



SOUTHERN DOWNS REGIONAL COUNCIL GENERAL MEETING OF COUNCIL

Dear Councillors

Your attendance is hereby requested at the General Meeting of Council to be held in the Council Chambers, Southern Downs Regional Council, 64 Fitzroy Street, Warwick on **Wednesday, 28 June 2017 at 9.00AM.**

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

David Keenan

CHIEF EXECUTIVE OFFICER

22 June 2017

Attendances

10:30am Morning Tea at Suncorp for 100 Year Anniversary

11:00am Casual for a Cause Donation to Share the Dignity – Lisa Brown

1:00pm Roger Beer from Local Government Association of Queensland - Councillors

ORDER OF BUSINESS:

1.	PRAYER & CONDOLENCES	1
2.	ATTENDANCE	1
3.	APOLOGIES.....	1
4.	READING AND CONFIRMATION OF MINUTES.....	1
4.1	General Council Meeting - 24 May 2017.....	1
4.2	Special Council Meeting - 29 May 2017.....	1
4.3	Special Council Meeting - 14 June 2017.....	1
5.	ACTIONS FROM COUNCIL MEETINGS	2
5.1	Actions from Previous Council Meeting.....	2
6.	DECLARATIONS OF CONFLICTS OF INTEREST	6
7.	MAYORAL MINUTE	7
7.1	Mayoral Minute - June 2017	7
8.	READING AND CONSIDERATION OF CORRESPONDENCE	9
8.1	Correspondence	9
9.	RECEPTION AND READING OF PETITIONS AND JOINT LETTERS.....	16
	Nil	
10.	EXECUTIVE.....	17
10.1	Financial Report as at 31 May 2017	17
10.2	Amendment to PECS 2017/18 SDRC Fees and Charges.....	24
10.3	Submission to Healthy Futures Commission Queensland Bill 2017	29
11.	ENGINEERING SERVICES DEPARTMENT REPORTS.....	33
11.1	Engineering Services Department Monthly Report	33
11.2	Jim Mitchell Park	44
11.3	Event, Sport & Recreation Advisory Committee Minutes	49
12.	PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS.....	53
12.1	Pest Management Advisory Committee Minutes.....	53
12.2	Council's Role as Concurrence Agency for Amenity and Aesthetics, Planning Regulation 2017.....	66
12.3	Policies Review - June 2017.....	68
12.4	Alignment Amendment of the Southern Downs Planning Scheme	128
12.5	Waste Reduction and Recycling Plan Review.....	130
12.6	Proposed Amendments to the Planning Scheme - Consideration of Submissions	134
12.7	Delegations Register - Council to CEO.....	146

WEDNESDAY, 28 JUNE 2017 General Meeting of Council

12.8	Proposed Mineral Mining Operation, Cherrabah Granite Mine	148
12.9	Waste Reduction and Recycling Amendment Bill 2017	222
12.10	Lapsing of Approval - Cattle Feedlot, 192 North Branch Road, Goomburra	225
12.11	Material Change of Use - 229 Granite Belt Drive, Thulimbah	234
13.	REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	259
	Nil	
14.	NOTICES OF MOTION	260
14.1	Notice of Motion: Mini Golf Facility	260
15.	GENERAL BUSINESS	265
16.	CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS	265
16.1	Request for Reduction of Waste Collection Charges PN 117595.....	265
16.2	Current Rates Concession Granted PN 55305	265
16.3	Request for Waiving Rates PN 107525.....	265
16.4	2016/17 Funding to Community	265
16.5	May 2017 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane	265
16.6	Audit and Risk Management Committee Meeting Minutes - 19 May 2017	265

1. PRAYER & CONDOLENCES

2. ATTENDANCE

3. APOLOGIES

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 24 May 2017

Recommendation

THAT the minutes of the General Council Meeting held on Wednesday 24 May 2017 be adopted.

4.2 Special Council Meeting - 29 May 2017

Recommendation

THAT the minutes of the Special Council Meeting held on Monday 29 May 2017 be adopted.

4.3 Special Council Meeting - 14 June 2017

Recommendation

THAT the minutes of the Special Council Meeting held on Wednesday 14 June 2017 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: 28 June 2017
	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 May 2017 General Council Meeting.

A copy of the Actions report is attached.

Attachments

1. Actions from May 2017 General Meeting [View](#)



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING

Date From: 24/05/2017

Date To: 24/05/2017

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
24 May 2017	3.1	Apology - Cr McNally	David Keenan	25 May 2017 - 9:03 AM - Marion Seymour Noted	25/05/2017
24 May 2017	5.1	Actions from Previous Council Meeting	David Keenan	25 May 2017 - 9:05 AM - Marion Seymour Noted	25/05/2017
24 May 2017	7.1	Mayoral Minute April 2017	Tracy Dobie	25 May 2017 - 9:05 AM - Marion Seymour Noted	25/05/2017
24 May 2017	8.1	Correspondence	David Keenan	25 May 2017 - 9:05 AM - Marion Seymour Noted	25/05/2017
24 May 2017	10.1	Financial Report as at 30 April 2017	Andrew Page	25 May 2017 - 9:05 AM - Marion Seymour Noted	25/05/2017
24 May 2017	10.2	Submission to Inquiry on Long-Term Financial Sustainability of Local Government	David Keenan	25 May 2017 - 9:06 AM - Marion Seymour Submission lodged 25 May 2017	25/05/2017
24 May 2017	11.1	Engineering Services Department Monthly Report	Peter See	02 Jun 2017 - 4:55 PM - Barb Fagen Noted	2/06/2017
24 May 2017	11.2	Proposal to Decommission Public Toilets Behind Warwick Town Hall	Michael Bell	06 Jun 2017 - 8:49 AM - Barb Fagen In response to Council resolution officers have submitted applications to demolish the public toilets.	6/06/2017
24 May 2017	11.3	Community Services Advisory Committee (CSAC) Meeting Held 10 May 2017	Michael Bell	02 Jun 2017 - 4:55 PM - Barb Fagen Noted	2/06/2017
24 May 2017	12.5	Proposed Amendments to Southern Downs Planning Scheme - Consideration of Submissions	Annette Doherty	31 May 2017 - 8:28 AM - Allison Bilbrough Monthly Memo sent to PCC to action in accordance with the Council Resolution	31/05/2017
24 May 2017	12.6	Negotiated Decision Notice - TFT Hoe Hire Pty Ltd ATF Townsend Family Trust, 347 Limberlost Road, Fletcher	Tonya Collier	31 May 2017 - 8:30 AM - Allison Bilbrough Negotiated Decision Notice mailed to applicant	31/05/2017
24 May 2017	11.4	Water & Wastewater Advisory Committee Minutes	Peter See	02 Jun 2017 - 4:56 PM - Barb Fagen Noted	2/06/2017
24 May 2017	11.5	Southern Downs Road Safety Advisory Committee Minutes	Chris Whitaker	02 Jun 2017 - 4:56 PM - Barb Fagen	2/06/2017



