterion listed above are already available in the Allora township, with other criterion requiring attention.

The strategy developed by South Gippsland expands further on the fourth dot point by suggesting that an appropriate location is within the town precinct.

Taking this one step further, Council's mapping system was interrogated to identify the district centre (blue/grey colour). What this shows is that to meet that specific criterion defined by the CMCA and clarified by the strategy, a dump point would need to be located in the blue/grey area.

Figure 1 - District Centre as identified by SDRC Planning Scheme (source Intramaps)



It would also suggest that if the dump point was located in this coloured area, the chances of the travelling public spending in the local community is likely to increase due to the proximity to the local business.

According to the *Moirra Shire draft Recreational Vehicle (RV) Strategy 2015*, it indicated that whilst the CMCA under their RV Friendly Town Scheme can provide the actual dump point free of

charge, the installation of the dump point can be costly. All dump points need to be connected to the local sewerage system and depending on the location can cost up to \$15,000 to install.

With Allora not being on sewer, a holding tank would also be required, with pump out costs being approximately \$300 on each occasion.

Payment Options

The simplest way of collecting a fee for service is to place a numeric lock on the lid of the disposal point. The process would be that the travelling public would ring Council prior to or on arrival to the park paying the fee by credit card. In return, the travelling public would be provided with the access number of unlock the padlock.

This number could be changed at the end of each week to ensure this number is not circulated.

While no one system is infallible or subject to misuse, unless the Council starts somewhere the cost will continue to be borne by the ratepayer and it is the author's opinion that it is better to start somewhere then nowhere at all.

Budget Implications

Approximately \$100 to provide a changeable numeric lock to the system.

Policy Consideration

Community Plan 2030

Destination Southern Downs

1.13 Ensure a variety of affordable and accessible tourism opportunities are available for all including: people with disabilities, families, pet-friendly experiences.

5.19 Supply appropriate facilities, infrastructure and training to support the tourism service industry.

The Environmentally Sustainable Southern Downs

6.11 Develop opportunities for all types of agricultural practices encouraging food security, biodiversity and organic farming practices.

The Well-connected Southern Downs

7.14 Promote the use of a range of mobile services that provide for people in smaller townships

Long Term Financial Plan

Community Engagement

Nil

Legislation/Local Law

Nil

Options

1. Increase Capacity

Increasing capacity requires an initial capital investment.

The increase in size of the holding tank, whilst initially reducing operational costs, would be anticipated to increase, as more and more users use this site in preference to the paid Clifton Showgrounds site.

2. **Remove Dump Point**

History tells us that when this dump point was not available, the travelling public simply discharged this waste direct into the water closets located in the public toilets.

3. **Fee for Service**


Apply a fee to the travelling public who use this facility to offset some of the ongoing operational costs to run this facility. It may also discourage some of the travelling public from bypassing the Clifton dump point.

Attachments

1. Annexure A - Report presented to Council February 2016 General Meeting [View](#)

10.3 Apex Park Dump Point

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 24 February 2016
	Manager Community Facilities	File Ref: 21.10/29.41

Recommendation

THAT Council resolve to apply a ten dollar (\$10) fee to the travelling public who use the Apex Park dump point, to offset some of the ongoing operational costs to provide this facility.

Report

For the past couple of months there have been ongoing issues with the dump point located at Apex Park, Allora.

Many of the travelling public use this dump point to discharge effluent produced and transported in their travels in a safe and legal way.

Key Issues

1. Dump Points

According to the "Motorhome dump points in Australia" website, there are approximately 160 dump points located across Queensland. This list includes private and public caravan parks, as well as other public infrastructure, such as water treatment works and parks.

Of the approximate 160 sites, the following assessment could be made:

1. 42% of the dump points were free to park users or a fee applied where only the dump point was intended to be used;
2. 9% of the dump points were for registered guests of the park only;
3. 48% of the dump points were provided free of charge.

Based on the above, approximately 51% of those identified require a fee to be paid or the user to be a paying guest of the park.

At a glance locally, dump points were identified at the following locations, with an indication provided on whether a cost was applied:

- Apex Park Allora *no cost*
- Mitchell Park Dalveen *no cost*
- Leslie Dam Reserve *no cost*
- Apex Park Stanthorpe *no cost*
- Stanthorpe Show Ground *no cost*
- Matilda Service Station Warwick (Private) *no cost*
- Caravan Park Stanthorpe (Private) *cost passed on*
- Caravan Park Warwick (Private) *no cost to paying park users*

2 Apex Park Dump Point

Over the past couple of months, Council has been called upon more and more regularly to pump out and clean the dump point located in Apex Park, Allora.

Of particular concern is the increasing number of Council call outs to clean up and pump out this overflowing system. Often, the trigger for this failure has been the increased utilisation, coupled with the fact that even when the system is full, the travelling public continue to discharge into this system.



Figure 1: Apex Park Dump Point (January 2016)

The image of an overflowing dump point reflects poorly on Council and can have effects on both human health and the environment, should this effluent find its way into the local waterways.

In an article published by the *Warwick Daily News* on 29 January 2016, this sentiment was echoed through a simple news article heading that read *"Human waste overflowing from 'disgusting' Downs dump point"*.

3 Dump Point Cleanout Costs

It costs Council on average \$300 on each occasion to attend the Apex Park dump point to clean and pump it out. The frequency of this service anecdotally has increased over the past couple of months as the system struggles to cope with the increased utilisation and volume.

4 Fees for service

According to *Issue 37 of the GreyNomad Times (2013)*, the article discussed what was considered a fair price for the travelling public to pay to use a dump point. The article appeared to be in response to concern that some travellers were "shocked" by paying up to \$15 to dispose of waste.

The article also touched on the views of some Councils, who were looking at consolidating the number of dump points and increasing utilisation, versus adding more. Whilst this was not necessarily met with the greatest level of support, the position of the Council's mentioned appeared to be that there needed to be a balance between that of the Council and that of private operators, such as commercial caravan parks.

Further, according to the *Highway Traveller website (2015)*, it lists Apex Park as being free to the public. However, just up the road at the Clifton Showgrounds, the dump point provided (which is only suitable for cassette toilets), had a fee of \$10 applied.

5. Economic Benefits to the local Community

It is acknowledged that the travelling public spend locally when they stop in the local area. Unfortunately, this dump point is on the main highway outside the main township. There are suggestions that those that use this facility do not spend locally, but simply use this free service and drive on.

Budget Implications

It costs approximately \$300 on each occasion for Council to attend, pump out and clean this particular dump point. With an increase in the travelling public, the time taken for this tank to fill to capacity has decreased, meaning greater frequency in service. Currently this increase in demand has not been budgeted by Council.

Should Council consider increasing the volume of the current tank size, sufficient capital allocation will need to be set aside to complete the improvement works. This would include removal of the old tank, site preparation, asset acquisition, tank installation and commissioning. Council would still need to revisit the recurrent budget and allocate sufficient funds to cover the increase volume removed.

Policy Consideration

Community Plan 2030

Destination Southern Downs

5.13 Ensure a variety of affordable and accessible tourism opportunities are available for all including: people with disabilities, families, pet-friendly experiences.

5.19 Supply appropriate facilities, infrastructure and training to support the tourism service industry.

The Environmentally Sustainable Southern Downs

6.11 Develop opportunities for all types of agricultural practices encouraging food security, biodiversity and organic farming practices.

The Well-connected Southern Downs

7.14 Promote the use of a range of mobile services that provide for people in smaller townships

Long Term Financial Plan

Community Engagement

Nil

Legislation/Local Law

Nil

Options

Council can:

1. Increase Capacity.

Increasing capacity requires an initial capital investment.

The increase in size of the holding tank, whilst initially reducing operational costs, would be anticipated to increase, as more and more users use this site in preference to the paid Clifton Showgrounds site.

2. Remove Dump Point

History tells us that when this dump point was not available, the travelling public simply discharged this waste direct into the water closets located in the public toilets.

3. Fee for service

Apply a fee to the travelling public who use this facility to offset some of the ongoing operational costs to run this facility. It may also discourage some of the travelling public from bypassing the Clifton dump point.

4. Take no action.


Attachments

Nil

11. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

11.1 Pest Management Working Group Minutes 16 February 2016

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Manager Environmental Services	File Ref: 11.12.08

Recommendation

THAT Council receive the minutes of the Pest Management Working Group meeting held on 16 February 2016 and adopt the recommendations.

Report

The minutes of Council's Pest Management Working Group are submitted for Council's consideration and adoption of recommendations. The minutes of the meeting held on 16 February 2016 are attached for Council's consideration.

The recommendations from the meeting are:

1. That a guideline be included in the new Biosecurity Plan when it is adopted by Council to cover control of Pest Animals on private property.

When the new Biosecurity Act comes in on 1 July 2016 Council will be required to adopt a new Biosecurity Plan which will replace the current Pest Management Plan. The committee has asked that a specific section be included in the plan to point out private property owners responsibilities for the control of feral animals on their land.

2. That splatter guns be used to assist in the control of Boxthorn tree infestations.

The committee is recommending that Council purchase splatter guns which are a target specific chemical control tool designed for boxthorn tree control.

3. That letters be sent to Harley's West's family and to QMDC commending them on Harley's contribution to Pest Management and Control. The letter to QMDC to include how valued his position was and recommending to them to appoint a replacement for Harley's position.

The Committee had a discussion of the recent passing away of Harley West who has been a long term representative of the Queensland Murray Darling Committee on the Pest Management Working Group. The Committee has requested that the contribution be recognised and Harley's family and the QMDC be notified of their appreciation.

Budget Implications

A minor amount of expenditure will have to be made from the Pest Plant Control budget to purchase splatter guns.

Policy Consideration

Nil

Community Engagement

The Pest Management Working group is a community consultative group.

Legislation/Local Law

Land Protection Act

Control of Nuisances Local Law

Options

1. Council receive and endorse the minutes of the PMWG meeting held on the 16 February 2016.
2. Council not endorse the minutes of the PMWG meeting held on the 16 February 2016.
3. Council take no action in this matter.

Attachments

1. Minutes of 16 February 2016 Pest Management Working Group [View](#)



**Minutes of Meeting held at 64 Fitzroy Street Warwick Tuesday,
16 February 2016 at 10.00 am**

PRESENT: Cr Cameron Gow, Mr Tim O'Brien, Ms Lisa Sutton, Mr Ken McCray, Mr Craig Magnussen, Mr Lloyd Hilton, Mr Pedro Hodgson, Mr Damien Ferguson, Mr John Agnew, Mr Ray Lambert, Mr James Eastwell, Cr Glyn Rees, Ms Catherine Travers, Mr Tony Pople, Mr Ted Vincent, Ms Pamela Benton, Ms Jayne Thorpe, Mr Olive Smith, Cr Ross Bartley and Mrs Michelle Anderson (Minute Secretary).

APOLOGIES: Brett Roberts and John Ledlin

Recommendation:

That the minutes from the meeting of the Pest Management Working Group held on 26 November 2015 as circulated are true and correct.

Moved: Mr Pedro Hodgson **Seconded:** Ms Catherine Travers **CARRIED**

3.0 Business Arising From Previous Minutes

a. *Terms of Reference* – Council has accepted the recommendation that the terms of Reference for the Pest Management Working Group include the Local Laws Coordinator, a member from the Darling Downs Moreton Rabbit Board and a member of Granite Borders Landcare Group. This will also be dependent upon the election outcome and whether the Terms of Reference may change again.

b. *Proposed Environmental Enhancement Policy* – Council has endorsed the development of a draft Environmental Enhancement Policy, based on the City of Melton model and this will be taken up after the coming election.

c. *Weed Spraying on Private Lands Trial* – Approved that this project continue.

d. *Wild Dog Management Advisory Committee* – Council has accepted the removal of Peter Cleary and Bill Fearby from the list of signatories in the Wild Dog Bounty Policy and agreed to the inclusion of Ian Cullen and Andrew Costello.

4.0 Biosecurity QLD Presentation – Tony Pople

Tony Pople, Biosecurity Qld, shared a slide show presentation called Invasive Plants & Animal Program.

5.0 State Enquiry Into Animal Barrier Fences - Tim O'Brien

Council has been provided with correspondence from the Agriculture and Environment Committee with regards to the Animal Barrier fencing in Queensland. Council has responded with a recommendation of retention of the Status Quo with regards to the Barrier Fence Boards.

6.0 Update on Pest Animal Funding Initiatives - Craig Magnussen

Craig presented another PowerPoint report providing an update on applications currently awaiting approval and details of current projects where funding has been approved.

7.0 Wild Dog Planning and Information Day - James Eastwell

The Information day is being held on 26 February 2016 at Dalveen Hall. James advised that Stuart Boyd-Law is one of the speakers who has extensive experience drafting pest management plans and working closely with landholders. James provided the meeting with a copy of the Agenda for the day.

8.0 Update on Local Government Training in the Biosecurity Act 2014 - Tim O'Brien

Council has received a letter from Department of Agriculture and Fisheries regarding the new Biosecurity Act 2014. They are holding training sessions in March 2016 in Toowoomba and six officers from Southern Downs Regional Council will be attending. At present, training is for Local Government staff only.

9. Wild Dog Management Advisory Committee, Stanthorpe Dingo Spur Fence Association - Clive Smith

Clive updated the Committee on recent activities of the Wild Dog Management Advisory Committee with a main focus on the upcoming information day.

Clive advised that the age has been left off the Wild Dog Bounty Claim Form and would like to see this amended.

Action: Tim is to follow up on Wild Dog Bounty Form.

Discussion around how much control we have over enforcing landholders to take control over Wild Dogs. Can we enforce a minimum participation? John Pople from Biosecurity advised in theory 'yes' but details would need to be put forward in a detailed plan.

Recommendations:

That a guideline be included in the new Biosecurity Plan when it is adopted by Council to cover control of Pest Animals on private property.

Moved: John Agnew

Seconded: Clive Smith

CARRIED

10. SDRC Pest Management Activity Reports - James & Craig

James Eastwell and Craig Magnussen presented their reports.

ACTION: Minute secretary to provide a copy with the minutes of this meeting.

11.0 Update by Member Groups

John Agnew –

Recommendation:

That splatter guns be used to assist in the control of Boxthorn.

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

Damien Ferguson - Congratulated the committee on their efforts and on their achievements so far. He has also recommended our Group to other Local Governments as a good example of how to operate.

Pedro Hodgson - Reiterated Damien's comments and agreed that the Committee has achieved many things. He also commented on the Chilean Needle Grass Road Survey completed in conjunction with SDRC, TMR and Biosecurity Queensland. It has been successful but has uncovered a few new areas of Class 2 weeds.

Jayne Thorpe - Updated the meeting on current details on Condamine Alliance projects. She will email Minute Secretary with information which will be emailed with these minutes. Jayne also introduced Pamela Benton, Condamine Alliance to the Committee.

ACTION: Minute Secretary to issue a copy of Jayne's report with these minutes.

Lloyd Hilton – Advised that he is continuing in weed control and currently targeting Ragweed & Rats Tail Grass.

Craig Magnussen – Raised the matter of the late Harley West and commended him on his work in Pest Management and his contribution to this Committee.

Recommendation:

That letters be sent to Harley's family and to QMDC commending them on Harley's contribution to Pest Management and Control. The letter to QMDC to include how valued his position was and recommending to them to appoint a replacement for Harley's position.

Moved: John Agnew **Seconded:** Jayne Thorpe **CARRIED**

Lisa Sutton – Lisa attended the meeting as a representative from QMDC. At this stage she wants as much information to assist with gauging where Harley's work program is up to. She invited members of the committee to share with her any information that might be of assistance.

Tim O'Brien – reported the mosquito surveillance program is continuing through until March 2016.

Cameron Gow – advised that he had noticed a number of people on social media lobbying the State & Local Governments to ban the use of Roundup. It

was stated that it was thought to be carcinogenic. John Pople, Biosecurity, advised that he was not aware of anything at this stage but is going to follow up on this matter.

General Business

Tim O'Brien provided the Committee with information about what happens after the March Local Government Election has been completed:


- a) Terms of Reference to be determined and adopted by new Council
- b) Council will write to each Organisation represented on this Committee to determine who their representative will be for the Committee once reformed after the election
- c) Once replies have been received, the next meeting will be formulated under a new Chairman and two other Councillors nominated by Council and meeting times will then be decided.

Closure

There being no further business, the meeting closed at 12.20pm.

11.2 Fee reduction request - Warwick Aero Modellers, Old Stanthorpe Road, Morgan Park

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Senior Planning Officer	File Ref: MCU01711

Recommendation

THAT Council refuse the request by the Warwick Aero Modellers to reduce the development application fees for the Outdoor sport and recreation use proposed at the Morgan Park Recreation Reserve.

Report

Council received and has approved an application for a Material Change of Use for the purpose of an Outdoor sport and recreation use for the Warwick Aero Modellers (WAM) at the Morgan Park Recreational Reserve. The WAM have written to Council requesting a full refund of the application fee of \$1,290. The WAM have provided the following justification:

We are a small, not-for-profit, community based incorporated association that is promoting aero modelling as a family orientated sport in the Southern Downs area. We are dedicated to increasing our membership through regional promotion, involvement with several local schools as well as community groups (RSL, etc.) and we also work in cooperation with other aero model clubs in the Toowoomba region.

The members of the association appreciate that Council has set fees for services that they perform but we have found that the fee for this application has been a major drain on our finances and was not expected.

We respectfully request that Council consider refunding the full fee of \$1290.00 to our association as a contribution to the development of this community facility.

We believe that this project has the potential to become a significant regional facility for the sport of the flying of model aircraft in the future and one that will further enhance the reputation of Morgan Park and Warwick as being a leading location for sporting and recreational events.