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING

Date From: 24/05/2017

Date To: 24/05/2017

					Noted
24 May 2017	11.6	Proposed Walking Track between Greenup Street and Lock Street, Stanthorpe	Chris Whitaker	07 Jun 2017 - 12:27 PM - Barb Fagan Correspondence sent advising of Council Resolution	7/06/2017
24 May 2017	12.1	Council Lease Policy Review	Peter Gribbin	31 May 2017 - 8:31 AM - Alison Bilbrough Monthly Memo sent to MCS and LCO to action in accordance with the Council Resolution	31/05/2017
24 May 2017	12.4	Alignment Amendment of the Southern Downs Planning Scheme	Annette Doherty	31 May 2017 - 8:33 AM - Alison Bilbrough Monthly Memo sent to PCC to action in accordance with the Council Resolution	31/05/2017
24 May 2017	12.2	Policies Review - May 2017	Jody Collins	31 May 2017 - 8:39 AM - Alison Bilbrough Monthly Memo sent to MCS, GRO & GGO to action in accordance with the Council Resolution	31/05/2017
24 May 2017	12.3	Building Our Regions Funding Program	Peter Gribbin	31 May 2017 - 8:41 AM - Alison Bilbrough Monthly Memo sent to MCS, GRO & GGO to action in accordance with the Council Resolution	31/05/2017
24 May 2017	12.7	Material Change of Use - Gary Hayes & Partners Pty Ltd, Peter Street, Leyburn	Clancy Sloan	31 May 2017 - 8:41 AM - Alison Bilbrough Decision Notice mailed to applicant	31/05/2017
24 May 2017	12.8	Material Change of Use - Liberty Oil CA-Vision 2 Reality, 2 Wood Street, Warwick	Mandy May	31 May 2017 - 8:42 AM - Alison Bilbrough Decision Notice mailed to applicant	31/05/2017
24 May 2017	14.1	Notice of Motion - Relocation of Water Valves at 3 Bell Place, Warwick	Peter See	02 Jun 2017 - 4:08 PM - Barb Fagan Water valves to be relocated on Tuesday 6 June 2017	2/06/2017
24 May 2017	16.1	Warwick Shire River Improvement Trust Secretarial Support	David Keenan	25 May 2017 - 9:07 AM - Marion Seymour Warwick Shire River Improvement Trust advised of Council's decision	25/05/2017
24 May 2017	16.2	Reduction on Water Access Charges	Andrew Page	25 May 2017 - 9:08 AM - Marion Seymour Application advised of Council's decision	25/05/2017
24 May 2017	16.3	Request for Reduction of Wastewater Charges	Andrew Page	25 May 2017 - 9:09 AM - Marion Seymour Applicant advised of Council's decision	25/05/2017
24 May 2017	16.4	2016/2017 Community Support Program	Sue Harold	06 Jun 2017 - 8:40 AM - Barb Fagan Correspondence sent advising of Council resolution	6/06/2017



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING

Date From: 24/05/2017

Date To: 24/05/2017

24 May 2017	16.5	Waste Contract	Darryl Brooks	<i>31 May 2017 - 8:43 AM - Alison Billbrough</i> Monthly Memo sent to MES & EC to action in accordance with the Council Resolution	31/05/2017
24 May 2017	16.6	Purchase of Land, Rabbit Road, Leslie Dam	Annette Doherty	<i>31 May 2017 - 8:43 AM - Alison Billbrough</i> Monthly Memo sent to MES & PCC to action in accordance with the Council Resolution	31/05/2017
24 May 2017	16.7	Warwick District Drag Racing Association Incorporated - Lease renewal	Peter Gribbin	<i>31 May 2017 - 8:44 AM - Alison Billbrough</i> Monthly Memo sent to MCS & LCO to action in accordance with the Council Resolution	31/05/2017
24 May 2017	16.8	Proposed sale of land - Henry Evans Drive, Rosehill	Peter Gribbin	<i>31 May 2017 - 8:45 AM - Alison Billbrough</i> Monthly Memo sent to MCS & LMO to action in accordance with the Council Resolution	31/05/2017
24 May 2017	16.9	April 2017 Monthly Reports from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane	Peter See	<i>02 Jun 2017 - 4:59 PM - Barb Fagen</i> Noted	2/06/2017
24 May 2017	16.10	Elections for Court Hearing in response to Penalty Infringement Notices	Annette Doherty	<i>31 May 2017 - 8:46 AM - Alison Billbrough</i> Monthly Memo sent to PCC to action in accordance with the Council Resolution	31/05/2017
24 May 2017	16.11	Saleyards Advisory Committee Minutes	Andrew Page	<i>30 May 2017 - 11:52 AM - Marion Seymour</i> Expressions of Interest to go out week commencing 29 May 2017	30/05/2017

6. DECLARATIONS OF CONFLICTS OF INTEREST

7. MAYORAL MINUTE

7.1 Mayoral Minute - June 2017

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Mayor	ECM Function No/s:

Recommendation

THAT Council receive the Mayoral Minute for June 2017.

Report

In a Special Council Meeting this month we adopted the 2017/18 Budget. This budget is financially responsible, bringing in a 3.4% rate rise, along with the discount of 7.5% on the general rate for those who pay their rates within the discount period. We have struck a balance between working towards our long-term financial sustainability, delivering value-for-money services and investing in, and developing, the Southern Downs as a great place to live, work and unwind. We have forecast a modest surplus, and we will continue to improve the delivery of Council services with quarterly reviews aimed at identifying further areas for savings and efficiencies. This is a budget with a major focus on financial stability, strong asset management and community empowerment as we continue on our journey to ensure our region is financially sustainable into the future.

Last week Cr Sheryl Windle and I attended the 2017 National General Congress of Local Government. Keynote speakers included His Excellency the Governor General of Australia Sir Peter Cosgrove MC, Senator Fiona Nash, Senator Richard di Natale, Senator Nigel Scullion, Michael Keenan MP, Angus Taylor MP, and Bill Shorten MP; along with panel discussions focusing on 'Building Tomorrow's Communities', 'Building Liveable Communities', and 'Governance in a Digital Age'. The major focus of the Congress was on the Debate on Motions. Over 100 motions were put forward from Councils throughout Australia and these were voted on by those Councils with representatives at the Congress. The Southern Downs Regional Council contributed our vote on the motions that will now be taken forward by the Australian Local Government Association for consideration by the Federal Government.

The Federal Government has recently lifted the hold on indexation of the Federal Assistance Grants. These grants are essential to regional councils such as ours with a relatively low rate base but with a large amount of infrastructure to be maintained. The importance of these operational grants to local government sustainability were addressed by almost all of the keynote speakers and there were a number of motions debated and carried, particularly in regard to the need for a reassessment of the model for allocation of the grants so that the regional, rural and remote councils have a fairer allocation over those councils with a much larger rate base. Our Council has recently written to Senator Fiona Nash, in her capacity as Minister for Local Government and Territories, seeking her support in a reassessment the model.

Through the presentations and discussions on liveable communities, it was apparent the Southern Downs has the elements people look for in a liveable community - education, health, employment, low crime, telecommunications, retail access, affordable housing and culture. As a Council we will

work towards our region, our communities, becoming identified and acknowledged as desirable places to live; and our 2017/18 Budget is a step in this direction.

Attachments

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Chief Executive Officer	ECM Function No/s:

Recommendation

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

Report

1. **Maranoa Regional Council** requesting Council consider a budget funding allocation to support Pimelea Research, which is a toxic weed affecting the cattle industry, together with a response to Maranoa Regional Council.

Action: Noted.

2. **Deputy Premier** advising of the allocation of \$2.9m under the Works for Queensland Program to Southern Downs Regional Council (copy attached)

Action: Noted.

3. **Department of Infrastructure, Local Government and Planning** outlining the process for nomination of projects for funding under the Works for Queensland Program (copy attached).

Action: Referred to Briefing Session for further discussion.

Attachments

1. Maranoa Regional Council [View](#)
2. Letter to Maranoa Regional Council [View](#)
3. Deputy Premier [View](#)
4. Department of Infrastructure, Local Government and Planning [View](#)



Enquiries to:
Michelle Filan - Associate to the Mayor
Office of the Mayor
Phone: 4624 0670
1300 007 662 (via Customer Service)
Our Ref: D17/38272

22 May 2017

Councillor Tracy Dobie
Mayor
Southern Downs Regional Council

Via email: tracy.dobie@sdrq.qld.gov.au



Mayor
Maranoa Regional Council

Dear Councillor Dobie

Re: Request to support Pimelea Research during Budget deliberations

I write to encourage Southern Downs Regional Council, and fellow South West Queensland Councils, to actively support the Pimelea Research that is being coordinated by AgForce.

The toxic Pimelea has devastated many cattle producers and is garnering industry recognition as potentially disastrous, if control measures are not implemented. The cattle industry remains paramount to the health and livelihood of South West Queensland and supporting this research will support the regions health. Productivity, land values and land equity are at risk for affected regions in western Queensland and northern New South Wales.

By allocating funds during budget deliberations, will assist researchers investigate a number of possible treatments for cattle exposed to this toxic weed, which is prevalent across our region. One area of investigation is a rumen detox bacteria, similar to the successful preventative treatment of cattle exposed to the Leucaena plant. Other areas of research concentrate on rumen absorption compounds and improved management and control of the Pimelea plant itself.

Some of the potential research project partners, to date, include the University of Queensland, Queensland Alliance for Agriculture and Food Innovation, regional grazing and beef cattle consultants and AgForce.

We've seen major losses from Pimelea in our region with the effects varying seasonally. The stories of devastation to producers have driven my request.

I request you join me in recommending a funding allocation in your upcoming budget for this research. I will recommend Maranoa Regional Council allocates \$100,000 to drive a treatment to reduce significant and, potentially devastating, cattle productivity loss across the Australian industry.

Yours sincerely

Cr Tyson Golder
Mayor
Maranoa Regional Council

Maranoa Regional Council
Cnr Bungil & Quintin Streets
Roma Queensland 4455

PHONE 1300 007 662
FAX 07 4624 6990
EMAIL council@maranoa.qld.gov.au

PO Box 620, Roma Qld 4455
ABN: 99 324 089 164
www.maranoa.qld.gov.au

Cc: Councillor Mackenzie, Mayor – admin@quilpie.qld.gov.au
Councillor Liston, Mayor – ceo@murweh.qld.gov.au
Councillor Ferguson, Mayor – Council@bulloo.qld.gov.au
Councillor McVeigh, Mayor – paul.mcveigh@wdrc.qld.gov.au
Councillor Antonio, Mayor – paul.antonio@tr.qld.gov.au
Councillor Dobie, Mayor – tracy.dobie@sdrc.qld.gov.au
Councillor Scheu, Mayor – mayor@grc.gov.au
Councillor Godfrey, Mayor – lindsay.godfrey@paroo.qld.gov.au
Councillor Marsh, Mayor – richard.marsh@balonne.qld.gov.au



Your Ref: D17/38272
Our Ref: TD:MES

6 June 2017

Please address all
communications to:
The Chief Executive Officer
Southern Downs
Regional Council
PO Box 26
Warwick Qld 4370

mail@sdrcl.qld.gov.au
www.sdrcl.qld.gov.au

abn 59 786 792 651

Warwick Office
64 Fitzroy Street
Warwick Qld 4370

Stanthorpe Office
61 Marsh Street
Stanthorpe Qld 4380

t 1300 MYSDRC
(1300 697 372)

f 07 4661 0333

Cr Tyson Golder
Mayor
Maranoa Regional Council Meeting
PO Box 620
ROMA QLD 4455

Dear Cr Golder

Re: Support for Pimelea Research

Thank you for your letter requesting the Southern Downs Regional Council allocates funds from the FY2017/18 Budget towards Pimelea Research. At this stage Council is not in a position to allocate this funding. We invest a considerable amount into research through the Pest Management Precept paid each year to the State Government. We would strongly support lobbying the Department of Agriculture and Fisheries to undertake or support this research.

I congratulate you on the proactive stand you are taking with regard to this toxic weed. While we are not in a position to assist in this regard, we are taking a proactive stand of our own in regard to invasive pests that currently exist in the Southern Downs. In FY 2017/18 the Southern Downs Regional Council will implement an Invasive Pest Control Scheme which will be funded through a levy applied to certain categories of rated properties. The aim of the Scheme is to control invasive pests on all private and public land, and places the onus on the landholder to identify and control those pests.

I wish you the best of luck with your research initiative and look forward to hearing more on this when we meet in Charleville on 23 June.

Kind regards

Tracy Dobie
Mayor



Deputy Premier
Minister for Transport and
Minister for Infrastructure and Planning

Our ref: MBN17/840

19 June 2017

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Queensland 4002 Australia
Telephone +61 7 3719 7100
Email deputy.premier@ministerial.qld.gov.au

ABN 90 856 020 239

Councillor Tracy Dobie
Mayor
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

Dear Councillor Dobie

I am writing to you regarding the 2017-19 Works for Queensland (W4Q) Program recently announced by the Palaszczuk Government.

I am pleased to advise that \$2,900,000.00 under the 2017-19 W4Q Program has been made available for the Southern Downs Regional Council (the council). I encourage you to nominate projects in accordance with the *2017-19 Work for Queensland Program Guidelines* now available online.

A key objective of this 2017-19 \$200 million Program, which is funded under the State Infrastructure Fund, is to support councils outside of South East Queensland to undertake job-creating maintenance and minor infrastructure projects. Funded projects must be delivered by **30 June 2019**. There is no obligation for councils to make a co-contribution under the 2017-19 W4Q Program.

Mr Frankie Carroll, Director-General of the Department of Infrastructure, Local Government and Planning (the department), has written to the council's Chief Executive Officer, providing additional information on the 2017-19 W4Q Program.

I look forward to the department working closely with the council to deliver these projects and enhance employment opportunities in your region.

If you require any further information, I encourage you to contact Ms Patti McKay, Acting Regional Director, Southern Region, Local Government and Regional Services, Department of Infrastructure, Local Government and Planning, on 3452 6872 or by email at patricia.mckay@dilgp.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jackie Trad", written over a circular stamp or seal.

JACKIE TRAD MP
DEPUTY PREMIER
Minister for Transport and
Minister for Infrastructure and Planning



Department of Infrastructure,
Local Government and Planning

Our ref: MBN17/840

19 June 2017

**Mr David Keenan
Chief Executive Officer
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370**

Dear Mr Keenan

I am writing to you regarding the 2017-19 Works for Queensland (W4Q) Program, recently announced by the Palaszczuk Government.