Council's fees and charges are devised based on professional time and administrative cost involved to process individual development applications. This includes, but is not limited to, site visits, providing and responding to correspondence, and the individual assessment of the development application. Although the application is consistent with the purpose of the Community facilities zone, time is still involved in processing the application.

Budget Implications

If Council agrees to the request, there will be a loss of income through fees and charges of \$1,290.00.

Policy Consideration

As part of the review of Council's Fees and Charges for the 2016-2017 Financial Year, Council consider a varied application fee for community organisations.

Community Engagement

Nil

Legislation/Local Law

Sustainable Planning Act 2009

Options


1. Refuse the request.
2. Approve the request to refund the entire planning application fee.
3. Approve the request to reduce the planning application fee, but decide on an alternative amount as a reduction.

Attachments

Nil

11.3 Material Change of Use - Plans by Design, 8 Hamilton Street, Warwick

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Senior Planning Officer	File Ref: MCU01672

APPLICANT:	Plans by Design
OWNER:	Darren J Harris
ADDRESS:	8 Hamilton Street, Warwick
RPD:	Lot 1 RP84074, Parish of Warwick, County of Merivale
ZONE:	Medium density residential
LAND AREA:	2,023 square metres
PROPOSAL:	Multiple dwelling units (9 units) Short-term accommodation (9 units)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	One (1)
REFERRALS:	Nil
FILE NUMBER:	MCU01672

Recommendation Summary

THAT the application for a Material Change of Use for the purpose of Multiple dwelling units (9 units) and Short-term accommodation (9 units) on land at 8 Hamilton Street, Warwick, described as Lot 1 RP84074, Parish of Warwick, County of Merivale, be approved subject to conditions.

Report

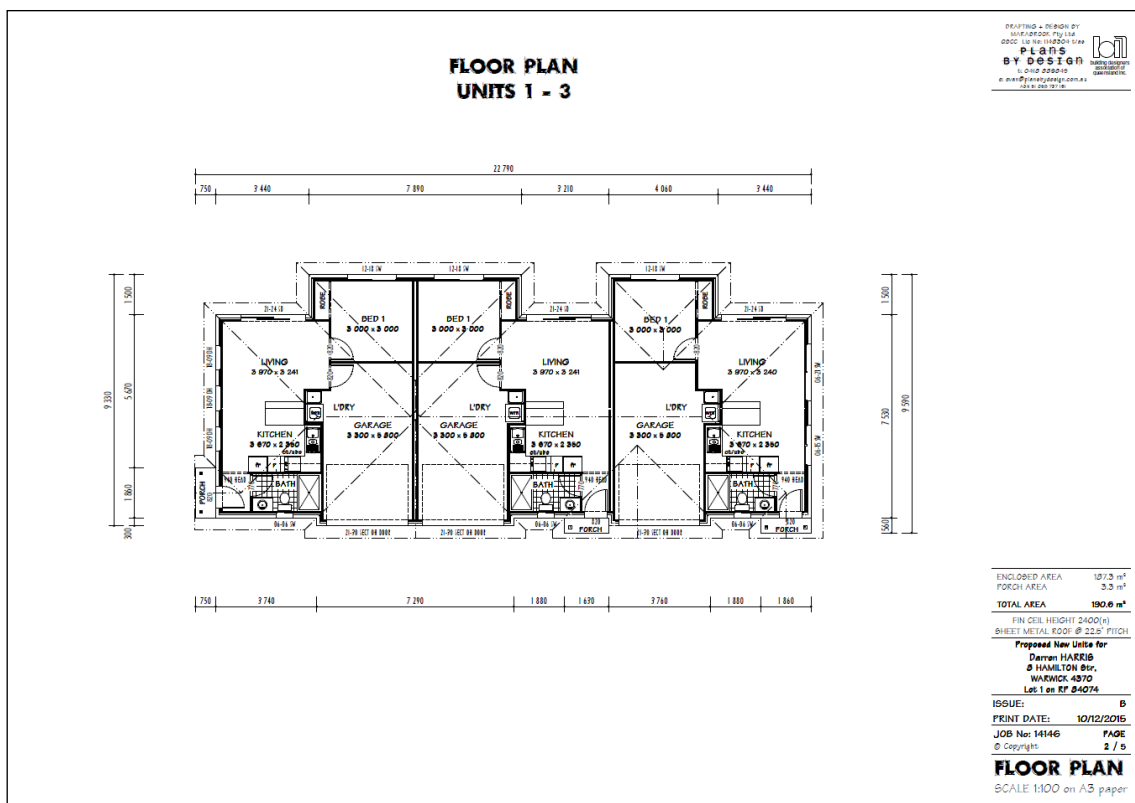
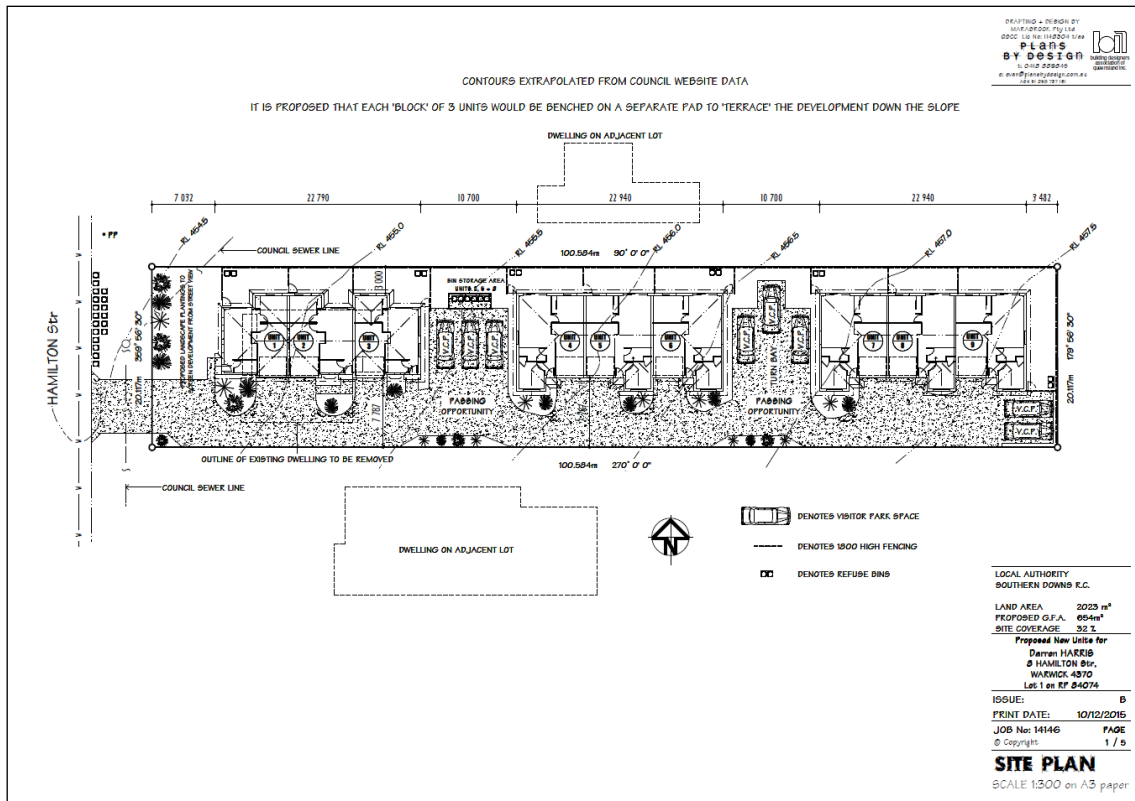
The subject land is located opposite the Warwick Railway and has frontage to Hamilton Street. The property contains a dwelling house and ancillary sheds.

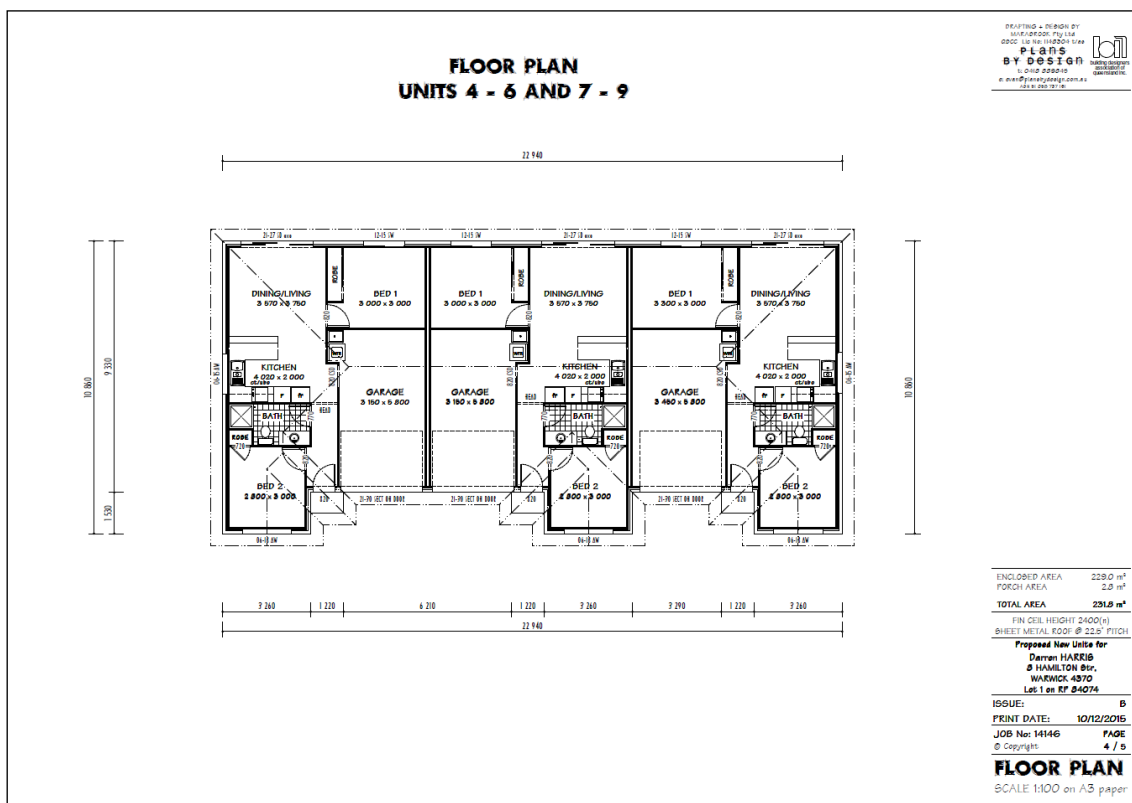
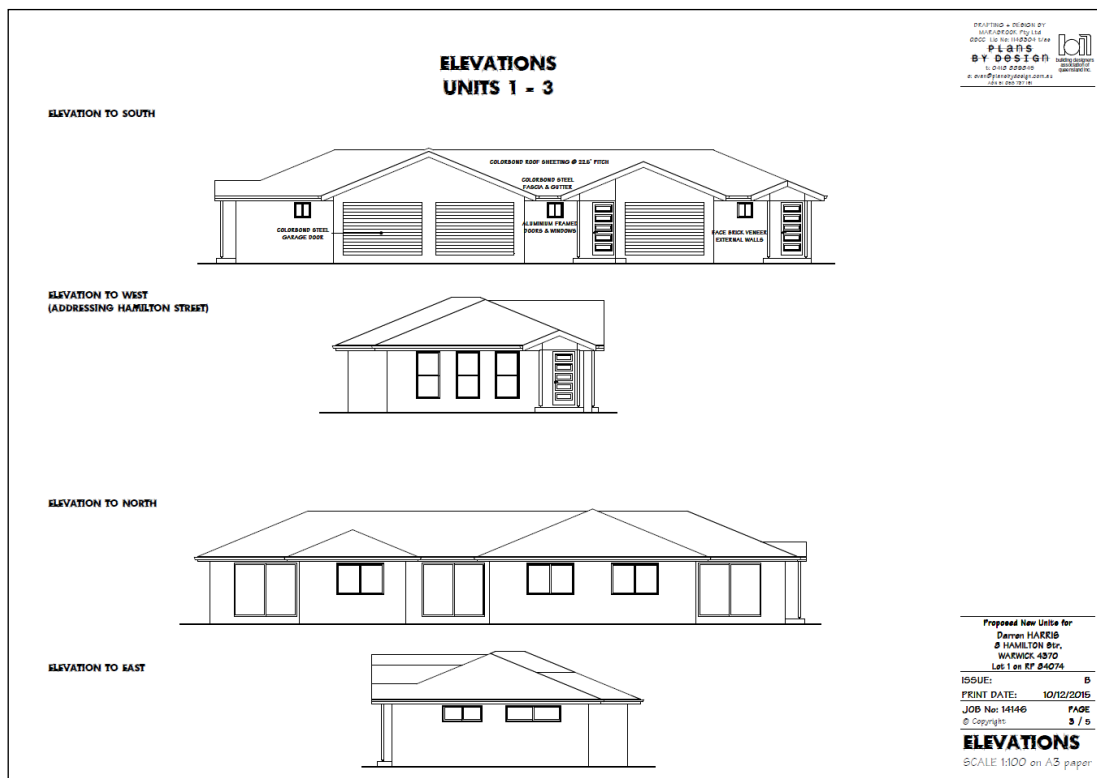


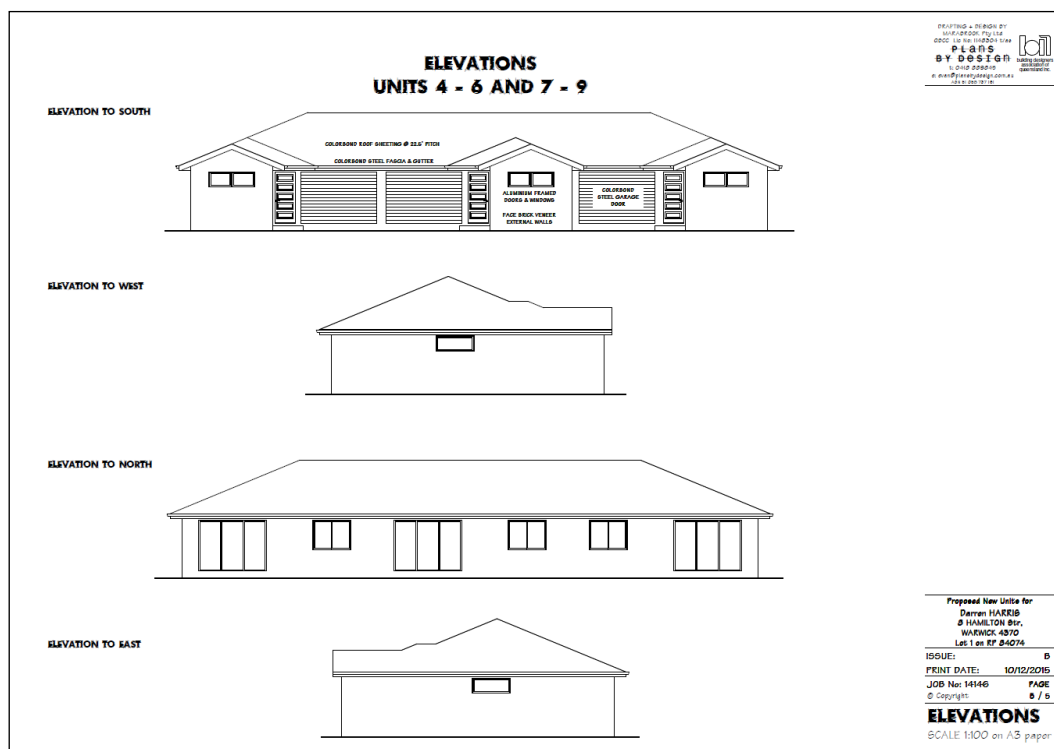
The applicant proposes to construct nine units, comprising of three, one bedroom units, plus six, two bedroom units. All units will be lowset.

It is proposed that the units could be used for either short or long term occupancy and therefore the application is for Multiple dwellings and Short term accommodation.

The Multiple dwellings aspect is Code assessable.







The applicant has provided the following detail in relation to the proposal:

The site owner has determined that short-term accommodation and multiple dwelling unit facilities in Warwick, especially in the precinct located east of the CBD, are lacking, and that most available forms of housing accommodation are less-than-modern (and thereby failing in aspects of energy efficiency, accessibility, and functionality). Several large scale construction projects are envisaged within and near to Warwick in the next few years. This proposal seeks to fill a void; by offering modern, self-contained units for accommodation of workers that would need to be imported into Warwick to construct these large projects.

In the longer term, the units could house more permanent residents.

It is to be noted that as a response to the information request, the applicant amended the plans such that one unit was removed and all units will be single storey.

It is to be noted that Council previously approved a multiple dwelling use on the site on 26 September 2008, with subsequent changes approved on 29 August 2012 and 4 October 2013. This approval is current until 27 September 2018. As the subject application is varying in a nature, a new application was required to be submitted.

Submissions

One submission was received in relation to the proposal. The issues raised in the submission are as follows:

Noise and light nuisance

- It is advertised that the project is planned to be short term accommodation. What does this mean? No information was observed on the application that defined anything regarding this assertion - neither was anything described about how such short term accommodation might be managed. There may be implications for noise and general nuisance.
- Given the courtyards are located on the northern side, there is a potential for noise impacts on the north. It would be expected that the development comply with noise abatement regulations.
- No information was supplied in relation to the placement of rear lighting for the units. It could be reasonably anticipated that lights left on in any or all of the nine units could be a nuisance,

depending on their placement and strength. It is requested that consideration be given to reducing any lighting nuisance.

Comment: Short term accommodation refers to a premise used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.

Short term accommodation is a typical development within a residential area. Several such examples exist within Southern Downs, and these have been operating in the region without any incident. Short term accommodation is residential by nature, and compatible with other residential uses.

Any noise produced on site in relation to rowdy persons or criminal activity being conducted in the neighbourhood is a Queensland Police matter. Any complaints would need to be directed to them.

Conditions can be imposed in relation to light.

Use of the site and amenity

- It was noted that the application stated the "atypical" status of double storied buildings in the East Warwick area. Two storey units proposed could block the prevailing south easterly breezes to our residence and the open views which we have enjoyed.
- It is believed that the proposed two storey accommodation will significantly detract from the enjoyment of residents and the increased potential for nuisance. Single storey construction would be more in keeping with the existing neighbourhood.

Comment: The applicant amended the plans such that all units will be single storey.

Fencing

- It is noted that a 1800mm colorbond fence is proposed along the northern boundary. It is requested that the existing hedge on the property to the north be retained.

Comment: Appropriate conditions can be imposed to ensure the protection of the hedge where reasonable.

Construction times

- There is no information provided in relation to construction times. It is expected that 7am would be the earliest start time. Can this be guaranteed?
- No information was submitted regarding the duration of the proposed building project from start to finish. It is reasonably anticipated that significant environmental noise and dust pollution might be expected during this time. Could those proposals kindly be conveyed to adjoining owners before the commencement of the proposed construction?

Comment: All construction will be limited to 6.30am to 6.00pm, Monday to Saturday, excluding public holidays in accordance with the *Environmental Protection Act*. Council officers can investigate any complaints in relation to construction times.

There is no stipulated timeframe for completion of the entire project; however the relevant period for the approval is four years, unless the rollover provisions apply. A condition can be imposed to ensure that the adjoining landowner is notified at least one week prior to construction commencing.

Assessment against the Planning Scheme

This application required assessment against the Medium density residential zone code, the Residential uses code, the Carparking and loading code, the Landscaping code, the Outdoor lighting code, and the Physical infrastructure code.

Medium density residential zone code

The purpose can be achieved through the following outcomes:

- (a) The Medium density residential zone incorporates areas where there is an existing mix of housing types including dwelling houses and dual occupancy dwellings and multiple dwellings.

- (b) Residential dwelling choice in this zone includes dwelling houses, dual occupancy and multiple dwellings.
- (c) The scale and density of new development is consistent with residential neighbourhoods. New development will be located and designed having regard to integration and compatibility with the height and bulk of the dwellings in the immediate area and streetscape character.
- (e) Development provides a high level of amenity through compatible mixing of land uses, activities and building forms, access to services and facilities and cohesive streetscapes and quality urban design.
- (i) Some uses such as tourist accommodation have a residential character and will generally be acceptable uses subject to scale and design.

The proposed development complies with the Code with regards to Scale of development, Infrastructure, Access, Amenity, Traffic, and Use.

Built form: The Code requires multiple dwellings to have a density of one bedroom units - one unit per 200 square metres, and units with more than one bedroom - one unit per 250 square metres.

The proposed development involves three, one bedroom units, equating to needing 600 square metres, and six, two bedroom units, equating to needing 1,500 square metres, with an overall total of 2,100 square metres required. The total site area is 2,023 square metres, which is 4% less than required.

The associated Performance outcome states as follows:

PO5 Multiple dwellings, dual occupancy and retirement facilities have a scale, density of dwellings and character that is complementary and compatible with the surrounding residential area and do not negatively impact on the visual amenity of the surrounding area and streetscape.

The applicant has provided the following justification:

The proposed scale, density of dwellings and character is complementary and compatible with the surrounding residential area and will not negatively impact on the visual amenity of the surrounding area and streetscape. The overall footprint of the proposed development is well below the possible 40% permissible.

So whilst the applicant could propose nine, one bedroom units and thereby comply with ratio requirements, the purpose of the code would not be met, insofar as a mix of housing options would not be provided. The applicant wishes to offer accommodation options for various scenarios: singles, couples, friends and larger families.

Whilst the proposed development is slightly over the required building density, it is noted that compliance has been achieved with setbacks, site coverage, private open space, carparking and landscaping.

The proposed development is complementary with the surrounding residential area. The scale of the development will not adversely impact on the streetscape.

It is considered that the proposed development complies with the Performance outcome.

Residential uses code

The proposed development complies with the Code with regards to Site, Access, Environmental protection, Hostels, Multiple dwellings and Retirement facilities - Streetscape, buildings siting and design, Hostels, Multiple dwellings and Retirement facilities - Privacy, Hostels, Multiple dwellings and Retirement facilities - Photovoltaic cells, Hostels, Multiple dwellings and Retirement facilities - Site facilities, and Hostels, Multiple dwellings and Retirement facilities - Safety and security.

Hostels, Multiple dwellings and Retirement facilities - Landscaping and private open space: The Acceptable outcome states as follows:

AO13 At least 30% of the site is used for landscaping and open space. Car parking and driveways are not included in this area.

The landscaped area includes: ...

- (c) An area at least 1 m wide adjacent to all side and rear boundaries.

The applicant has proposed three smaller gardens along the southern boundary, however it does not include the entire boundary.

The associated Performance outcome states as follows:

PO13 Adequate open space and landscaped area is provided on site

- To cater for the requirements of occupants for relaxation, dining entertainment, recreation and children's play;
- For service functions such as clothes drying and domestic storage; and
- To enhance the appearance and amenity of the development.

The applicant proposes landscaping within the building setback to Hamilton Street and in front of each unit, along with three smaller gardens along the southern boundary.

The private open spaces associated with each unit complies with the minimum requirements under the Planning Scheme, therefore it is considered that there is sufficient area for the occupants to recreate.

It is considered appropriate that advanced tree plantings are provided within the frontage of each unit and within the gardens along the southern boundary, to soften the appearance of the development and provide some variety in the streetscape.

It is considered that the Performance outcome can be achieved.

Carparking and loading code

The Code requires Multiple dwellings to be provided with two spaces per dwellings, provided that one space must be covered.

The applicant proposes nine covered spaces and eight visitor spaces. This equates to a shortfall of one carparking space.

For Short term accommodation, the Code requires one space per guest room or suite. The proposed development complies with this requirement.

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.

As the development could be used as a mix of short and long term accommodation, there will be variation in the amount of carparking required.

There are three, one bedroom units also, which will result in a reduction of the number of carparking spaces required. Hamilton Street is of a width which allows for on-street parking.

It is considered the number of carparking spaces will be sufficient and comply with the requirements of the Planning Scheme.

Landscaping code

Sufficient landscaping is proposed as part of the development. A landscaping plan will be required to be submitted prior to the issue of any building approval.

Outdoor lighting code

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

Physical infrastructure code

The proposed development complies with the Code with regards to Water supply, Waste water disposal, Energy, Roads and Rail, Development near underground utility services, and Crime prevention and safety.

Infrastructure Charges

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Residential - Multiple dwelling	All	\$7,500/dwelling unit	9 units	\$10,000	\$57,500
TOTAL:					\$57,500

Office use only			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Roads	20%	\$11,500	RC241
Parks	5%	\$2,875	RC243
Water	30%	\$17,250	RC244
Sewerage	35%	\$20,125	RC245
Stormwater	10%	\$5,750	RC242

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

Conclusion

The applicant proposes to construct nine units, comprising of three, one bedroom units, plus six, two bedroom units. All units will be lowset.

It is proposed that the units could be used for either short or long term occupancy and therefore the application is for Multiple dwellings and Short term accommodation.

The proposed development complies with the majority of the requirements of the Planning Scheme, except for building density, side boundary landscaping and carparking. The non-compliances are minor in nature and can comply with the Performance outcomes.

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

It is to be noted that Council previously approved a multiple dwelling use on the site on 26 September 2008, with subsequent changes approved on 29 August 2012 and 4 October 2013. This approval is current until 27 September 2018. As the subject application is changing the type of development, a new application was required to be submitted.

Options

1. The officer's recommendation is adopted.
2. An alternative recommendation is adopted.
3. The application is refused with reasons.

Recommendation

THAT the application for a Material Change of Use for the purpose of Multiple dwelling units (9 units) and Short-term accommodation (9 units) on land at 8 Hamilton Street, Warwick, described as Lot 1 RP84074, Parish of Warwick, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

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

Plan Name	Plan No.	Date
Site Plan	14146 - Page 1 of 5, Issue B	10 December 2015
Floor Plan - Units 1 - 3	14146 - Page 2 of 5, Issue B	10 December 2015
Elevations - Units 1 - 3	14146 - Page 3 of 5, Issue B	10 December 2015
Floor Plan - Units 4 - 6 and 7 - 9	14146 - Page 4 of 5, Issue B	10 December 2015
Elevations - Units 4 - 6 and 7 - 9	14146 - Page 5 of 5, Issue B	10 December 2015

2. Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.
3. At least one week prior to the commencement of construction, written advice is to be provided to the occupants of 6 Hamilton Street advising of the commencement date.

Staging

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

Conditions specific to the Short term accommodation use

5. The maximum number of guests accommodated at any one time must not exceed the following:
 - Units 1, 2 and 3 - two persons; and;
 - Units 4, 5, 6, 7, 8 and 9 - four persons.
6. Advertising Devices relating to the Short term accommodation may only be erected on the subject land, i.e. Lot 1 RP84074. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the residential character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.

Easements and Covenants

7. An easement for sewer purposes is to be provided over the existing 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.

Land Use and Planning Controls

8. No materials or goods associated with the development are to be displayed or stored within the car park or landscaped areas, or outside the boundaries of the site.

Building and Site Design

9. The colours and materials of the building and pavement are to be in accordance with the residential character of the area. The final design and construction of the buildings must provide for larger variation in **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.

10. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
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. The wheelie bins are to be stored within the courtyard of units 1, 3, 4, 6, 7 and 9. A concrete pad is to be provided for the two bins in an appropriate location within each courtyard.
13. One set of wheelie bins (one general waste and one recycling bin) must be provided for each unit.
14. The wheelie bins are to be stored in the common bin storage area for units 2, 5 and 8, as shown on Plan Titled: Site Plan, Plan No. 14146, Page 1 of 5, Issue B, dated 10 December 2015, prepared by Plans by design. A concrete pad is to be provided for all of the bins in the common bin storage.
15. 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.
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 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.

As part of the erection of the screen fencing along the northern boundary, care and attention is to be taken to ensure that the existing hedge at 6 Hamilton Street is retained.

18. 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.
19. **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.
20. Any retaining structures and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure.
21. Any retaining walls must not exceed 1.0 metres in height.
22. Landscaped areas are to be provided on the site in accordance with Plan Titled: Site Plan, Plan No. 14146, Page 1 of 5, Issue B, dated 10 December 2015, prepared by Plans by design.
23. 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 building setback to Hamilton Street (however not within proximity to the sewer main which traverses the north-western corner);
 - At least one within the landscaped pockets in front of units 1, 2, 4, 6 and 7; and

- One within the three gardens along the southern property boundary.
24. Crepe Myrtle trees (*Lagerstroemia*) are to be planted within the road reserve of Hamilton 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.
 25. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the issue of any Development Permit for Building Work.** The Landscaping Plan must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. 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

26. A concrete industrial crossing is to be constructed at the Hamilton Street entrance to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
27. Car parking shall be provided on site in accordance Plan Titled: Site Plan, Plan No. 14146, Page 1 of 5, Issue B, dated 10 December 2015, prepared by Plans by design. All car parking, driveway and loading areas shall be constructed, sealed, line marked, drained, laid out and regularly maintained.
28. The sealed driveway and carparking areas are to be finished in exposed aggregate, stencil, or similar.
29. The redundant vehicle crossing in Hamilton Street is to be reinstated back to kerbing, and the footpath reinstated.

Roadworks

30. 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.

Stormwater Drainage

31. A stormwater drainage system serving the development is to be constructed and the stormwater disposed of to a lawful 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 Waste water

32. A reticulated water supply system, up to and including water meters, is to be provided to service all units. This system is to be connected to Council's water supply system.
33. A sewerage reticulation system is to be provided to service all units. This system is to be connected to Council's wastewater sewerage system.
34. The development is to comply with Council's policy *Works Near Water Supply and/or Sewerage Infrastructure Policy*, or an application is to be submitted to Council for approval, prior to the commencement of the works.

Pedestrian Works

35. A 2.0 metre wide concrete pedestrian footpath is to be constructed along the Hamilton Street frontage of the site, in a location suitable to the Director Engineering Services.

Electricity, Street Lighting and Telecommunications

36. Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
37. 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

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

Infrastructure Charges Notice

39. Payment is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice. If the development is staged, the payment of Infrastructure Charges may also be staged.

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) Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.
- (iv) An application must be submitted and approved by Council for a permit under Council's Local Laws for rental accommodation.
- (v) **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.
- (vi) **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**.
- (vii) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the removal or demolition of the existing dwelling. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application.
- (viii) During the construction phase of the development, all wastes must be separated into

recyclables (where possible) and landfill wastes, and disposed of at the Warwick Central Waste Management Facility.

- (ix) 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 Stormwater Management Plan;
- An Erosion and Sediment Control Plan;

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

Aboriginal Cultural Heritage

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

Attachments

1. Submission Letter [View](#)

Response: Proposed development Lot 1 RP84074

8 Hamilton Street Warwick 4370

MCU\ 01672

As submitted by Darren John Harris

Source of Comments

- 1.1 Comments submitted by Owen Arthur Bonney and Bette Margaret Bonney
6 Hamilton Street Warwick Queensland.
- 1.2 The commenters are the immediate neighbours on the one hundred metre north side of the proposed development MCU\01672 as above.
- 1.3 The following comments are submitted after a perusal of the relevant documents being MCU\01672 as provided by a receptionist at the Southern Downs regional Council and lodged with the Southern Downs Regional Council.

Observations #1

- 2.1 That the entrance orientation of the proposed development faces south this is quite satisfactory to us in the potential reduction of entry/exit and traffic noise.
- 2.2 Given that the rear spaces of the proposed multiple premises are directly next to our property a given would be that potentially nine sets of entertainment would be expected to comply with noise abatement regulations.
- 2.3 It is noted that an 1800mm colourbond fence is proposed between our two properties. It is requested that the existing hedge on our property not be removed if this new construction is approved.
- 2.4 No information was detected concerning the proposed building start/ finish times during construction. It is expected that 7am would be the earliest start time. Can this be guaranteed?
- 2.5 No information was detected regarding the duration of the proposed building project from start date to completion. It is reasonably anticipated that significant environmental noise and dust pollution might be expected during this time. Could those proposals kindly be conveyed to us before the commencement of the proposed construction?

- 2.6 It is advertised that the project is planned to be short term accommodation. What does this mean? No information was observed on the application that defined anything regarding this assertion – neither was anything described about how such short term accommodation might be managed. Could we have more information about these matters please? There are implications for noise and general nuisance.

Observations #2

- 3.1 No information seemed to be available regarding the placement of rear lighting for the units. It could be reasonably anticipated that lights left on in any or all of the nine units could be a nuisance to us depending upon their placement and strength. It is requested that consideration be given to reducing any lighting nuisance to us.
- 3.2 It was noted that the application stated the “atypical” status of double storied buildings in the East Warwick area. After investigation, we believe this statement to be true of the area bounded by the railway line, the river, Fitzroy Street and Percy Street. Claiming that other two story applications before Council are relevant in this instance seems a little tenuous seeing they appear not to have been approved to date.

In this case the two story units proposed directly block both the prevailing south easterly breezes to our residence and the open views which we have enjoyed since 1984. According to the proposal, we will already have to put up with a one hundred metre long 1800mm high colourbond fence to our south and a similar construction to the east with the 15 Bourke Street development.

We believe the proposed construction of two story accommodation at this location will indeed significantly detract from the enjoyment of our property and would constitute a private nuisance.

Single story construction would be more in keeping with the existing neighbourhood and allow us to continue to enjoy our property however to a lesser extent than we have to date.

Yours sincerely



O.A. Bonney




B.M. Bonney

25 February 2016

11.4 Material Change of Use - Lake Leslie Tourist Park, 113 Saddledam Road, Leslie Dam

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Principal Town Planner	File Ref: MCU01696

APPLICANT:	Lake Leslie Tourist Park
OWNER:	Adam T & Caroline J Bennett
ADDRESS:	113 Saddledam Road, Leslie Dam
RPD:	Lot 2302 RP804594, Parish of Warwick, County of Merivale
ZONE:	Rural
PROPOSAL:	Relocatable home park, Shop and Extension to existing Tourist park
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	One
REFERRALS:	Department of Infrastructure, Local Government and Planning

Recommendation Summary

THAT the application for Relocatable home park, Shop and Extension to existing Tourist park on land at 113 Saddledam Road, Leslie Dam, described as Lot 2302 RP804594, Parish of Warwick, County of Merivale, be approved in part only such that:

- (a) The application for a Relocation home park (i.e. permanent sites) is refused for the following reasons:

The Planning Scheme requires Tourist parks and Relocatable home parks to comply with the Performance Criteria of the *Guidelines on Good Design for Caravan Parks and Relocatable Home Parks* (the Guidelines). The objectives of the Guidelines include the need for residential parks to provide long-term residents with convenient access to community services and facilities. The following criteria must be met:

- P1 Long-term residents of residential parks have convenient access to community facilities (such as schools, child care, neighbourhood centres and sporting facilities).
- P2 Residential parks with long-term residents are located in areas within convenient and safe walking distance to public transport routes.
- P3 The number of long-term residents should be limited with respect to:
 - (i) the available community facilities and infrastructure; and
 - (ii) the requirements for tourist accommodation in a particular area.

A Relocatable home park should be located in an urban area where residents can readily access community facilities.

There are no community facilities that can be conveniently accessed from the development site. The nearest community facilities are located in Warwick which is more than 10 kilometres from the site. There is also no public transport available in this area. This is not an appropriate location for a Relocatable home park, and this aspect of the proposed development is recommended for refusal.