The Honourable Jackie Trad MP, Deputy Premier, Minister for Transport and Minister for Infrastructure, and Planning has announced that \$2,900,000 the 2017-19 W4Q Program has been made available for the Southern Downs Regional Council (the council). I encourage you to consider and commence preparing a list of projects between now and lodge one [1] list of projects between 3 July to 28 July 2017 (closing date), in accordance with the 2017-19 Work for Queensland Program Guidelines now available online at www.dilgp.qld.gov.au/local-government/grants/works-for-queensland.

A key objective of the 2017-19 total of \$200 million W4Q Program is to support councils outside of South East Queensland to support job-creating maintenance and minor infrastructure works.

To nominate projects for funding under the 2017-19 W4Q Program, download and complete the List of Projects form found on the website and email to 2017-19W4Q@dilgp.qld.gov.au.

This W4Q Program, administered by the Department of Infrastructure, Local Government and Planning (the department) may be used for maintenance and minor works to improve the condition, quality or lifespan of an asset or for maintaining a community asset. These works may include projects for disaster resilience and preparedness. The funds may also be spent on enhancing the scope of projects already committed to by the council.

Funded projects must be delivered by 30 June 2019. There is no obligation for councils to make a co-contribution under the 2017-19 W4Q Program.

Level 39
1 William Street Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3452 7009
Website www.dilgp.qld.gov.au
ABN 251 66 523 889

I look forward to receiving project nominations from the council and the opportunity for the department to be working closely with you in the delivery of the endorsed projects.

If you require any further information, I encourage you to contact Ms Patti McKay, Acting Regional Director, Southern Region, Local Government and Regional Services, in the department on 3452 6872 or by email at patricia.mckay@dilgp.qld.gov.au.

Yours sincerely



Frankie Carroll
Director-General

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE

10.1 Financial Report as at 31 May 2017

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Manager Finance & Information Technology	ECM Function No/s: 12.13

Recommendation

THAT Council receive and note the Financial Report as at 31 May 2017.

Report

A review of Council's operating performance against forecast shows that the net operating position (before capital items) of \$19.4m is \$9.1m over the estimated position for the financial year to date of \$10.4m.

The rates were raised in July for the whole of the financial year, and eleven months of expenditure has been spent.

Income Statement

Total operating revenue of \$69.3m is over the year to date estimate of \$66.5m by 4.2%. Capital revenue of \$8.1m has been received for the year.

Overall operating expenditure of \$53.0m is \$7.5m under the year to date estimate of \$60.5m with employee costs being around \$4.1m under budget and materials and services being \$3.0m under the year to date estimate.

Capital Works in Progress

Capital works actual and committed expenditure to 31 May 2017 is \$25.2m which is 75% of the capital works budget of \$33.7m.

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	100,000	205,000	305,000	137,632	45.1%	157,585	295,217	96.8%
Buildings	188,500	2,331,968	2,520,468	2,250,622	89.3%	115,221	2,365,842	93.9%
Plant & Equipment	4,211,000	207,350	4,418,350	1,471,188	33.3%	1,879,815	3,351,002	75.8%
Roads, Drains & Bridges	12,410,900	3,579,516	15,990,416	8,857,680	55.4%	1,767,425	10,625,105	66.4%
Water	3,196,000	4,591,554	7,787,554	2,536,696	32.6%	4,099,683	6,636,379	85.2%
Wastewater	352,000	1,224,611	1,576,611	274,277	17.4%	1,040,526	1,314,803	83.4%
Other Assets	2,302,437	(1,228,613)	1,073,825	408,687	38.1%	248,345	657,032	61.2%
Total	22,760,837	10,911,386	33,672,223	15,936,783	47.3%	9,308,599	25,245,382	75.0%

Budget Implications

The third quarter budget review was presented to Council in April 2017.

Policy Consideration

Operational Plan 2016/17

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

Review and update the 10 year Financial Plan.

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

Community Engagement

Nil

Legislation/Local Law

Local Government Act 2009 and Local Government Regulation 2012

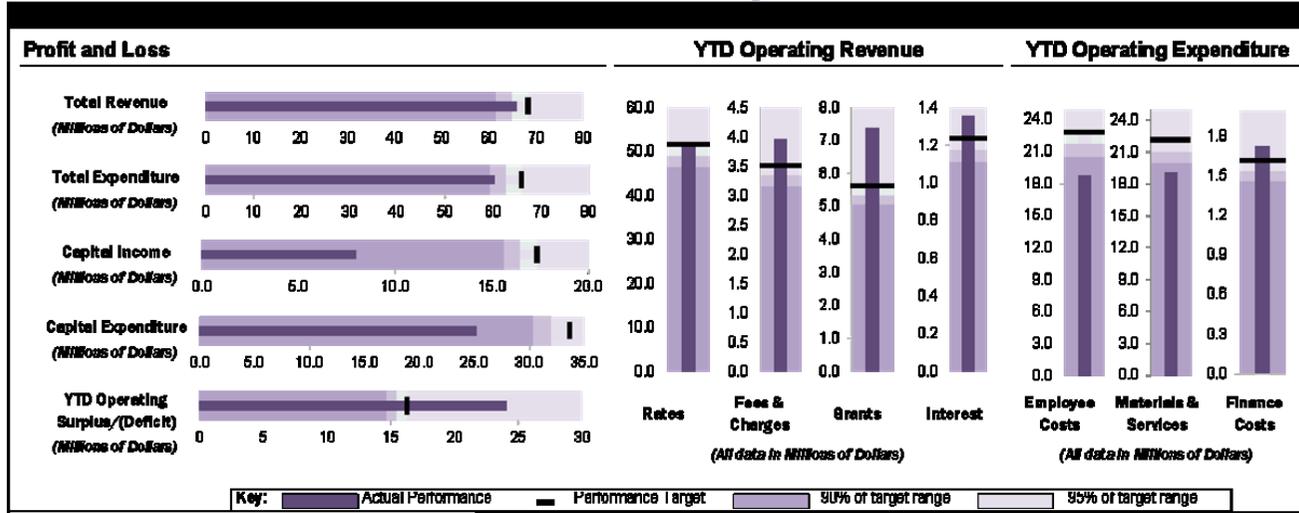
Options

1. Council receive and note the Financial Report as at 31 May 2017.
2. Council not receive and note the Financial Report as at 31 May 2017.

Attachments

1. Finance Report as at 31 May 2017 [View](#)
2. Investment Register [View](#)

Southern Downs Regional Council Summary of Performance May 2017



Operating Performance Summary

Operating Revenue
 Total operating revenue of \$69.3m is over the year to date estimate of \$66.5m with a 4.2% variance. Council has received 12.7% more fees and charges revenue, 10.0% more in interest income and 31.5% more in government grants and subsidies than budgeted. Capital grants of \$6.1m has been received for the 2016/17 financial year.

Operating Expenditure
 Year to date operating expenditure of \$53.0m is \$7.5m under the year to date budget estimate of \$60.5m. Employee costs are around \$4.1m under the year to date estimate and materials and services are \$3.0m under the year to date estimate. Finance costs are \$0.1m over the budget of \$1.6m due to early loan payouts.

Capital Works

At 31 May 2017, \$15.9m of the \$33.7m budget has been spent on capital works and capital purchases which is 47.3% of the full year budget.