- (b) The application for a Shop and an Extension to the existing Tourist park is approved subject to the conditions outlined in the recommendation.

Report

An application has been received to increase and change the use of Lake Leslie Tourist Park located at 113 Saddledam Road, Leslie Dam.



The proposal involves an extension to the existing Tourist park, and also the use of the park for permanent residents. A park used for permanent residents is defined as a Relocatable home park. The applicant also wishes to open the kiosk on the land to the general public.

An approval was issued on 29 July 2002 for the use of the subject land for a Tourist development (6 cabins, 9 camping sites, 2 caravans sites, ablution block, tennis courts, swimming pool and manager's residence) and Environmentally Relevant Activity No. 15(a) Sewage treatment works (21-100 ep). A further approval was issued on 28 November 2008 to allow for a kiosk and caretaker's residence/tourist accommodation cottage. The total approved uses on the site are as follows:

- 9 Camping Sites
- 12 Caravan Sites
- 6 Cabins
- 1 Residential dwelling
- 1 Tourist cabin/Caretaker's Residence (now used solely for tourist accommodation)
- Kiosk
- Ablution Block
- Tennis Courts (which have not been provided)
- Swimming Pool

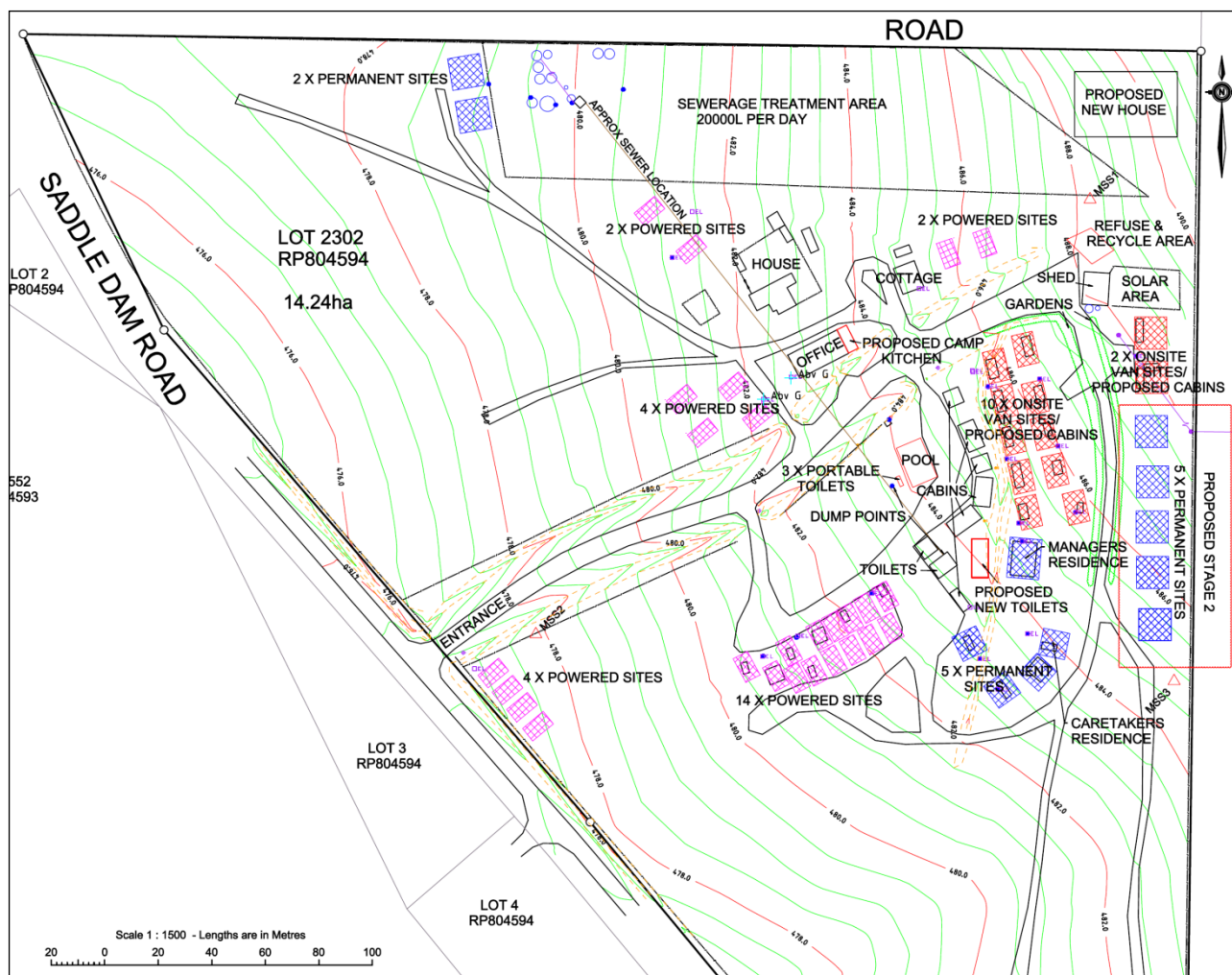
The applicant advises that the average number of guests on any day is approximately 60. Easter is the peak time, when the number of guests is approximately 500 people.

While the site is approved only for tourist accommodation, since 2014 Council has received complaints regarding people permanently living at the site (in addition to the owner/manager/caretaker). The operator has also been exceeding the number of approved camping/caravan sites.

The applicant has now applied to Council for additional sites and buildings, such that the total accommodation and facilities will be provided on the land:

- a Manager's residence (there is a caravan currently being used as the Manager's residence)
- a Caretaker's accommodation (there is a caravan currently being used as the caretaker's accommodation)
- a dwelling
- 7 cabins
- 10 sites for permanent accommodation
- 12 on-site vans/proposed cabins (there are currently 14 on-site vans including the two being used as the Manager's residence and the caretaker's residence)
- 26 powered sites (21 sites are currently approved)
- the kiosk that will be open to the general public
- camp kitchen attached to the office/kiosk
- three toilet blocks
- a laundry
- 3 portable toilets that are plumbed and will be kept permanently on the site

The proposal plan also shows an additional dwelling within the north-eastern corner of the land. This dwelling does not form part of this application. The applicant verbally advised that if this new dwelling is constructed in the future, the existing residence would be converted for tourist accommodation.



The kiosk sells items normally associated with a caravan park such as cold drinks, ice creams, snacks, bait, fishing tackle, fishing permit, ice and basic first aid supplies. Hot food is not sold.

The applicant was requested to provide information as to why accommodation was needed for the owners, a manager and a caretaker. The applicant replied that the assistance of a manager and caretaker is required to ensure the park is properly operated and maintained.

Submissions

One submission was received to the application. The submitter stated that they do not object to the proposed development, but have some concerns about the proposal that they wish to be addressed.

Submission: There should be no sale of alcohol from the kiosk/shop.

Comment: The applicant has advised that they do not sell alcohol, although they may wish to in the future.

Council has received a complaint about alcohol being sold from the kiosk. The sale of alcohol from the kiosk/shop without a liquor licence is unlawful. Any approval can be conditioned to ensure the kiosk/shop does not provide alcohol unless a liquor licence is obtained.

Submission: Permanent residents should not be allowed to keep pets or livestock (goats, sheep, etc).

Comment: The applicant advises that they do allow residents to keep pets such as birds, cats and dogs. Pets must be contained and must not create a nuisance for other guests.

As detailed later in the report, the use of the site for a Relocatable home park is recommended for refusal.

It is not unusual for guests of Tourist parks to be travelling with their pet dogs, and many caravan parks within the region allow guests to have their pet dogs provided they are kept under control at all times. It is considered appropriate that pet dogs are allowed to be brought onto the site by guests.

Submission: The park operator should be required to provide firewood so residents do not obtain firewood from the neighbouring land. Residents should not enter the neighbouring property for any reasons without permission.

Comment: The applicant advises that they sell firewood by the bag to guests, and advise guests that they are not to enter adjoining land.

The original approval for the Tourist park required a fence to be provided along the eastern boundary of the land. The fence was to be 1.4 metres in height and sufficient to delineate the boundary so that guests were fully aware of the location of the boundary. Signage was to be provided at 100 metre intervals along the fence indicating "Private property - No access permitted". This requirement can also be included on any new approval.

Referral

The application was referred to the Department of Infrastructure, Local Government and Planning (DILGP) due to the number of potential residents. The DILGP advises that it has no requirements.

Assessment against the Planning Scheme

This application required assessment against the Rural zone code, the Tourist park and relocatable home park code, the Retail and commercial uses code, the Flood hazard overlay code, the Carparking and loading code, the Landscaping code, the Outdoor lighting code and the Physical infrastructure code.

Rural zone code

Access to the site is via Saddledam Road which is a sealed road. This road provides adequate access to the development site.

The adjoining land to the east is used for rural (grazing) purposes. The original approval was conditioned to require a planted buffer strip of 50 metres in width adjacent to the eastern property boundary for a distance of 300 metres from the north east corner of the land. This buffer has not been provided. Two of the proposed onsite vans/cabins and five permanent sites are proposed to be located within 50 metres of the eastern boundary, within the area that is to be a planted buffer. Any approval should be conditioned to require the planting of this buffer within a specified timeframe. This will also necessitate a change to the proposed layout.

The code requires development to be sensitive and responsive to the scenic amenity of the area, and the appearance of buildings and infrastructure to be compatible with the scenic character of the area. The code also requires all buildings to be located at least 60 metres from the road.

The proposal plans shows powered sites located at the entrance to the site which will potentially detract from the appearance of the site. Any approval should be conditioned to require all camping/caravan sites and buildings to be located at least 60 metres from the Saddledam Road frontage of the site.

Several matters of non-compliance which have implications for the health and safety of the public have been identified during inspections conducted for the renewal of the permit for the park under Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011:

- The industrial bin on the site has been being serviced on a monthly basis only. To ensure that sanitary and hygienic conditions are maintained at the caravan park, Council officers have directed that the bin is serviced on a weekly basis, and records of waste services are maintained and available for Council officers to inspect.
- Liquid waste (sullage) discharged from caravans is being released onto the ground. Council officers have directed the operator to ensure that liquid waste from onsite caravans is directed

into a drainage inlet at each site that is connected to a sewage system. Until this infrastructure is installed, all sillage must be captured in wastewater tanks and not drained onto the ground.

Tourist park and Relocatable home park code

The code requires Tourist parks and Relocatable home parks to comply with the Performance Criteria of the *Guidelines on Good Design for Caravan Parks and Relocatable Home Parks* (the Guidelines).

The objectives of the Guidelines include the need for residential parks to provide long-term residents with convenient access to community services and facilities. The following criteria must be met:

- P1 Long-term residents of residential parks have convenient access to community facilities (such as schools, child care, neighbourhood centres and sporting facilities).
- P2 Residential parks with long-term residents are located in areas within convenient and safe walking distance to public transport routes.
- P3 The number of long-term residents should be limited with respect to:
 - (i) the available community facilities and infrastructure; and
 - (ii) the requirements for tourist accommodation in a particular area.

A Relocatable home park should be located in an urban area where residents can readily access community facilities.

There are no community facilities that can be conveniently accessed from the development site. The nearest community facilities are located in Warwick which is more than 10 kilometres from the site. There is also no public transport available in this area.

This is not an appropriate location for a Relocatable home park, and this aspect of the proposed development is recommended for refusal.

The applicant states that they work with charitable organisations and provide temporary housing for families in emergency situations until they can find more suitable accommodation. Council's standard conditions for tourist accommodation include restricting a person from residing in the tourist accommodation for more than 45 days consecutively, or more than 90 days in any 12 month period. These timeframes are sufficient to allow the applicant to continue to provide emergency accommodation.

All internal roads are constructed in gravel.

Open fireplaces are to be located a safe distance from any camp site or flammable substance. The applicant advises that if guests have fires, they are to be contained within a metal drum.

Any approval can be conditioned to require adequate toilet and shower facilities to be provided in accordance with the Guidelines. Two dump points are provided on the site.

Any approval can be conditioned to require an emergency evacuation plan and procedures to ensure guests are adequately shelter during emergency situations such as fierce storms.

Retail and commercial uses code

The proposal to open the kiosk to the general public (as opposed to just park guests) requires assessment against this code.

The Code requires uses to be centrally and conveniently located to service a particular catchment. As the shop will cater to guests of the park, and other visitors to Leslie Dam, the shop is considered to be appropriately located.

Flood hazard overlay code

Part of the land is identified in the Flood hazard overlay. The overlay in this area is based on flood mapping done by the Queensland Reconstruction Authority which has some inaccuracies.

As no permanent buildings are proposed within the overlay area, the proposed development can be considered to meet the code.

Carparking and loading code

Car parking is to be provided in accordance with the *Guidelines on Good Design for Caravan Parks and Relocatable Home Parks* (the Guidelines).

The existing internal driveways are of gravel construction, which is considered acceptable in this location.

One parking space is to be provided for each site, with additional spaces near the office/reception area for visitors parking at a rate of one per 10 sites. Any approval will be conditioned to require a space to be provided with each site/cabin.

A holding area is also to be provided near the office for the temporary parking of a vehicle and caravan while conducting check in/check out. The provision of three visitor parking spaces is considered adequate in this location.

The holding area is to have dimensions of 4 metre x 20 metre and is to be provided either as a separate bay or as part of a one way entrance road. The road near the office is of adequate width (approximately 12 metres) to provide adequate area for one vehicle/caravan to park, while allowing room for another vehicle/caravan to pass. This is considered to adequately provide for guests during check-in/check-out.

For the Shop, the planning scheme requires one parking space per 30 square metres of gross floor area. In this area, the three parking spaces to be provided for visitors to the site, can also adequately cater for customers of the Shop.

The Guidelines also require the provision of car washing spaces, however given that the site is to be used only for tourists and not permanent residents, the provision of car washing facilities is not considered necessary.

Landscaping code

Despite the provision of tree buffers and landscaping being conditioned on the previous approval, the tree buffer has not been provided.

Any approval should be conditioned to require the submission of a landscaping plan and the landscaping of the site to be carried out within a specified timeframe.

Outdoor lighting code

Any approval can be conditioned to achieve compliance with the Outdoor lighting code.

Physical infrastructure code

Untreated water is provided to the site from Leslie Dam. The water is treated prior to being used.

The operators of the Tourist park have an environmental authority from the Department of Environment and Heritage Protection (DEHP) for Environmentally Relevant Activity No. 63 (1)(a)(i) - operating sewage treatment works, other than no-release works, with a total daily peak design capacity of 21 to 100 EP.

Advice provided from the DEHP in 2014 stated:

Any increase in occupancy at the park should be considered in relation to the existing sewage treatment plants capacity (daily peak design capacity). Under no circumstances should the flow to the sewage treatment plant exceed the licensed daily peak design capacity, being 100 EP (equivalent to 20,000 litres per day). Mr Bennett should be advised that any increase in daily peak design capacity over 100EP would require him to lodge an amendment to his existing environmental authority.

The applicant has advised that the average daily use of park is approximately 2,000 litres per day; well below that 20,000 litre capacity. The applicant will be required to contact the DEHP to

determine whether the increase in the occupancy of the park necessitates an amendment to the environmental authority.

Infrastructure Charges

Development Type	Network	Charge Rate	Proposed	Charge
Accommodation short term	Road and Park	25% of \$1000/site	29 additional sites	\$7250
TOTAL:				\$7250

Office use only			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Roads	20%	\$5800	RC241
Parks	5%	\$1450	RC243
Water	30%	NA	RC244
Sewerage	35%	NA	RC245
Stormwater	10%	NA	RC242

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

Conclusion

The proposed development involves an additional 29 sites (including the manager's residence and caretaker's residence). Ten of these sites are proposed for permanent accommodation, and 14 are on-site vans. Additional facilities are also proposed including new toilet blocks and camp kitchen, and the kiosk will be open to the general public.

It is recommended that the proposal to provide permanent accommodation on this site be refused. A Relocatable home park should be located in an urban area where residents can readily access community facilities. There are no community facilities that can be conveniently accessed from the development site and therefore this is not considered an appropriate location for a Relocatable home park.

The remainder of the application is recommended for approval subject to conditions.

Options

1. The application is approved as recommended, and the proposed Relocatable home park is refused for the reasons outlined below, and the extension to the Tourist Park and Shop is approved subject to conditions outlined below; or
2. The proposed Relocatable home park, extension to the Tourist park and Shop is approved subject to conditions; or
3. The application is refused.

Recommendation

- A. THAT the application for Relocatable home park, Extension to existing Tourist park, and Shop on land at 113 Saddledam Road, Leslie Dam, described as Lot 2302 RP804594, Parish of Warwick, County of Merivale, be approved in part only for the following reasons:

The application for a Relocation home park (i.e. permanent sites) has been refused for the following reasons:

The Planning Scheme requires Tourist parks and Relocatable home parks to comply with the Performance Criteria of the *Guidelines on Good Design for Caravan Parks and Relocatable Home Parks* (the Guidelines). The objectives of the Guidelines include the need for residential parks to provide long-term residents with convenient access to community services and facilities. The following criteria must be met:

- P1 Long-term residents of residential parks have convenient access to community facilities (such as schools, child care, neighbourhood centres and sporting facilities).
- P2 Residential parks with long-term residents are located in areas within convenient and safe walking distance to public transport routes.
- P3 The number of long-term residents should be limited with respect to:
 - (i) the available community facilities and infrastructure; and
 - (ii) the requirements for tourist accommodation in a particular area.

A Relocatable home park should be located in an urban area where residents can readily access community facilities.

There are no community facilities that can be conveniently accessed from the development site. The nearest community facilities are located in Warwick which is more than 10 kilometres from the site. There is also no public transport available in this area. This is not an appropriate location for a Relocatable home park, and this aspect of the proposed development is recommended for refusal.

- B. THAT the application for an Extension to the existing Tourist park, and a Shop on land at 113 Saddledam Road, Leslie Dam, described as Lot 2302 RP804594, Parish of Warwick, County of Merivale, be approved for the following reasons:

Schedule 1 - Southern Downs Regional Council Conditions of Approval

Approved Plans

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

Plan Name	Plan No.	Date
Contour & Details Survey	M1243 DS 001 B	4 January 2016

- The four sites shown within the northern part of the site adjacent to the sewage treatment area are to be relocated so they are located further from the sewage treatment area.
- The on-site vans and sites located within 40 metres of the eastern boundary are to be relocated.
- The four sites located at the entrance to the site are to be relocated so they are located at least 60 metres from the road boundary.

Staging

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

Land Use & Planning Controls

3. Once this approval takes effect and is acted upon, this approval will supersede the previous approvals for the land dated 29 July 2002 and 28 November 2008.
4. Except as allowed by Condition 5, this approval allows for the following accommodation on the site:
 - a dwelling
 - 7 cabins (a cottage, a duplex cabin and five single cabins for tourists only)
 - 14 on-site vans (including one which may be used as a Manager's residence and another which may be used as the Caretaker's residence) - one or more of these on-site vans may be replaced with a cabin in the future
 - 36 camping/caravan sites
5. During the long weekends and holiday periods specified below, the number of camping and/or caravan sites must not exceed 125 sites, and the number of overnight visitors must not exceed 500 people:
 - Christmas/New Year period, i.e. 20 December to 4 January
 - Easter period, i.e. Good Friday to Easter Monday
 - Queen's Birthday long weekend
 - Labour Day long weekend
 - If Australia Day falls on a Monday or Friday, the Australia Day long weekend
 - If ANZAC Day falls on a Monday or Friday, the ANZAC Day long weekend
6. This approval does not allow for the construction of a second dwelling on the land.
7. THE TOURIST PARK IS TO BE USED FOR SHORT TERM GUESTS ONLY, AND MUST NOT BE USED FOR THE PURPOSE OF LONG-TERM OR PERMANENT ACCOMMODATION. The only permanent residents on the land are to be the owners/operators, the manager and the caretaker, and their families who reside with them.
8. No person is to reside in any building identified for tourist accommodation for more than 45 days consecutively, or more than 90 days in any 12 month period.
9. Only items normally associated with a Tourist park may be sold from the Shop (kiosk). This includes items such as basic food supplies including milk and bread, cold drinks, ice creams, snacks, frozen or fresh packaged meat, bait, fishing tackle, fishing permit, ice and basic first aid supplies.
10. A Disaster Management Plan is to be submitted to and approved by the Director Planning and Environment. The Disaster Management Plan is to address prevention and evacuating procedures for bushfire and flood and to ensure guests are adequately sheltered during emergency situations such as fierce storms.

Building, Health & Development Compliance

11. All camping/caravan sites are to be setback at least 60 metres from the Saddledam Road frontage of the land. No permanent buildings are to be located within the Flood hazard overlay.
12. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
13. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)
14. Written evidence is to be provided to Council stating that the Department of Environment and Heritage Protection is satisfied that the effluent disposal system is satisfactory for the approved use of the land, including during the peak periods listed in Condition 5, and that the appropriate environmental authority has been obtained.
15. No materials or goods associated with the development are to be displayed or stored

within the car park or landscaped areas, or outside the boundaries of the site.

Amenity & Environmental Controls

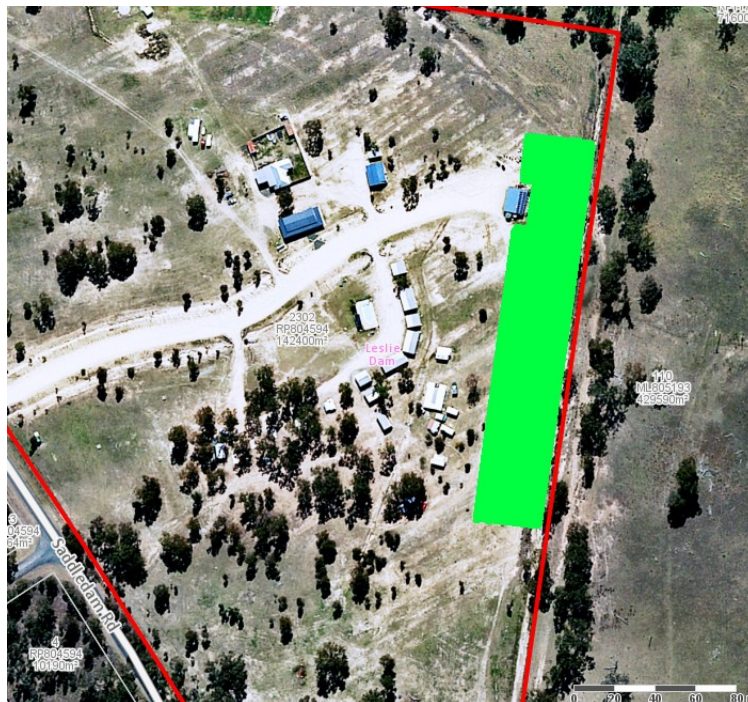
16. Individual sites meet the following minimum requirements:
 - (a) 130 square metres individual site area;
 - (b) 1.5 metre setback from any other site;
 - (c) 3 metre setback from any adjoining building;
 - (d) 2 metre setback from an internal road; and
 - (e) frontage of 10 metre.
17. The applicant is to provide amenities to conform to the requirements of Subordinate Local Law No. 1.8 (Operation of Caravan Parks). The following facilities are required:
 - Male: 5 toilets
1.8 metre urinal
4 showers
1 hand basin in each toilet block
 - Female: 7 toilets
1 sanitary disposal unit in each toilet block
4 showers
1 hand basin in each toilet block
 - Additional toilet and shower facilities are to be provided during the peak periods listed in Condition 5.
 - Unisex facilities may be provided in lieu of gender specific facilities.
 - At least one toilet cubicle must be provided that is accessible by wheel chair users.
 - At least one shower facility must be provided that is accessible by wheel chair users.
18. Potable water supply points are provided within a convenient walking distance of every camping and caravan site.
19. Any water supply point which provides water not suitable for drinking is labelled '**UNSUITABLE FOR DRINKING**' and provided with a **symbol** which is easily recognisable by non-English speaking people.
20. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment. The industrial bin must be serviced on a weekly basis, and records of waste services are maintained and available for Council officers to inspect.
21. A sufficient number of suitable waste bins must be provided throughout the site, at least 10 metres from children's play areas, cooking facilities and camp sites. Waste bins must be regularly serviced to prevent unsightly accumulations of waste or environmental harm being caused.
22. Any storage area is to be aesthetically screened so as not to be visible from any roads or from adjoining properties.
23. Domestic animals, other than dogs and small caged birds, are not permitted to be brought onto the land by any person staying at the Tourist park. Any dog brought onto the site by a person staying at the Tourist park is to be kept under effective control. Any dogs kept on site by the operator/manager/caretaker must be kept in accordance with Council's *Subordinate Local Law No. 2 (Animal Management) 2011*, and must be kept under effective control at all times.
24. Firewood must be supplied for campers/caravaners by the operator to minimise the potential destruction of native vegetation by guests of the Tourist park.
25. Advertising Devices relating to the Tourist Park and Shop may **only** be erected on the subject land, i.e. Lot 2302 RP804594. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the

relevant local laws. No advertising signs or devices are to be located within the road reserve.

26. 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.
27. Lighting is to be provided within the development site, including adjacent to the internal driveways.

Landscaping and Buffers

28. The application is to plant shade trees in the vicinity of the cabins and camping/caravan sites at a minimum rate of one tree per cabin or site.
29. A fence shall be constructed along the eastern property boundary of the lot at the applicant's full cost. The fence shall be a minimum of 1.4 metres high and shall be sufficient to delineate the boundary so that guests at the development are fully aware of the location of the boundary. The fence shall be signposted at 100 metre intervals with signage indicating that the adjoining is "Private Property - No Access Permitted".
30. The applicant is to provide a suitably planted buffer strip of 40 metres in width adjacent to the eastern property boundary for a distance of 200 metres commencing 50 metres from the north east corner of the lot (as shown in green on the plan below). All storage areas and caravans within this area are to be relocated. The applicant is to manage the buffer area so as to encourage natural revegetation so that a visual buffer is created between the use and the adjoining rural land.



31. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment within one month of this approval commencing.** The Landscaping Plan must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Carparking and Vehicle Access

32. A bitumen sealed access, including appropriate drainage works, is to be provided to the site from the Saddledam Road carriageway to the entrance to the site.
33. All-weather gravelled access driveways are to be provided from the entrance to the land

to the camping and caravan sites.

34. At least one (1) car park per camping and caravan site is to be provided onsite.
35. An all-weather gravelled parking area is to be provided adjacent to the office to provide three (3) parking spaces for visitors to the Tourist park and customers of the Shop.

Roadworks, Drainage and Stormwater

36. Site stormwater run-off shall be collected, detained and discharged where appropriate in a manner that does not increase the quantity or concentration of stormwater flow in comparison to the pre-development condition

Electricity and Telecommunications

37. An appropriate system of power supply is to be provided to service the development. The applicant is to demonstrate that each building or part of the development has adequate power supply prior to the issue of any building application.
38. A 24 hour emergency telecommunications system, that can be accessed at any time should the need arise, is to be provided in a central location.

Water Supply and Waste water

39. All sewage generated from this property must be disposed of by means of an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - *On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code* and the *Standard Plumbing and Drainage Regulation 2003*.
40. There is to be no wastewater from caravans or motorhomes disposed of onto the ground. All wastewater must only be disposed of at the designated sullage and/or sewerage dump points on-site.
 - (a) **All on-site caravans** must be provided with a wastewater (sullage) disposal point located not more than 10 metres from the caravan site. The waste water disposal point must be:
 - (i) provided with a water stand pipe; and
 - (ii) provided with an impervious paved area graded to a central drainage inlet which is connected to a sewerage system.
 - (b) **For all other caravan sites**, if complaints are received regarding the disposal of wastewater from caravans or motorhomes, or non-compliance is identified during future inspections, the operator may be required to install sullage points at a distance of not more than 10 metres from any site that can accommodate a caravan or motorhome.
41. Dedicated effluent irrigation areas, as defined by the Environmental Protection Agency approval dated 31 May 2002, which are within the 400 metre buffer zone from full supply level of Leslie Dam are to be completely bunded with a minimum of 0.5 metre high embankment.
42. Only effluent that meets the release limits as defined by the Environmental Protection Agency in the Environmental Protection Agency approval dated 31 May 2002 should be disposed of within the 400 metre buffer zone from full supply level of Leslie Dam.

Infrastructure Charges Notice

43. Payment is to be made to Council in accordance with the 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) An application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) and Subordinate Local Law No. 1.8 (Operation of Caravan Parks).
- (iv) **The sale of alcohol from the shop is prohibited unless a liquor licence is obtained.**
- (v) **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.
- (vi) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**
- (vii) The supply of water for human consumption, food preparation, food utensil washing or personal hygiene, including the supply of water for drinking water, showers, baths, hand basin and kitchen sinks, must be connected to a drinking water supply, in accordance with the *Plumbing Code of Australia* and the *Australian Drinking Water Quality Guidelines* produced by the *National Health and Medical Research*.
- (viii) An Environmental Authority for Environmentally Relevant Activity No. 63 (1)(a)(i) (operating sewage treatment works, other than no-release works, with a total daily peak design capacity of 21 to 100EP) is to be maintained in accordance with the *Environmental Protection Act 1994* prior to the commencement of any Environmentally Relevant Activity. If there is any increase in daily peak design capacity over 100EP an amendment to the existing environmental authority must be obtained.

Aboriginal Cultural Heritage

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

Schedule 2 - Department of Infrastructure, Local Government and Planning conditions as a Concurrence agency


Nil

Attachments

Nil

11.5 Material Change of Use - Haworth Park Pty Ltd, 6266 Toowoomba-Karara Road, Leyburn

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Senior Planning Officer	File Ref: MCU01682

APPLICANT:	Haworth Park Pty Ltd
OWNER:	Barrie Stewart and Lana J and Robert J Haworth,
ADDRESS:	6266 Toowoomba - Karara Road, Leyburn
RPD:	Lot 226 ML1449, Parish of Leyburn, County of Merivale
ZONE:	Rural
LAND USE AREA:	165.3 hectares
PROPOSAL:	Motor sport facility – Extension to existing use (Motorcycle Racing, Training & Coaching) increase from five to 80 riders, up to six events per year, ancillary sale of spare parts for bikes, and camping by patrons (up to 100 people)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	176 submissions: <ul style="list-style-type: none"> • 6 letters of objection • 170 letters of support
REFERRALS:	Department of Infrastructure, Local Government and Planning

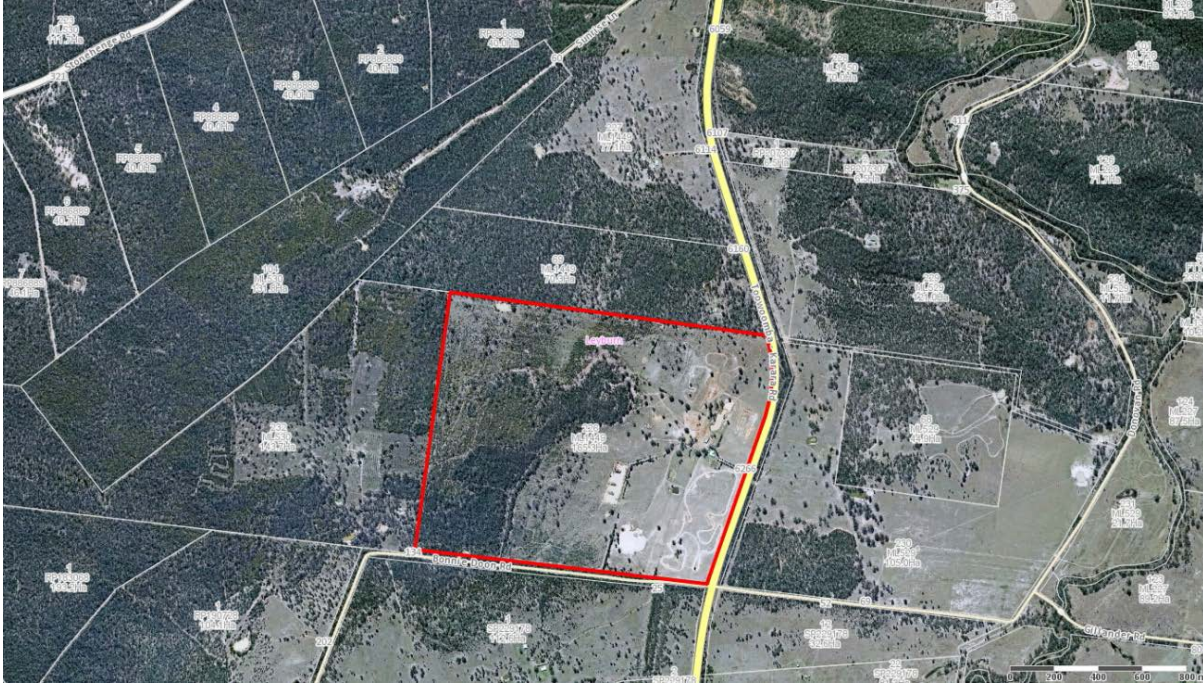
Recommendation Summary

- A. THAT subject to Council resolving in line with Options 1, 2 or 3, Council agrees that in accordance with Section 304 of the *Sustainable Planning Act 2009*, the non-compliance with the public notification requirements did not:
- (a) adversely affect the awareness of the public of the existence and nature of the application; or
 - (b) restrict the opportunity of the public to make properly made submissions.
- B. THAT the application for a Material Change of Use for the purpose of a Motor sport facility – Extension to existing use (Motorcycle Racing, Training & Coaching) increase from five to 80 riders, up to six events per year, ancillary sale of spare parts for bikes, and camping by patrons (up to 100 people) on land at 6266 Toowoomba - Karara Road, Leyburn, described as Lot 226 ML1449, Parish of Leyburn, County of Merivale, be received and Council resolve in line with one of the following options:
- Option 1: THAT the applicant is requested to provide further information with regards to noise, including the submission of an acoustic report prepared by a suitably qualified person, for further assessment by Council.
 - Option 2: THAT if Council wishes to approve the development, suggested conditions can be provided. Draft conditions have been prepared, however Officers are concerned whether the noise impacts could be mitigated to a point where compliance can be achieved with the relevant legislation and guidelines.
 - Option 3: THAT an alternative recommendation is adopted.

Option 4: THAT the application is refused with reasons.