A further \$9.3m in purchase orders has been raised against capital work jobs bringing the total amount spent and committed to \$25.2m or 75% of the full year budget.

Major capital works to undertaken this financial year include \$15.9m for roads and bridges and \$9.4m for water and waste water. Council has a budget of \$4.4m for plant replacement.

Balance Sheet

At 31 May 2017 Cash at bank and investments total \$43.5m.

Council has maintained its ability to meet all its current commitments with a working capital ratio of 3.65:1.

Total loans (current and non current) that are outstanding amount to \$24.3m.

Southern Downs Regional Council Income Statement May 2017

Audited 2016 Actual \$		Annual 2017 Budget \$	Phased 2017 YTD Budget \$	Phased 2017 YTD Actual \$
	Revenue from ordinary activities			
28,387,934	General Rates	29,396,930	29,398,480	29,323,992
272,849	Rural fire brigade levy	283,000	283,000	282,576
22,942,164	Utility Rates and Charges	23,831,980	23,818,646	24,173,740
(1,614,595)	Less Discounts	(1,615,000)	(1,615,000)	(1,616,180)
(563,764)	Rates on Council properties	(531,848)	(487,528)	(591,265)
49,624,589		51,565,082	51,597,598	51,772,863
4,138,113	Fees and Charges	3,790,033	3,517,223	3,965,209
1,215,429	Interest	1,343,490	1,237,940	1,361,122
3,023,630	Contract & Sales Revenue	4,001,890	3,769,011	4,002,434
1,018,308	Rent and Other Income	818,118	764,246	818,701
7,837,958	Government Grants and Subsidies	7,427,561	5,634,575	7,409,056
66,878,028	Total Operating Revenue	68,946,194	66,520,593	69,329,385
	Expenses from ordinary activities			
22,456,793	Employee Costs	24,746,067	22,840,309	18,760,634
21,821,557	Materials and Services	24,121,787	22,150,125	19,133,382
14,812,559	Depreciation and Amortisation	15,085,096	13,859,420	13,346,832
2,097,491	Finance Costs	2,031,439	1,619,624	1,730,263
61,188,399	Total Operating Expenses	65,984,409	60,469,679	52,971,110
5,689,629	Operating Surplus/(Deficit) before capital items	2,961,785	6,050,914	16,358,274
	Other Capital Amounts			
8,350,479	Capital Grants, Contributions and Donations	17,120,988	10,366,251	8,083,977
(4,439,624)	Other capital income and (expenses)	220,000	-	(102,638)
9,600,484	Net Result Surplus/(Deficit)	28,302,772	16,417,165	24,339,614

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 May 2017

Audited 2016 Actual \$		Annual 2017 Budget \$	Phased 2017 YTD Actual \$
	Current Assets		
25,448,369	Cash assets & Investments	23,697,000	43,500,368
3,203,373	Receivables (includes Rates & Utilities receivable)	6,498,000	7,549,189
697,650	Assets held for sale	113,463	135,000
263,798	Inventories	287,537	363,557
<u>31,617,192</u>		<u>30,596,000</u>	<u>51,548,114</u>
	Non-Current Assets		
946,000	Investment Property	794,000	794,000
721,743,783	Property, plant and equipment	724,269,178	708,241,090
275,395	Other Financial Assets	275,000	188,528
19,058,954	Capital works in progress	27,833,822	26,779,852
1,403,290	Intangible Assets	1,436,000	1,152,746
<u>743,427,422</u>		<u>754,608,000</u>	<u>737,156,215</u>
<u>775,044,614</u>	TOTAL ASSETS	<u>785,204,000</u>	<u>788,704,329</u>
	Current Liabilities		
3,843,545	Creditors and other payables	6,198,000	5,132,087
7,120,132	Provisions	4,215,400	6,795,356
2,005,578	Interest bearing liabilities	1,812,000	2,199,037
<u>12,969,255</u>		<u>12,225,400</u>	<u>14,126,480</u>
	Non-Current Liabilities		
25,878,224	Interest bearing liabilities	23,936,000	22,059,478
3,858,167	Provisions	5,303,600	5,014,832
<u>29,736,391</u>		<u>29,239,600</u>	<u>27,074,309</u>
<u>42,705,646</u>	TOTAL LIABILITIES	<u>41,465,000</u>	<u>41,200,790</u>
<u>732,338,968</u>	NET COMMUNITY ASSETS	<u>743,739,000</u>	<u>747,503,540</u>
	Community Equity		
182,723,268	Asset Revaluation Reserve	178,847,000	178,844,545
549,615,700	Retained surplus	564,892,000	568,658,994
<u>732,338,968</u>	TOTAL COMMUNITY EQUITY	<u>743,739,000</u>	<u>747,503,540</u>

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)	2.5 : 1	3.65 : 1	✓	Interest Coverage Ratio (Net Interest Expense / Total Operating Revenue) (%)	1.00%	0.55%	✓
Target Ratio	> 1:1	> 1:1		Target Ratio Upper Limit (%)	10.0%	10.0%	
<p>This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.</p>				<p>This ratio indicates the extent to which a Council's operating revenues are committed to interest expenses. As principal repayments are not operating expenses, this ratio demonstrates the extent to which operating revenues are being used to meet the financing charges associated with debt servicing obligations.</p>			
Operating Surplus Ratio (Net Operating Surplus / Total Operating Revenue) (%)	29.4%	35.1%	✓	Asset Sustainability Ratio (Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)	223.2%	189.1%	✓
Target Ratio	0.0% to 15.0%	> 0.0% to 15.0%		Target Ratio Lower Limit (%)	> 90%	> 90%	
<p>This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes.</p> <p>A positive ratio indicates the percentage of total rates available to help fund proposed capital expenditure. If the relevant amount is not required for this purpose in a particular year, it can be held for future capital expenditure needs by either increasing financial assets or preferably, where possible, reducing debt.</p>				<p>This is an approximation of the extent to which the infrastructure assets managed by the Council are being replaced as these reach the end of their useful lives. Depreciation expense represents an estimate of the extent to which the infrastructure assets have been consumed in a period. Capital expenditure on renewals (replacing assets that the Council already has) is an indicator of the extent to which the infrastructure assets are being replaced.</p>			
Net Financial Liabilities Ratio (Total Liabilities - Current Assets) / Total Operating Revenue	15.7%	-14.9%	✓	Comments on Ratio Results.			
Target Ratio Upper Limit (%)	<=60%	<=60%		<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 Asset Sustainability Ratio is under the target lower limit as there has not been a full year of activity for assets.</p>			
<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>							

10.2 Amendment to PECS 2017/18 SDRC Fees and Charges

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Manager Finance & Information Technology	ECM Function No/s: 12.13

Recommendation

THAT Council adopt the attached amended Planning, Environment and Corporate Services 2017/18 SDRC Fees and Charges.

Report

At Council's Special Meeting held on 14 June 2017 Council adopted the 2017/18 financial year budget. This included adoption of the 2017/18 SDRC Fees and Charges.

The Manager Environmental Services has made some amendments to the section's fees and charges. The amended fees and charges have been attached.

Most changes are minor with the amounts being rounded up or down to the nearest whole dollar to aid with processing of these charges within the section.

The tyre disposal charges have been updated to reflect what the disposal fees cost to Council, with a small administration fee added. The fee has been added to encourage proper disposal of tyres and deter illegal dumping.

Budget Implications

These fees and charges have been accounted for in the 2017/18 budget. The amendments are minor with no material change to the budget required.

Policy Consideration

Operational Plan 2016/17

4.12 Explore/review potential efficiencies and opportunities for Council's operations

Review and update the 10 year Financial Plan.

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

Community Engagement

Nil

Legislation/Local Law

Local Government Act 2009 and Local Government Regulation 2012

Options

1. Council adopt the amended 2017/18 fees and charges.

2. Council not adopt the amended 2017/18 fees and charges.

Attachments

1. Planning, Environment and Corporate Services Fees and Charges 2017/2018 [View](#)

	RC Code	Head of Power	GST Treatment	2017/2018
WASTE DISPOSAL FEES				
SDRC Waste Facilities with Weighbridge				Per Tonne
Disposal of Tyres at SDRC Waste Disposal Facilities - Tyre Types:				
- Passenger Car	284		GST	5.00
- Passenger Car with rim	284		GST	10.00
- Light Truck	284		GST	6.00
- Light Truck with rim	284		GST	13.00
- Truck	284		GST	17.00
- Truck with rim	284		GST	30.00
- Super Single	284		GST	45.00
- Fork Lift/Bobcat	284		GST	15.00
- Tractor/Grader/Earthmover	284		GST	POA
- Motorcycle	284		GST	5.00
Waste Generated outside of SDRC area				
Commercial Users	Allora 289 Wck 284		GST	Commercial Waste Disposal Fees + 25.00 per tonne

OPERATIONAL WORKS FEES

Note: The fees listed under Operational Works Fees do not include sanitary plumbing/drainage works, water service installation or works that are elsewhere included in the Fees and Charges.

Note: Where a specific Operational Works fee is not specified in this section, the relevant planning fee applies (eg Request for Negotiated Decision and lapsing of not properly made application)

Development Applications for Operational Works

Code Assessable Operational Works other than Engineering Works	204	LGA S97(2)(a)	GST Free	1,375.00
Impact Assessable Operational Works for advertising device inconsistent with the Acceptable outcomes of the Advertising Devices Code	204	LGA S97(2)(a)	GST Free	6,565.00
Earthworks up to 200 cubic metres and not exceeding an area of 1,000 square metres	206	LGA S97(2)(a)	GST Free	2,332.00
Earthworks other than above	206	LGA S97(2)(a)	GST Free	3,722.00
Driveway crossover (per single cross over)	206	LGA S97(2)(a)	GST Free	274.00
Stormwater crossover (per single cross over)	206	LGA S97(2)(a)	GST Free	274.00
Street lighting (up to five street lights)	206	LGA S97(2)(a)	GST Free	424.00
Street lighting (over five street lights)	206	LGA S97(2)(a)	GST Free	424.00 + 57.00/additional light

Development applications for Operational Works associated with a Material Change of Use or Reconfiguring a Lot

Note: Fees are based on the value of the operational works approval. 50% of the fee (for design approval) is payable at the date of lodgement of design plans. The balance amount is payable prior to pre-start meeting.

Up to \$9,999	206	LGA S97(2)(a)	GST Free	669.00 or 6% of the value of works whichever is higher
\$10,000.00 - \$49,999	206	LGA S97(2)(a)	GST Free	879.00 + 7% of the value of works above 10,000.00
\$50,000 - \$499,999	206	LGA S97(2)(a)	GST Free	4,095.00 + 4% of the value of works above 50,000.00
\$500,000.00 - \$999,999	206	LGA S97(2)(a)	GST Free	22,800.00 + 3% of the value of works above 500,000.00
Over \$1 Million	206	LGA S97(2)(a)	GST Free	38,791.00 + 0.75% of the value of works above 1 Million

Development applications for Operational Works other than those associated with a Material Change of Use or Reconfiguring a Lot

These works include roadworks, car parks, stormwater drainage, wastewater infrastructure, water supply infrastructure and other associated works. This can involve provision of new services, or diversion, modification, alteration or replacement of existing services.

Note: Fees are based on the value of works. 50% of the fee (for design approval) is payable at the date of lodgement of design plans. The balance amount is payable prior to pre-start meeting.

Up to \$9,999	206	LGA S97(2)(a)	GST Free	806.50 or 9% of the value of works whichever is higher
\$10,000.00 - \$49,999	206	LGA S97(2)(a)	GST Free	962.00 + 8% of the value of works above 10,000.00
\$50,000 - \$499,999	206	LGA S97(2)(a)	GST Free	4,281.00 + 5% of the value of works above 50,000.00

	RC Code	Head of Power	GST Treatment	2017/2018
\$500,000.00 - \$999,999	206	LGA S97(2)(a)	GST Free	27,669.60 + 8.5% of the value of works above 500,000.00
Over \$1 Million	206	LGA S97(2)(a)	GST Free	46,797 + 0.6% of the value of works above 1 Million
OTHER OPERATIONAL WORKS FEES				
Request to change an Existing Development Approval	206	LGA S97(2)(a)	GST Free	760.00
Assessment of amended plans where such amendments are of a major nature (per amended plan)	206	LGA S97(2)(a)	GST Free	289.00
Re-inspection fee - Payable where insufficient preparation, or contractor's staging and/or programming of works necessitates additional inspections (per inspection)	206	LGA S97(2)(a)	GST Free	372.00
Preparation of an Infrastructure agreement	206	LGA S97(2)(a)		At cost
Bond for works required by a Development approval				
Request to allow the bonding of works	206		GST Free	760.00
Bond for works under \$50,000	206		GST Free	200% of estimated cost
Bond for works \$50,000 or over	206		GST Free	150% of estimated cost
Security Deposit				
The security deposit is for the purpose of ensuring the due and proper performance of the works associated with the approval. The security bond is to be lodged with Council prior to the pre-start meeting.				
Prior to the pre-start meeting, the Owner shall lodge or procure to be lodged with Southern Downs Regional Council a security deposit of:				
The Supervising RPEQ Engineer shall provide the Council an estimate of the value of the works (in the form of a schedule of rates) prior to the lodgement of security for subsequent confirmation in writing of appropriate security. Where Council considers this estimate of value inappropriate, it may require a revised estimate and schedule of rates.				
The security deposit shall be either of the following:				
(a) cash; or				
(b) an unconditional irrevocable guarantee (bank guarantee) from a financial institution approved by Council.				
The costs of and incidental to				
Security deposit where the estimated value of works is up to \$50,000	606		GST Free	6,462.50
Security deposit where the estimated value of works exceeds \$50,000	606		GST Free	Security of 6,462.50 + 2.5% of the estimated amount exceeding 50,000.00
"On Maintenance" Bond				
Before the works can be placed "on maintenance" a bank guarantee (in favour of Council), to the value of 10% of the constructed cost of the works is to be lodged with Council. This bond, provided by and in the name of the developer, is held for twelve months or until the works are placed "off maintenance". Prior to the development being placed "on maintenance" all fees and documentation, including "As Constructed" drawings, must be provided to, and accepted by, Council. The works are not generally placed "off maintenance" until all outstanding items from the "on maintenance" inspection have been rectified.				
Non-Profit Organisations				
50% discount of the Application and Permit Fees for non-profit organisations (upon receipt of a written application to the Director Planning, Environment & Corporate Services verifying their non-profit status)				