Report

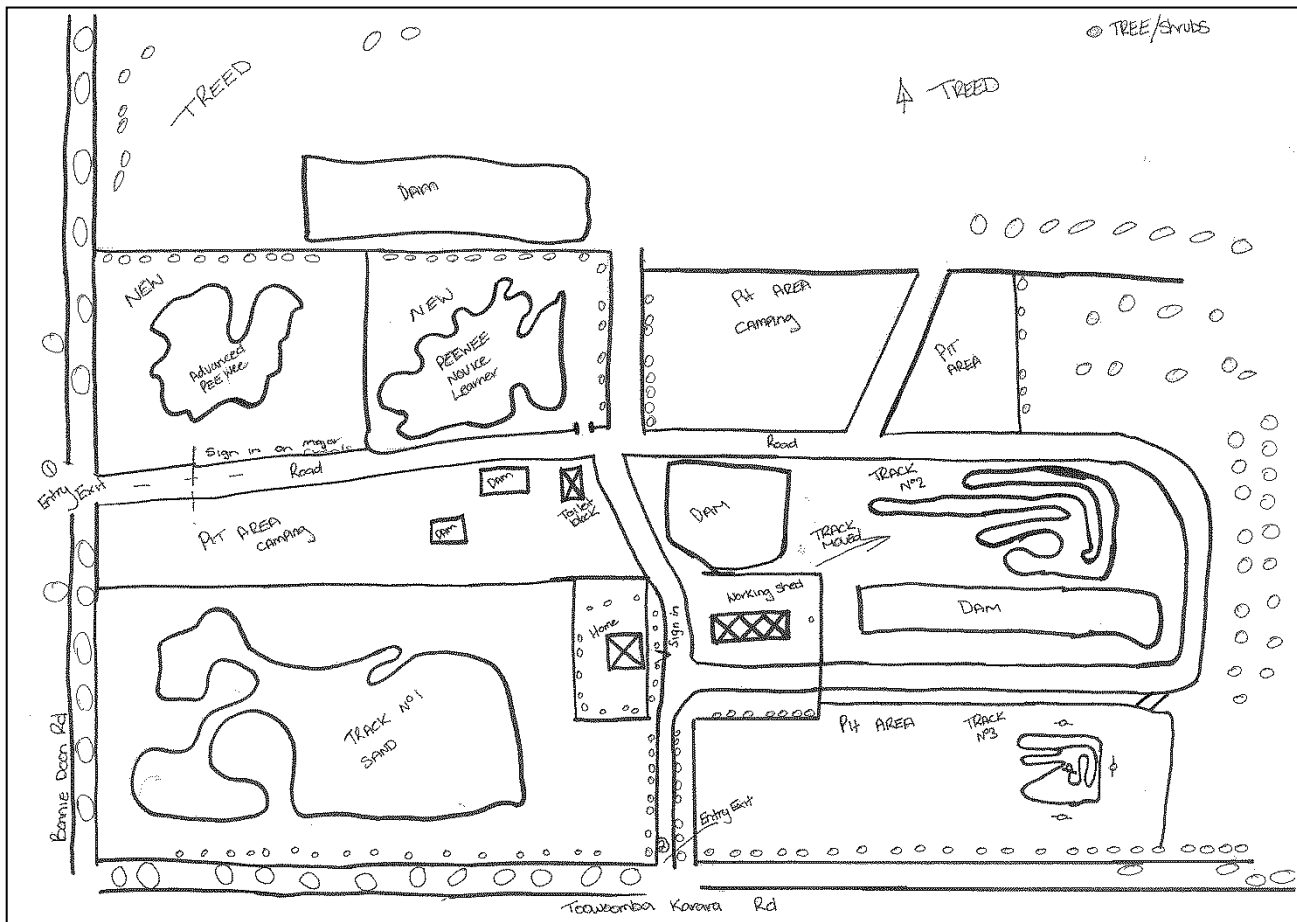
The subject lot has frontage and access to Bonnie Doon Road and Leyburn-Karara Road. Bonnie Doon Road is a constructed gravel road and Leyburn-Karara Road is a sealed, State-controlled road.



The property contains a dwelling house and ancillary sheds. The applicant proposes to increase the scale and intensity of the operation as follows:

- The operation of the following tracks:
 - Track No. 1: a large sand track to the south-east of the dwelling. This track was the original track.
 - Track No. 2: a hard pack track to the north of the dwelling.
 - Track No. 3: a stadium cross track to the north-east of the dwelling. This track includes an area for pits and is lit for the purposes of night riding.
 - Advanced pee wee track: to the south-west of the dwelling.
 - Pee wee (children) and novice learner track: to the south-west of the dwelling.
- Increase the number of riders permitted to 80.
- Operate the following days and times:
 - Wednesday - 9.00am to 9.00pm.
 - Saturday - 9.00am to 9.00pm.
 - Sunday - 9.00am to 3.00pm.
 - Public and school holidays - 9.00am to 3.00pm.
- Up to six Motor Racing Events per year.
- Camping for up to 100 people.
- Sale of spare parts for bikes.
- Four full time employees and one part time employee.

The applicant indicated during the site inspection that there would be up to 20 riders on a track at any one time, with races consisting of up to 40 riders.

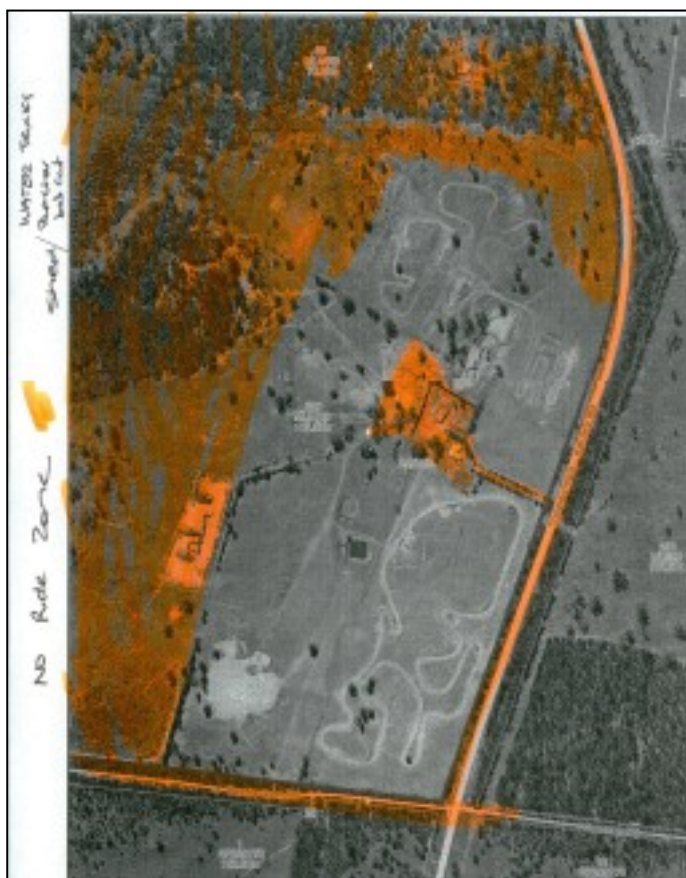


Site layout map:

The pink indicates the location of parking and camping areas.
The yellow indicates the location of pit areas.



No ride zones:



On 1 November 2012 Council granted approval for a Sport and Recreation Use - Motorcycle Racing, Training & Coaching. This approval was subject to conditions, which included:

- The track must not be used between the hours of 6.00pm and 7.00am.
- Vehicle access to the site is to be constructed from Bonnie Doon Road.
- Training and coaching of motorcycle riders may only be conducted on Saturdays and Sundays, between the hours of 9.30am and 3.00pm.
- The number of riders undergoing training or coaching on any day must not exceed five (5).
- A maximum of two motorcycle racing events per calendar year. The events are to be conducted between the hours of 8.30am and 4.30pm.
- The approval for Motorcycle Racing Events was limited for three years only. An extension of this period could be applied for, subject to demonstrating compliance with the conditions of approval and assessing the level of nuisance created by the events.

The current operation does not comply with any of these conditions. The subject application has been lodged as a result of compliance action.

On 27 January 2016 Council resolved to commence legal action against the owners of the land in respect of the offences.

Referral

As the property has frontage and access to Leyburn-Karara Road, which is a State-controlled road, the application required referral to the Department of Infrastructure, Local Government and Planning (DILGP). The DILGP have required conditions to be attached to any approval.

Public notification process

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

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

The notice placed in the local newspaper and the notices on the land originally stipulated the comment period was from 1 February to 20 February, being only 11 days.

The applicant later amended the notices on the land and verbally advised adjoining landowners that the comment period was extended until 28 February.

Therefore, the requirements for the public notification stage were not complied with as the notice in the local newspaper did not allow sufficient time for the comment period.

Under Section 304 of the *Sustainable Planning Act 2009*, an assessment manager may assess and decide an application only if it is satisfied that the non-compliance with the public notification requirements did not:

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

Subject to Council accepting all submissions made by 28 February as being properly made submissions, it may be considered that the public were suitably aware of the application and each aspect of it, and had sufficient opportunity to make submissions.

Submissions

There were 176 submissions received to the application; six objections and 170 letters of support. Copies of the submissions are attached under separate cover. It is noted that some submitters indicated their concern for their details being supplied to third parties and the ramifications that may result. The matters raised by the submitters are as follows:

Noise nuisance

- The noise from the track and the excess number of bikes is not the peaceful farm environment that should be expected in the area.
- Due to the sheer volume of the bikes that have been allowed over the previous years the noise limits have been exceeded. Please note the acceptable level on the original permit was only 5dB(A) above the ambient noise level at any noise sensitive place, e.g. residence. - As per their new application statements have been made that the noise limits have not been exceeded. (We request that an independent report be pursued, as it is our opinion that the noise levels have been extreme and non-compliant).
- The constant roar of many bikes on multiple tracks is interfering without standard of living, i.e. the noise upsets people/livestock/native wildlife. It is very depressing, not to mention the clouds of dust billowing over the adjoining property.

Comment: The days and hours of operation could be limited to reduce the potential impacts.

Noise will be discussed in further detail later in this report.

Dust and light nuisance

- The dust from the motor cross track is detrimental for people's health that live in proximity. It is not just the dust from the track itself but also the numerous amounts of bikes riding down the road into the forestry - which is illegal.
- The noise and dust generated by this enterprise is unbearable. There has been no community consultation whatsoever regarding the viability of this enterprise.
- Lighting on the "Night Track", is not properly shielded. These lights were not in the original application. Where was the approval of these lights?

Comment: Conditions could be imposed in relation to the watering of the tracks and the positioning of lighting to reduce the dust and light impacts.

Loss of amenity and rural land

- Please consider the life of those affected by this track and put a stop to the track completely. The current non-compliances needed to be looked at.
- The property is an eyesore, it has gone from open pasture/parkland to great piles of dirt which has expanded from one track to multiple tracks across the block with no end in sight. All of these factors will affect the viability of the area which is predominantly a farming one and has been for over 100 years.
- The traffic heading back towards town at night creates extra rubbish/litter, broken bottles, plastic bottles/drink cans, food packaging etc on both sides of the highway, then there is the use of our driveway as a toilet (not an environmentally friendly sight in the morning).

Comment: The assessment against the Rural zone code, which includes the purpose of the zone and outcomes relating to amenity, is provided later in this report.

Roads

- There has been a significant increase to the damage done to roads in the nearby vicinity of the track - this not only comes from vehicles hooning but also motor bikes riding illegally on these roads. There have been many, many occasions that bikes have ridden illegally down roads and entered the nearby state forestry to ride. The police have been called many times regarding this. We have also followed bikes back to Haworth Park and spoke to Mrs Haworth about this. Her comment was that they did not come from there, (which was clearly untrue, as we had followed them) and that she cannot control what people do. The owners and operators must take some responsibility for the actions of those coming to ride at Haworth Park.

Comment: The use of roads for illegal activities is a police matter and not in Council's jurisdiction.

Dog attacks and shooting

- There has been an increase in dog attacks on livestock since the motor cross tracks existence.
- There has been a significant increase in the instances of shooting off the roads and dog attacks from pigging in the area. There have been many times that spotlights have been shone into our property including shining onto the house. This makes us very nervous as to our safety, the safety of our 8 year son, parents and also our stock. A nearby property has a bullet hole through a ute that was parked near their house. Does someone have to die before something is done?
- On New Years Eve 2015/2016 shots started at 9pm, 10pm, 11pm, and midnight.
- Over the past two years, we have had to resort to mustering in our sheep flock every night, at a great strain to us and the sheep. We have lost over 120 ewes and 230 lambs due to dog attacks off Donovan Road. In the past 10 years before this, our total loss to dog attacks was less than 40 sheep in total and not from that direction but off the Forestry, which you can expect an occasional dingo attack from. The attacks are also completely different, to those that know will understand the difference between a dingo attack and a domestic dog attack, attacks around the throat, neck, head area are 99% likely to be a domestic (pigging) dog. In proof that some of this is due to the Moto X Track, I bring to evidence an incident just in December last year that a vehicle with dogs was shooting off Donovan Road. Our local police officer got hold of the people involved via phone and they had come from Haworth Park. Haworth Park was notified by Officer Gibbs of this.

We lost two ewes and a lamb that night, one of which being a purebred that we purchased for \$1800, whilst we cannot prove that it was their dogs that did this, instances and co-incidences like this, are a regular occurrence for us. You must understand our frustration and the financial stress at the loss of so many livestock has been a hard cross to bear. Dogs should never have been allowed to be brought to the property for the sake of all the livestock in the area. Since the track has been shut down we have had no incidences of hooning, bikes riding down the road, shooting off the road and no dog attacks, or is that just another co-incidence.

Comment: There is no evidence that the dog attacks and the shootings are related to the activity on the subject land.

Council is involved in 1080 baiting in the area to reduce the wild dog population.

Any attacks on stock can be investigated by Council's Local Laws Officers. If domestic dogs are involved in the attacks, the matter is treated as a dog attack and action can be taken. It is noted that Council has no record of any attack complaints being lodged with Council for the subject area.

Suitable conditions could be imposed in relation to effectively restraining the dogs.

Waste disposal

- The burning of rubbish at the track has aggravated breathing difficulties of residents within the vicinity.
- There are reports of the waste being burnt or buried on site.

Comment: Conditions can be imposed to ensure waste is disposed of appropriately.

Caravan park operation

- It is a massive caravan park when running. What toilet and waste water facilities are in place or proposed?

Comment: Conditions can be imposed to require the applicant to obtain a Local Law permit which stipulates the number of ablutions required.

Injuries to riders

- Any extension on the use of the land for the purposes proposed, increases the risk of injury or death to people using the facility, which in turn imposes an increasing burden on the emergency services of the area. Within days of lodging the current application, a rider had to be airlifted to hospital in Toowoomba.

Comment: The potential risk associated with the use of the proposed development is not a planning consideration of Council. In Australia provided they comply with Federal and State laws, people have the liberty of choosing their leisure activities. This could not be relied upon as a reason for refusal.

It is noted that the applicants have strict procedures and rules in place to reduce the potential for injury, and then have emergency procedures in place should a situation arise. The applicant has correctly noted that due to the lack of such facilities persons have been legally riding within State forests, where there is no emergency response.

Non-compliance with the Planning Scheme and Sustainable Planning Act 2009

- The current use (and therefore any extension to the current use) is not consistent with the intent for the area as expressed in the planning scheme, nor is it compatible with the surrounding development. It certainly does not protect and enhance the natural environment.
- The current use (and therefore any extension to the current use) represents a commercial activity and as such, the hours of operation are not in accordance with the planning scheme. Again, on the applicant's own material, use of the land is advertised from 9am - 9pm (although use often extends outside of those hours).
- We are aware that the applicant is seeking to obtain support from the various visitors to the facility. We note that the applicant is simply asking people to email the Council in support of keeping the facility open. We would question whether such emails constitute submissions. In any event, there appears to be little (if any) local support for the facility (other than perhaps some commercial interests). Those who respond to the 'Facebook page' that invites emails to the Council, do not have to live nearby to the facility and therefore, nearby to the regular and significant nuisance caused by its operation.

Comment: The assessment against the Planning Scheme is provided later in this report.

The *Sustainable Planning Act 2009* does not stipulate that all submissions, whether objecting or supporting the proposal, need to be from people located in proximity to the development. All properly made submissions must be accepted and considered.

Non-compliance with the existing approval

- The non-compliance should have been stopped years ago.
- The site has been running on tracks that were not in or approved on the original plans. These tracks are beyond what the original approval was for and have been in place and running without prior approval.
- The track is not to be used between the hours of 6pm and 7am. For years, the track has been running beyond these hours and without prior approval a track with lights has been run at night. This track is adjacent to the only track that was approved. The motorcycle track is often used until as late as 9:00pm. Again, we have a video recording of the nuisance (noise) taken at 8:30pm on ANZAC Day this year.
- The stated tree planting buffer strip has not been planted as per the original development permit.
- Training and coaching may only be conducted on Saturdays and Sundays between the hours of 9.30am - 3.30pm. This was not adhered to; bikes were running on any given day and night. These were advertised on their Facebook Page. Bikes were consistently running outside of the permitted hours. In their application it was stated that Practice Day - 9.30 - 3 Sat/Sun Not Both. This was not adhered to, bikes were running on consecutive days on a

very regular basis over a long period of time, including weekdays and nights, neither of which were in the original application or approval.

- The number of motorcycle riders undergoing training or coaching on any day must not exceed five (5) - this was blatantly ignored. Over the previous years many, many more than 5 bikes were running and this was not on their event days. Easily 40 to 80+ bikes.
- The permit has already expired and they continue to operate.
- Due to the complete disregard of the conditions of the original permit and non-adherence to these, shows a complete lack of respect for not only the Council but also the residents nearby.
- Given the significant non-compliance with the approval conditions, Council should not approve an extension to the existing use (as the existing use is in contravention of the original approval conditions).
- Given that Council has been made aware of these concerns (including well before the application for an extension of existing use), it would be complicit in the nuisance should it approve an extension of existing use.
- Items listed in the original application of 10/2012 and the current application of 09/2015 is not consistent with what is really occurring, hours of operation, days of operation, dust blowing over the highway, mention of Supercross track for private use only, currently under construction refer to web site <http://heysports.com.au/> Haworth_ Park, motocross and supercross tracks are available for hire for coaching days, also mentions open most days during the week, Refer to internet sites, and local newspaper articles for more information.
- There appears to have been little or no monitoring of the conditions of approval, which has in turn permitted the deliberate and increasing non-compliance with those conditions. This leaves a serious concern around whether any conditions imposed on an extension of existing use, would be properly monitored and enforced.
- In relation to the approval Conditions imposed by the Department of Transport and Main Roads ("the Department"), we note that the Approved Plan provides for an emergency exit only, from the property on to Toowoomba-Karara Road. This appears consistent with Conditions 3 and 4 in the Department's Conditions. However, vehicles have been observed entering the property from Toowoomba-Karara Road, including at times when a number of vehicles have had turn from Toowoomba-Karara Road onto the property.