PLANNING FEES

Development Applications for Reconfiguring a Lot - Impact Assessment				
Subdivision by Community Title Scheme - when combined with MCU application	191	LGA S97(2)(e)	GST Free	820.00 + 83.00/extra lot
Subdivision by Community Title Scheme - other than as indicated above	191	LGA S97(2)(e)	GST Free	1,650.00 + 160/extra lot
Development Applications for Reconfiguring a Lot - Code Assessment				
Subdivision by Community Title Scheme - when combined with MCU application	192	LGA S97(2)(e)	GST Free	610.00 + 160.00/extra lot
Subdivision by Community Title Scheme - other than as indicated above	192	LGA S97(2)(e)	GST Free	1370.00 + 160.00/extra lot

	RC Code	Head of Power	GST Treatment	2017/2018
Request for Approval of Plans of Subdivision All reconfigurations other than those listed below		LGA S97(2)(e)	GST Free	450.00 + 57.00/extra lot
	194			
Realignment of Boundaries which was subject to Impact Assessment	194	LGA S97(2)(e)	GST Free	655.00
Building Format Plan	194	LGA S97(2)(e)	GST Free	820.00 + 41.00/extra lot
Re-approval of lapsed Plan of Subdivision	195	LGA S97(2)(e)	GST Free	390.00
Re-inspection for compliance with conditions of Development Approval (following failed compliance inspection)	195	LGA S97(2)(e)	GST Free	300.00
Exemption Certificates				
Application under <i>Queensland Heritage Act</i> for Exemption Certificate for works on Local Heritage Place		LGA S97(2)(e)	GST Free	160.00
Application under the <i>Planning Act 2016</i> for Exemption Certificate for assessable development		LGA S97(2)(e)	GST Free	600.00
Other Planning Fees				
Part of application fee retained by Council if development application lapses due to application not being properly made within legislative timeframe	N/A	LGA S97(2)(e)	GST Free	290.00
Re-submission of an application that lapsed during the assessment process - if submitted within six months of lapse of application and generally accords with former proposal and relevant provisions of the Planning Scheme remain unchanged	Refer Above	LGA S97(2)(e)	GST Free	80% of applicable fees
Other applications pursuant to <i>Planning Act 2016</i> not detailed above	207	LGA S97(2)(e)	GST Free	1,780.00
SUNDRY FEES - PLANNING ENVIRONMENT AND COMMUNITY SERVICES				
Copy of Local Law or Subordinate Local Law	275	LGA S97(2)(c)	GST Free	13.00
Copy of Planning Scheme maps (A3 size)	281	LGA S97(2)(c)	GST Free	12.00/m ap
Copy of Decision Notice of Planning Approval	209	LGA S97(2)(c)	GST Free	51.50
Southern Downs Planning Scheme				
Disk	281	LGA S97(2)(c)	GST Free	15.50
Planning scheme with no maps	281	LGA S97(2)(c)	GST Free	256.50
Planning scheme with maps	281	LGA S97(2)(c)	GST Free	569.00
Single maps	281	LGA S97(2)(c)	GST Free	6.00
Postage and handling disk	281		GST	9.00
Postage and handling printed copy	281		GST	26.00
DEVELOPMENT CONTRIBUTIONS				
For contributions relating to development approvals issued on or after 14 August 2012: As per the Adopted Infrastructure Charges Resolution on the Southern Downs Regional Council Website				
Date of Infrastructure Charges Notice		Indexing of Charge		
14 August 2012 - 30 June 2013		Charge on AIC Notice + 7.5%		
1 July 2013 - 31 December 2013		Charge on AIC Notice + 5.5%		
1 January 2014 - 30 June 2014		Charge on AIC Notice + 4.5%		
1 July 2014 - 31 December 2014		Charge on AIC Notice + 3.5%		
1 January 2015 - 30 June 2015		Charge on AIC Notice + 3.0%		
1 July 2015 - 31 December 2015		Charge on AIC Notice + 2.0%		
1 January 2016 - 30 June 2016		Charge on AIC Notice + 0%		
After 30 June 2016		Charge on AIC Notice		
For contributions relating to development approvals issued prior to 14 August 2012:				
Headworks Contributions				
Water Supply Headworks (in designated areas) within Warwick City area	224		GST Free	4,005.00
Sewerage Headworks (in designated areas) within Warwick City area	225		GST Free	2,435.00

10.3 Submission to Healthy Futures Commission Queensland Bill 2017

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council endorse the Submission on to the Healthy Futures Commission Queensland Bill 2017 sent on 15 June 2017.

Report

On 23 May 2017 the Healthy Futures Commission Queensland Bill 2017 was referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee for consideration.

The object of the Bill is to establish the Healthy Futures Commission Queensland to:

- support the capacity of children and families to adopt a healthy lifestyle; and
- contribute to reducing health inequity for children and families.

The Bill provides that the Commission would be an independent statutory body, comprising of: a six member governing board; a chief executive officer and other staff.

The Bill provides that the Commission's functions would be to:

- support the capacity of children and families to adopt a healthier lifestyle, including by promoting healthy eating and regular physical activity
- contribute to reducing health inequity for children and families
- advocate for the necessary social conditions and environments to help children and families to adopt a healthy lifestyle and to reduce health inequity
- develop partnerships or other arrangements with entities, such as industry or community organisations, universities, businesses, government bodies and local government
- provide grants to entities the Commission considers appropriate, such as business, industry, community organisations, academia and local government, and
- consult with entities the Commission considers appropriate.

The Bill establishes the Healthy Futures Queensland Fund to facilitate the grants and sponsorship role of the Commission.

The Committee is seeking written submissions from interested stakeholders on any of the matters identified in the terms of reference with the closing date for submissions being 15 June 2017.

Given the short timeframe for receipt of submissions, the Chief Executive Officer prepared a draft submission and distributed to Councillors for consideration and approval. The submission was formally submitted by email on 15 June 2017, a copy of the submission is attached.

Advice has been received from the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee requesting that Council's submission be resubmitted following Council's formal endorsement. Following receipt of the formally endorsed submission, the Committee will consider whether the submission will be accepted.

Budget Implications

Nil

Policy Consideration

Corporate Plan 2014-2019 The Healthy and Active Southern Downs

Community Engagement

Southern Downs Regional Council is responding to a State Government Bill

Legislation/Local Law

Nil

Options

1. Council endorse the Submission on to the Healthy Futures Commission Queensland Bill 2017 sent on 15 June 2017.
2. Council not endorse the Submission on to the Healthy Futures Commission Queensland Bill 2017 sent on 15 June 2017.

Attachments

1. Submission [View](#)



DK:MES

15 June 2017

Committee Secretary
Health, Communities, Disability Services, and
Domestic and Violence Prevention Committee
Parliament House
George Street
BRISBANE QLD 4000

Please address all
communications to:

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Warwick Office

64 Fitzroy Street
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Stanthorpe Office

61 Marsh Street
Stanthorpe Qld 4380

t 1300 MYSDRC
(1300 697 372)

f 07 4661 0333

Dear Chair Linard

Re: Healthy Futures Commission Queensland Bill 2017

Please accept this submission to the Healthy Futures Commission Queensland Bill 2017 from Southern Downs Regional Council. Please note that this submission has not formally been presented to Council, rather it will be presented at the end of the month to the General Meeting.