Comment: Non-compliance is a serious concern given the history of the site. Council issued a Show Cause Notice, an Enforcement Notice and on 27 January 2016 resolved to commence legal action. This application has been submitted to rectify some of these unlawful uses.

The past performance of the applicant/operator cannot be used as a ground to refuse an application.

Devaluation

- Early enquiries suggest that the approval of such a facility (and the nuisance caused by its operation), will negatively impact the value of surrounding properties. In relation to this paragraph and paragraph 8 above, we reserve our rights in this regard

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.

The 170 letters of support detail that the facility is beneficial due to the following reasons:

- There is a need for such a facility in the Region, as there are limited opportunities.
- The operators offer a friendly, safe and legal place to ride.
- The facility offers challenging tracks and excellent facilities.

- There is a large economic benefit to the community as a result of the patrons attending the property.

Economic contribution to Southern Downs region

The development captures growing audience from the active recreational tourist fraternity out of South East Queensland and Toowoomba. With a conservative multiplier effect of 1 into 3, this business will bring significant external spending into the Southern Downs, especially to the nearby Leyburn and Warwick. This is evidenced by the 170 letters of support Council received.

Assessment against the Planning Scheme

This application required assessment against the Rural zone code, Sport and recreation facility code, the Tourist park and relocatable home park code, the Carparking and loading code, the Landscaping code, the Outdoor lighting code, the Physical infrastructure code, the Biodiversity overlay code and the Bushfire 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 Local government purpose of the zone is as follows:

- 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.
- Provide for tourism uses associated with surrounding rural activities or within localities with environmental values where such uses do not give rise to conflicts which could prejudice the existing economic activity in the area or impact on natural resources, environment or landscape character.
- Provide for uses that require isolation from urban areas as a consequence of their impacts such as noise or odour.

The purpose can be achieved through the following outcomes:

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

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

- 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
- Grazing and limited agricultural uses are the dominant use.

- (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 proposed development involves the use of five differing tracks. The associated economic considerations of the proposed development have been detailed previously in this report.

The scenic values of the land are generally maintained and the proposal does not result in any substantial built infrastructure.

Whilst the current landowners do not intend on cultivating the property, approximately two thirds of the property is available for rural use, which is predominantly grazing. There will no activities associated with the proposed development within this area. It is noted that this area has been used in the past without approval. This area will be used purely for livestock grazing. It has been indicated that the future agricultural use of this land is not being damaged by the current use, and the area could easily be returned to grazing land.

Signage within the development is reasonable and it is very clear the areas which can be used by the patrons of the facility and their safety obligations.

Two of the tracks are for the use of pee wee and novice riders only.

The proposed development uses less than 30% of the entire property.

The proposed development does not result in any clearing. The tracks have been constructed in existing cleared areas.

The proposed development is a tourist use and can be considered to meet, or be appropriately conditioned to meet the requirements of the Planning Scheme.

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

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

- PO5 There are no significant adverse impacts on public health and safety with regard to:
- (a) the siting scale and design of buildings or other works;
 - (b) waste water disposal;
 - (c) the permanent or temporary occupation of or access to areas subject to natural hazards.
- PO6 All uses are located, designed, oriented and constructed to minimise noise, dust, odour or other nuisance from existing lawful uses including rural and industry uses.
- PO7 All uses are located, designed, oriented and constructed to minimise nuisance caused by noise, vibration and dust emissions generated by the State controlled road and rail network.

Noise has been a concern raised by all of the objecting submitters and is the major source of environmental impacts associated with the use.

In relation to noise, the only information provided by the applicant was a statement which indicated that:

Noise levels are controlled and have been maintained as per original application under the Motorcycling Queensland Guidelines to maintain noise to the acceptable decibel level. We are constantly monitoring the noise of motorbikes riding at Haworth Park and have noise testing equipment on site.

The lack of detailed noise information or noise assessment has made the assessment of this application very difficult.

Council's Senior Environmental Officer has stated as follows:

For activities such as motorbike riding, it is not recommended to use noise level conditions (such as background plus 5) as it is difficult to assess in a practical sense and the noise level

itself often doesn't correlate to complaints. People will often be annoyed if it is audible because of the type of sound generated from motorbikes. Conditioning with a noise level (e.g. background plus 5) removes the ability to use the Environmental Protection Act 1994 (EP Act) to respond to complaints.

A noise assessment has not been provided as part of the application, however if a noise assessment was undertaken based on the applicants proposal of up to 20 motorbikes per track during non-events, and up to 40 motorbikes per track during events, with a maximum of 80 and 160 motorbikes respectively, it is likely noise levels would be greater than 5 dB(A) above background, due to the nature of the type of noise as stated above.

However, activities such as motorbike riding can be conditioned relating to the number of motorbikes in use, the hours of operation, the number of days of the week and for how long the motorbikes can be used to minimise environmental nuisance. A condition could be placed on an approval stating that the operator must comply with the EP Act and all reasonable and practical measures must be undertaken to prevent unlawful environmental nuisance due to noise from the use, however this does not ensure that there would be no adverse noise impacts on the sensitive receptors.

Motorcycling Queensland is the State Controlling Body for motorcycle events, however apply the Motorcycling Australia guideline "2016 Manual of Motorcycle Sport". The guideline makes reference to a number of racing types such as 'Motocross and Dirt Track', 'Classic Motocross and Dirt Track', 'Enduro and Reliability Trials', 'Dirt Track' and 'Track' which include Regulations such as Sound Emissions.

Section 16.12 Classic Motocross and Dirt Track, section 20.13 Dirt Track and section 21.13 Track all specify a noise limit of 95 dB(A) for all dirt track riding when tested 30 metres from the side of the track where the motorbike is being ridden. Similarly, a condition could be placed on the approval to ensure compliance with this specification, however this does not ensure that there would be no adverse noise impacts on the sensitive receptors.

During a site inspection on 2 March 2016, the applicant stated that noise monitoring of motorcycles is undertaken in accordance with Motorcycle Queensland's requirements. It was stated that a measurement was taken with a motorcycle at full rev, at a two metre distance from the motorcycle, with a reading of 96 dB(A).

Council's Senior Environmental Officer undertook an assessment to determine an indicative noise reading from one motorcycle when measured at the boundary and noise sensitive receptors using the Inverse Square Law method. The Inverse Square Law method used in this assessment means the sound pressure will decrease linearly with distance from the source. Mathematically, the change in sound pressure level from a line source is calculated using the following formula:

$$\text{Change in dB level} = 10\log (d_1 \div d_2) \text{ in a free field}$$

where d1 and d2 are the distances from the noise source.

In approximate terms, this formula equates to a decrease of 3 dB for each doubling of distance from a line source (motorcycle on a track) in a free field (i.e. without obstructions or reflections). It is important to note that the doubling of distance rules for line sources are for ideal conditions and therefore are a guide only to average values, not specific ones. As this is a hypothetical assessment, the topographical and atmospheric conditions have not been taken into account.

The below map details the sensitive receptors distances from particular locations on the tracks. The measurements from track locations to sensitive receptors will be used to provide indicative noise readings at the sensitive receptors. The noise reading used in the following calculations is 96 dB(A) as stated by the applicant when undertaking noise monitoring.



Distances from track locations to sensitive receptors are as follows:

1. 696 metres
2. 2212 metres
3. 892 metres
4. 852 metres
5. 185 metres

The results for the following sensitive receptors are:

1. 70.77 dB(A)
2. 65.54 dB(A)
3. 69.01 dB(A)
4. 69.01 dB(A)
5. 76 dB(A)

Schedule 1 of the Environmental Protection (Noise) Policy 2008 provides Acoustic quality objectives for dwellings, both outdoors and indoors and during the daytime, evening and night-time. The objectives for outdoors during the daytime and evening, when measured in LAeq is 50 dB(A) and indoors during the daytime and evening when measured in LAeq is 35 dB(A). All results above exceed the Acoustic quality objectives for dwellings outdoors and indoors during the day and evening.

As stated above, these are indicative results based on the Inverse Square Law method. These results also take into account one motorcycle only, therefore it can be reasonable to expect greater noise results if 20 motorcycles are on each track at one time, with the potential to have up to 80 motorcycles at a time.

Conditions could be placed on the approval reducing the number of motorcycles on each track and limiting the operating hours and days. If complaints are received in relation to noise nuisance, conditions could be placed on the approval for tracks to be closed while investigations (could be in the form of a noise assessment) into the noise concerns are

undertaken. If noise from the riding of motorbikes on these tracks is deemed to be a nuisance, the operator must consider removing/relocating the track/s.

The applicant has stated that dust from the use of motorbike tracks will be managed by watering the tracks regularly. Generally, the tracks are watered each evening after the tracks are used, and at times throughout the day during use when required. During hot, dry periods, where dust is predominant, the tracks are watered as soon as dust is identified as being an issue. The amount of water applied to each track each evening after use is as follows:

- *Track No. 1: a large sand track to the south-east of the dwelling – 2km track, approximately 50 000 litres taking 2.5 hours to water;*
- *Track No. 2: a hard pack track to the north of the dwelling – approximately 16 000 litres of water taking 1 hour to water;*
- *Track No. 3: a stadium cross track to the north-east of the dwelling – approximately 16 000 litres of water taking 1 hour to water;*
- *Advanced pee wee track: to the south-west of the dwelling – approximately 6 000 litres of water taking 30 minutes to water;*
- *Pee wee and novice learner track: to the south-west of the dwelling – formed of grass therefore not generally requiring watering.*

The applicant stated that two water trucks are available on site for use, one with an 8,000 litre capacity and the other with a 6,000 litre capacity. Water supply from dams is used for watering the tracks. There are nine dams on site, however the dam to the north of the stadium cross track is the dam that primarily supplies water for dust suppression. The applicant stated that if water supply on site was unavailable, general riding or an event would be cancelled, until a suitable water supply could be found to water the tracks. A condition could be placed on the approval to ensure dust is minimised due to regular watering, and if a water supply is unavailable, general riding or event must be cancelled

Sandstone rises and traprock hills precinct: Scenic amenity: The proposed development is within 60 metres of Toowoomba-Karara Road. The associated Performance outcome states as follows:

PO3 The existing high level of scenic amenity in this precinct is retained.

The facility has a low visual impact on the scenic amenity, no more than ordinary farming would have. No permanent structures larger than buildings normally associated with a rural use would be used.

Sport and recreation facility code

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

Light emissions: the Acceptable outcome states as follows:

AO3 Illumination levels 1.5 m outside the site (exclusive of within an adjoining road reserve) do not exceed 8 lux measured at any level upwards from the ground.

A number of submissions have raised concerns with regards to light nuisance.

The associated Performance outcome states as follows:

PO3 Light emissions do not have an adverse effect on the amenity of the surrounding area.

Council's Senior Environmental Officer has recommended a condition be imposed to ensure that potential light nuisance is managed.

Infrastructure: the Acceptable outcome states as follows:

AO11.1 The use is connected to all urban services including reticulated water, sewerage, stormwater, electricity and communications services available in the locality.

There is no reticulated water or sewerage available to the site, due to its rural location. The associated Performance outcome states as follows:

PO11 The use is serviced with appropriate infrastructure.

Shade is provided to spectators by native vegetation, however there are very limited spectators associated with the motor bike riding.

Amenity: the Performance outcome states as follows:

PO12 The use does not result in unacceptable impact on the amenity of the surrounding area.

As previously detailed, noise has been a concern raised by all of the objecting submitters. Council's Senior Environmental Officer has provided details of the environmental assessment undertaken above. It is considered that appropriate conditions can be imposed to ensure there is no adverse environmental impact on the subject or adjoining properties.

Tourist park and relocatable home park code

With regards to the camping grounds, to the extent relevant, the controls for caravan parks are those set out in "Guidelines on Good Design for Caravan Parks and Relocatable Home Parks" published by the Department of Local Government and Planning. Council may vary these controls provided that sufficient evidence can be provided that the proposal will be consistent with the purpose of the Tourist park and relocatable home park code. As the applicant does not propose the Camping and Caravan Grounds to cater for long-term visitors/residents, some of the requirements of the guidelines are not applicable.

The development complies with the requirements of the guidelines with regards to location, external roads and movement, layout and design, internal access and parking.

The applicant will be required to obtain a permit under Subordinate Local Law No. 1.8 (Operation of Caravan Parks). The applicant will be required to provide additional facilities and operate the Camping and Caravan Grounds in accordance with this Local Law. The Local Law will control the number of ablutions to be provided and other facilities.

It should be a condition of any approval that no camping infrastructure, such as rubbish bins, lighting, sullage points, etc, are to be located within 30 metres of property boundaries.

Carparking and loading code

The applicant proposes that campers will park their vehicles adjacent to the camping sites. There will be no marked camping sites, therefore it is unreasonable to require the provision of a designated parking space. Any approval should be conditioned to require the internal driveways to be constructed to an all-weather standard.

Landscaping code

There is currently no formal landscaping on site, except adjoining the main residence. The applicant has planted a row of trees along the Toowoomba-Karara Road frontage. All other landscaping on site is native vegetation.

Outdoor lighting code

Lighting has been addressed earlier in the report. It is considered appropriate that the proposed development can be conditioned to comply with the Code.

Physical infrastructure code

The number of ablutions and other facilities will be assessed as part of the permit in accordance with Subordinate Local Law No. 1.8 (Operation of Caravan Parks).

The existing dwellings are connected to rainwater tanks, however the majority of water is sourced by on-site dams. There will be no water sourced from bores to service the proposed development.

All sewerage will be pumped out and collected by a regulated carrier, and therefore not require an Environmentally Relevant Activity (ERA) licence for sewerage treatment.

Grey water will be disposed of within a spray dispersal area. This will need to comply with the Plumbing and drainage requirements, however does not trigger an ERA.

Biodiversity areas overlay code

There is no vegetation clearing proposed, as all of the tracks are located in already cleared areas, outside of the Biodiversity areas overlay.

Bushfire hazard overlay code

The tracks are not located within the Bushfire hazard overlay.

Infrastructure Charges

Camping is proposed for 100 patrons. The general rule is four people per site, which equates to 25 sites. Therefore the charges have been calculated on 25 sites.

Development Type	Network	Rate	Proposed	Charge
Accommodation short term	Park and Roads	\$1000/tent or caravan site @ 30%	25 sites	\$7,500
TOTAL:				\$7,500

Office use only			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Roads	20%	\$5,000	RC241
Parks	10%	\$2,500	RC243
Water	30%	NA	RC244
Sewerage	35%	NA	RC245
Stormwater	10%	NA	RC242

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

Conclusion

The applicant proposes to increase the scale and intensity of the operation such that there would be up to 20 riders of a track at any one time, with races consisting of up to 40 riders.

The operation of the facility would be the following days and times:

- Wednesday - 9.00am to 9.00pm
- Saturday - 9.00am to 9.00pm
- Sunday - 9.00am to 3.00pm
- Public and school holidays - 9.00am to 3.00pm

This proposal will provide for four full time employees and one part time employee.

176 submissions were received to the application, six letters of objection and 170 letters of support. The submitters raised concerns regarding noise, dust and light nuisance, loss of amenity and rural land, road construction, the increase in dog attacks and shooting, waste disposal, injuries to riders, non-compliance with the Planning Scheme and *Sustainable Planning Act 2009*, non-compliance with the existing approval and devaluation.

There is a high level of concern in relation to the potential noise nuisance with the number of riders, and the days and hours of operation. Whilst conditions could be imposed on an approval requiring compliance with the EP Act and the Motorcycling Australia guideline, there is no guarantee that there would be no adverse noise impacts on the sensitive receptors, being the dwellings in proximity.

If complaints are received in relation to noise nuisance, conditions could be placed on the approval for tracks to be closed while investigations (could be in the form of a noise assessment) into the

noise concerns are undertaken. If noise from the riding of motorbikes on these tracks is deemed to be a nuisance, the operator must consider removing the track/s, however again it is unknown if a solution would be available.

Council needs to be satisfied that the potential noise nuisance is suitable for the proposed development, giving consideration to the surrounding uses.

Options

There are a number of options available to Council. These options are outlined in the Recommendation.

Recommendation


- A. THAT subject to Council resolving in line with Options 1, 2 or 3, Council agrees that in accordance with Section 304 of the *Sustainable Planning Act 2009*, the non-compliance with the public notification requirements did not:
 - (a) adversely affect the awareness of the public of the existence and nature of the application; or
 - (b) restrict the opportunity of the public to make properly made submissions.
- B. THAT the application for a Material Change of Use for the purpose of a Motor sport facility – Extension to existing use (Motorcycle Racing, Training & Coaching) increase from five to 80 riders, up to six events per year, ancillary sale of spare parts for bikes, and camping by patrons (up to 100 people) on land at 6266 Toowoomba - Karara Road, Leyburn, described as Lot 226 ML1449, Parish of Leyburn, County of Merivale, be received and Council resolve in line with one of the following options:
 - Option 1: THAT the applicant is requested to provide further information with regards to noise, including the submission of an acoustic report prepared by a suitably qualified person, for further assessment by Council.
 - Option 2: THAT if Council wishes to approve the development, suggested conditions can be provided. Draft conditions have been prepared, however Officers are concerned whether the noise impacts could be mitigated to a point where compliance can be achieved with the relevant legislation and guidelines.
 - Option 3: THAT an alternative recommendation is adopted.
 - Option 4: THAT the application is refused with reasons.

Attachments

- 1. Letters of objection (Excluded from agenda - Provided under separate cover)[View](#)
- 2. Letters of support (Excluded from agenda - Provided under separate cover)[View](#)

11.6 Preliminary Approval for Building Works (Shed, Storage Container and Caravan in Sugarloaf Forestry) - Raymond P Ireland and Kathryn P Herd, South Drive, Sugarloaf

Document Information

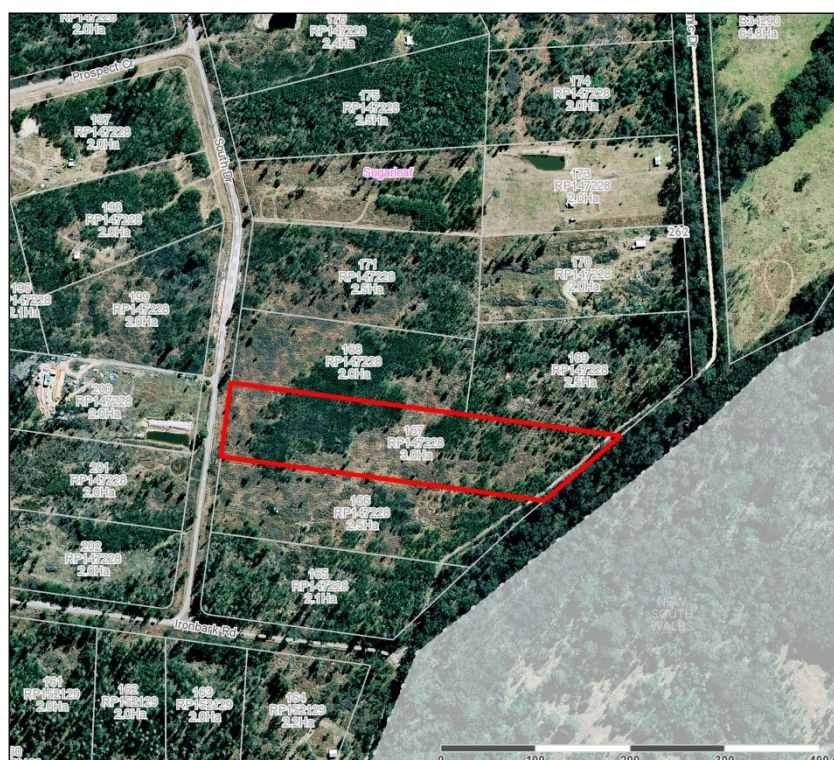
 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Planning Technical Office	File Ref: BLD\14094

APPLICANT:	Raymond P Ireland and Kathryn P Herd
OWNER:	Raymond P Ireland and Kathryn P Herd
ADDRESS:	South Drive, Sugarloaf
RPD:	Lot 167 RP147228, Parish of Folkestone, County of Bentinck
ZONE:	Limited development (Constrained land) zone
PROPOSAL:	Preliminary Approval for Building Works (Shed, Storage Container and Caravan)
LEVEL OF ASSESSMENT:	Code
REFERRALS:	Nil

Recommendation Summary

THAT the application for Preliminary Approval for Building Works (Shed, Storage Container and Caravan) on land at South Drive, Sugarloaf, described as Lot 167 RP147228, Parish of Folkestone, County of Bentinck, be refused for the reasons outlined in the recommendation.

Report



The land is included in the Limited development (constrained land) zone under the Southern Downs Planning Scheme. The property is 3 hectare in area.

The applicant has submitted an application to construct a storage shed (6 metres by 7 metres) and install a shipping container on the subject land. As the proposal includes building works on a lot smaller than 20 hectares, a Code assessment against the Planning Scheme is required.



Background

The Sugarloaf Forestry is a historic forestry subdivision, that is constrained for further / additional residential or rural residential development due to its limited infrastructure, and is remoteness from services and community facilities. Therefore, any proposal to construct a building for any purpose on an allotment in the Sugarloaf Forestry with an area less than 20 hectares requires approval under the Planning Scheme. The provisions of the Planning Scheme effectively prohibit the construction of any building other than rural sheds on lots less than 20 hectares.

Due to the limited information supplied with the applicant's submission, a meeting between the applicant and with Council was arranged to establish the purpose of the proposed structures.

During the meeting on 19 January 2016, the following information was provided:

- The land would be used for the cultivation of berries and possibly lavender on a small scale;
- The shipping container will be used to safely and securely store weed and wild blackberry killers and fertilisers, as well as agricultural equipment and mowers;
- The shed is needed for the sorting and packing of berries;
- The applicant plans to spend a considerable portion of most days on the property working the proposed berries and lavender fields, applying poisons and fertilisers, therefore it is necessary for a toilet and shower facilities; and
- The landowners reside in a rental property in town.

The applicant was advised that Council officers' were concerned about the size of the proposed shed relative to the size of the land. The applicant was advised that a shipping container alone would be of a more acceptable scale and in line with the proposed purpose. The applicant verbally agreed to remove the shed from the application, therefore only the shipping container would be subject to the application.

The letter from the applicant was received on 22 January 2016 and confirmed the following:

Consequential to our meeting with you in Warwick on 19th January, we wish to amend our proposal from building a shed on Lot 167 Sugarloaf, to just having a shipping container anchored on the block. This will be used for storage and security of poisons and mowing equipment.

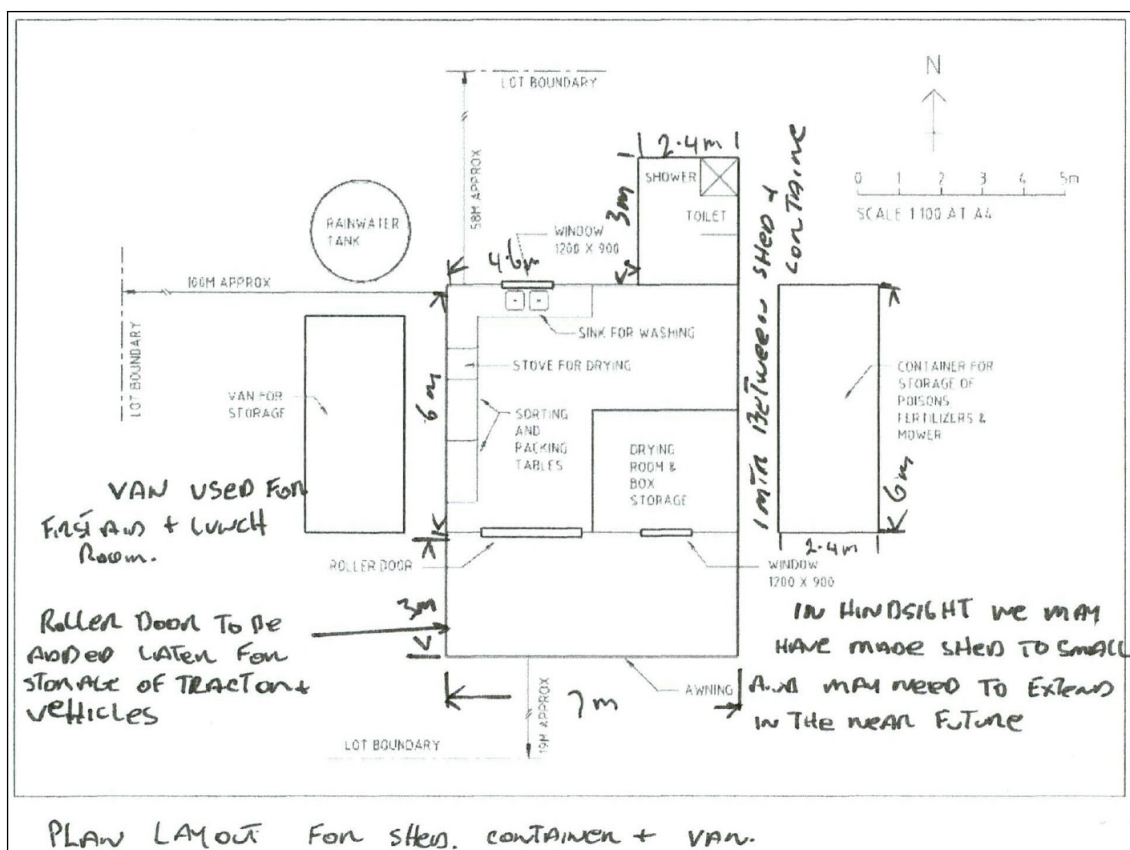
Following this letter, the applicant contacted Council by telephone, this time disputing that there was a need to amend the application. Further written advice from the applicant dated 3 February 2016, requested Council to consider the original application for a storage shed and shipping container.

The applicant was advised that for Council to consider the original application, it was necessary to provide additional information relating to the rural use of the property to demonstrate that the shed and container were required for rural purposes only, and not for residential purposes.

The additional information relating to the rural use of the property was received on 19 February 2016 stating the following:

The applicant proposes to operate a small scale cultivation of berries and lavender on the property and wishes to locate a storage shed (9 metres x 7 metres), caravan and shipping container on the subject land.

The size of the shed has increased from that originally proposed, and includes a sink, stove, shower and toilet. The proposed development also now includes the addition of a caravan. It is proposed that the caravan will be used for a lunchroom/first aid room.



Assessment against the Planning Scheme

This application required assessment against the Limited development (constrained land) zone code, Car parking and loading code, Landscaping code, Physical infrastructure code and Bushfire hazard overlay code.

Limited development (constrained land) zone code

The historic subdivision of Mt Sugarloaf forestry is not an urban or rural residential area but is an area for forestry and rural activity.

The zone code requires:

- Development in the areas of the historic subdivision to maintain a rural rather than urban character with large holdings being used for rural activities or outdoor sport and recreation; and that **no business activities, community uses, industry activities or accommodation activities are established on any lot with an area of less than 20 ha.**
- All uses, other than rural activities or outdoor sport and recreation, constructed on a lot with an area of less than 20 ha have access to the Region's road network via **fully constructed sealed roads** from the property boundary.
- Where development is proposed on a lot with an area of less than 20 ha that development is provided with **urban services similar to those in the Rural residential zone.**
- All uses, other than rural activities or outdoor sport and recreation, constructed on a lot with an area of less than 20 ha are connected to **urban water services and reticulated electricity.**

The applicant has stated that the horticultural use has not yet commenced, i.e. no berries have been planted. The site plan submitted has also failed to identify the growing areas, locations of dams and water source, parking areas, etc.

The history of the Sugarloaf area identifies a significant level of unlawful development, such as sheds being used for residential purposes. Council recently resolved that action is to be taken against landowners for the unlawful use of the land within the Limited development (constrained land) zone.

The floor plan for the storage shed had identified a sink for washing, stove for drying, a toilet, a shower and a separate room for drying room and box storage. The advice from Council's Principal Building Certifier is that the proposed shed has all the facilities and the appearance of a dwelling and that it does not resemble a packing or storage shed.

The planning scheme requires a dwelling to be provided with fully sealed road access and reticulated water. The land does not have access to a constructed road, and reticulated water is not available.

Conclusion

The applicant proposes to locate a storage shed (9 metres by 7 metres), shipping container and caravan on the subject land. The applicant states that these structures are required to operate a small scale cultivation of berries and lavender on the property.

The proposed shed has all the facilities and the appearance of a dwelling and that it does not resemble a packing or storage shed. Unlike a shed, a dwelling in the Limited development (constructed land) zone must have access via a fully sealed road, and must be connected to a reticulated water supply.

The proposed development cannot comply with the requirements of the Planning Scheme.

Options

1. The application is refused with reasons.
- 2: The application is approved subject to conditions.
- 3: An alternative recommendation is adopted

Recommendation

THAT the application for Preliminary Approval for Building Works (Shed, Storage Container and Caravan) on land at South Drive, Sugarloaf, described as Lot 167 RP147228, Parish of Folkestone, County of Bentinck, be refused for the following reasons:

1. The proposed shed has all the facilities and the appearance of a dwelling and does not resemble a rural shed. The proposed development therefore cannot comply with the following provisions of the Southern Downs Planning Scheme.
 - Section 3.3.6, Strategic framework, Settlement pattern, Element: Historic subdivisions:

The historic subdivision of Mt Sugarloaf Forestry is not an urban or rural residential area but is an area for forestry and rural activity.
 - Section 3.3.6.1, Strategic framework, Settlement pattern, Element: Historic subdivisions, Specific outcomes:
 - (1) *Development is directed away from areas of historic subdivision where residential or rural residential development would result in fragmentation of the urban fabric, uneconomic extension of services and infrastructure and social isolation from community and other urban facilities.*
 - Section 3.3.6.2, Strategic framework, Settlement pattern, Element: Historic subdivisions, Land use strategies:
 - (1) *The Mt Sugarloaf Forestry is an historic forestry subdivision that is constrained for future residential or rural residential development because it has limited infrastructure, is remote from services and community facilities and is not an in an area which would be suitable for future residential or rural residential growth.*
 - (2) *Residential development on the small lots located at Mt Sugarloaf is restricted as such development would result in a fragmented development pattern, uneconomic extension of services and infrastructure and social isolation from community and other urban facilities. Amalgamation of the small lots will result in small rural holdings of about 20 ha.*
 - Section 6.2.5.2(2) and (3), Limited development (constrained lane) zone code, Purpose:
 - (2) *The local government purpose of the zone code is to ensure that areas of historic subdivision without urban services or basic community facilities are not used for urban purposes. Areas of historic subdivision may be used for rural purposes.*
 - (3) *The purpose of the code will be achieved through the following outcomes.*
 - (a) *The land is conserved for sustainable rural use.*
 - (b) *Development is reflective and responsive to the constraints of the land.*
 - (c) *The density of residential development reflects the primary use of the land for rural or open space purposes and the lack of urban services and basic community facilities.*
 - Section 6.2.5.3, Limited development (constrained lane) zone code, Assessment Criteria (for self-assessable and assessable development):
 - Performance outcomes (Use)

PO1 (a) The areas of historic subdivision maintain a rural rather than urban character with large holdings being used for rural activities or outdoor sport and recreation.

 (b) No ... accommodation activities are established on any lot with an area of less than 20 ha.
 - Performance outcomes (Roads and infrastructure)

PO5 All uses, other than rural activities or outdoor sport and recreation,

constructed on a lot with an area of less than 20 ha have access to the Region's road network via fully constructed sealed roads from the property boundary.

- PO6 Where development is proposed on a lot with an area of less than 20 ha that development is provided with urban services similar to those in the Rural residential zone.
All uses, other than rural activities or outdoor sport and recreation, constructed on a lot with an area of less than 20 ha are connected to urban water services and reticulated electricity.

Attachments

Nil


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

Nil

13. NOTICES OF MOTION

13.1 Notice of Motion - Allora-Clifton Road Load Limit

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 March 2016
	Chief Executive Officer	File Ref:

Notice of Motion – To Be Moved by Cr Bartley

THAT Council rescind the following resolution made at the February 2016 General Council Meeting:

10.5 Allora-Clifton Road Load Limit

That Council:-

1. Note the implementation of a 10 tonne load limit and proceed with upgrade of the detour route.
2. Highlight the replacement cost of the culvert as a priority project for the new Council.

Comments from the Chief Executive Officer

A Notice of Motion was received on 25 February 2016, pursuant to Section 262 of the Local Government Regulations 2012, signed by Crs Bartley, Pennisi and Gow, a copy of which is attached.

Attachments

1. Notice of Motion - Allora-Clifton Road Load Limit [View](#)

25th Feb 2016

The Chief Executive Officer and Councillors
Southern Downs Regional Council P.O. Box 26
Warwick QLD 4370

Dear Mr CEO

We would like to give notice to councillors that pursuant to Section 262 of the local government Regulations 2012 it is our intention to rescind the below mentioned motion (10.5 Allora-Clifton Road Load Limit) until new information has been discussed and considered

10.5 Allora-Clifton Road Load Limit

Resolution

Moved Cr N Meiklejohn Seconded Cr G Rees

THAT Council:-

1. Note the implementation of a 10 tonne load limit and proceed with upgrade of the detour route.

2. Highlight the replacement cost of the culvert as a priority project for the new Council.

Carried

Vic Pennisi

COUNCILLOR

Southern Downs Regional Council

t 07 4681 1086 f 07 4661 0333

m 0412 909 882

vic.pennisi@southerndowns.qld.gov.au

Signed



Cameron Gow

COUNCILLOR

Southern Downs Regional Council

cameron.gow@southerndowns.qld.gov.au

Signed



Ross Bartley

DEPUTY MAYOR

Southern Downs Regional Council

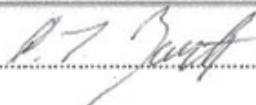
t 07 4661 3069

m 0429 637 729

ross.bartley@southerndowns.qld.gov.au



Signed



14. GENERAL BUSINESS

15. 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:

15.1 Draft 2016/2017 Operational Budget

Reason for Confidentiality

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

15.2 Rates Exemption Request

Reason for Confidentiality

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

15.3 Sale of Land for Unpaid Rates

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

15.4 Audit & Risk Management Committee (ARMC) Meeting - 3 March 2016

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.

15.5 National Stronger Regions Round 3

Reason for Confidentiality

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

15.6 Request for Relief from Higher Water Consumption Charges - 36 Herbert Street, Allora

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.

15.7 Bushfire Mitigation Options for Council Owned and Managed Land

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.

15.8 Environmental Nuisance Complaints from the Operation of Transport Depot in Killarney

Reason for Confidentiality

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

15.9 Appeal to the Planning and Environment Court, Crompton v Southern Downs Regional Council - Gladfield Back Road, Gladfield

Reason for Confidentiality

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