At the outset, it is recognised that the establishment of the Healthy Futures Commission is the first tangible step in dealing with the issues of obesity and overweightness, and for this alone the State Government is to be acknowledged. It is noted that obesity and overweightness issues impact on every part of the community, whether it be in the workplace or on family life. It is noted that unless there are prompt actions to deal with this issue, the impacts on the health system and community well-being in the future will be significant.

As you would be aware the Southern Downs Region has some of the highest levels of obesity in Queensland concentrated in the major population centres of Warwick and Stanthorpe. Southern Downs Regional Council is keen to address these issues and develop a greater sense of community well-being and community fitness.

Most recently Southern Downs Regional Council in conjunction with the Brisbane YMCA, the organisation that manages the Warwick Indoor Recreation Aquatic Centre, has undertaken the screening of "That Sugar Film" to communities in Allora, Stanthorpe, Warwick, Killarney and Wallangarra, with Council meeting all costs. It is noted that at the screening in Allora on the night of Monday 13 June, there were 30 people in attendance, with 15 attending the Stanthorpe session and approximately 30 people at the Warwick screening.

The film screenings are being supported by other initiatives which include cooking classes and discounted memberships to exercise programs. The programs from a suite of different agencies are committed to inspiring and supporting the community in the areas of health, wellbeing and fitness. The Southern Downs Regional Council and the Brisbane YMCA also believe this is a great opportunity to showcase the health, wellbeing and fitness activities and organisations in the region. The 10 Week Health and Fitness program will include special activity offers from gyms, fitness providers, and health and wellbeing practitioners from across the region. Please see attachments for additional information.

This commitment from Southern Downs Regional Council to improving community health and well-being demonstrated by the current *Winter is Coming* campaign as well as the partnership between Council and the State Government in the *Get Out, Get Active* program in late 2016 which attracted participation of 200+ women around the community, is

testament to the willingness of Council to work with all stakeholders to address issues associated with obesity and community well-being.

It is noted that the Government is currently seeking suggestions that can tackle the issue of obesity in a new and innovative manner. A suggestion from Southern Downs Regional Council officers is to potentially address the issue through public art and education. The initial proposal is to have some male and female mannequins or fibreglass models of average weight and size designed and installed in the streetscape of Warwick and Stanthorpe. The models would be life like and could be seated or standing. The models would be there as a consistent passive reminder to people about healthy eating and fitness.

In essence the models will be there to remind the community about the impacts of unhealthy eating and what results from not undertaking appropriate levels of exercise or physical activity. It is envisaged that the models may have information signage associated with them about healthy eating or exercise. Additionally, the models could potentially have the capacity to have an audio message covering healthy eating or exercise messages that are timed or motion activated.

It is hoped that the models or mannequins could be produced by local artists and maintained by Southern Downs Regional Council. It is noted that there may be vandalism, as is the case with any street furniture. The models or mannequins are likely to be recognised by young people and would hopefully facilitate a discussion with family members around healthy eating and exercise.

Please note that this initiative has not been endorsed by Southern Downs Regional Council, nor are there funds allocated in the budget to undertake this initiative.

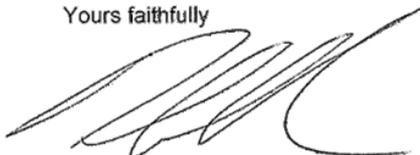
Given that the levels of obesity and overweightness appear to be concentrated outside the Brisbane metropolitan area, Southern Downs Regional Council would also encourage the State Government to consider locating the Healthy Futures Commission in a regional centre.

Establishing in a regional area, such as Warwick would support all the benefits associated with decentralisation, as well as having a presence in an area where obesity and overweightness is an issue.

Councillors at Southern Downs Regional Council would support increased levels of funding to all sporting facilities and clubs, to increase participation by people of all ages. It is important that the focus of recreation and sporting activities is not solely targeted on the best in the competition, rather that all participants are encouraged to play and get involved. Consideration needs to be given to supporting sporting clubs with more funds and advice in relation to the roles and responsibilities of Committees or Associations.

Southern Downs Regional Council welcomes the establishment of the Healthy Futures Commission and hopes that partnerships can be facilitated between State and local government to deal with the issues associated with obesity and overweightness in the community.

Yours faithfully



David Keenan
Chief Executive Officer

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.1 Engineering Services Department Monthly Report

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Director Engineering Services	ECM Function No/s: 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 31 May 2017

Number	Task Description	Project
100683 - In-Kind Assistance Program		
0002403	Killarney Bonfire Night Committee C/KMAC	661.81
0003100	Warwick Polocrosse Club Inc.	4,136.07
0003099	Australian Stock Horse Society Inc	167.49
0003301	Gene Corbett, Total Driver	1,130.30
0000836	Granite Belt Bowmen Inc.	120.00
0003399	Girl Guides Warwick	502.67
0003423	Warwick Bridge Club Inc.	224.16
0003098	Granite Belt Bowmen Inc.	1,368.40
0003398	Allora Show Society	744.91
0003116	Warwick Lure Coursing Club Inc	370.36
0003512	Leyburn and District Historical Society	1,000.41
0003815	Warwick Aero Modellers	2,133.92
0003851	Warwick Cowboys Rugby League Football Cl	2,393.15
0003860	Morgan Park Raceway	1,503.38
0004014	Karara Campdraft Association	831.01
0004046	Warwick Horse Trials	2,016.97
0004210	Lions Club of Killarney	540.76
0004000	Cunningham Polocrosse Club	1,663.74
0004474	Allora Community Circle	1,279.29
Grand Total		22,788.80

2016/17 PROJECT STATUS REPORT

Works Construction

Initiation/Procurement Phase	Status	Next Milestone Target Date	PM	Project risks (For Grants more than \$500,000) & Comments
Resheeting Stage 3	Almost completed.			
R2R Old Stanthorpe safety improvements (CH 15.44-16.48 km)	Work commenced on 5/5/17 & in progress.	Completion of work by 30/6/17.	PC	
Kenilworth St Upgrade (TEC - \$2,100,000; \$840,000 grants from State - Grants and Subsidies program)	Design & all procurements completed.	Completion of works by mid August 2017.	PC	<p>1) Potential rework of pavement due to water seepage to subgrade in particular near CH 550 - 600 on LHS. Unsuitable soil removed & drainage layer provided to reduce the impact.</p> <p>2) Potential defects on asphalt surface due to cutter get trapped underneath the asphalt layer. To reduce the impact asphalt to be laid 5 to 6 weeks after the completion of sealing works.</p> <p>3) Minor delay in relocation power pole at Old Stanthorpe Rd intersection. This will not impact the road works & it is anticipated that relocation works will be completed by August 17.</p>
Schnitzerling St Upgrade (TEC - \$350,000; \$250,000 grants from State - W4Q)	Survey & Intersection design completed. Application for Ergon & Telstra relocation works sent in early May 17.	Power pole & Telstra pit at McEvoy St/ Schnitzerling St intersection have to be relocated. Nathan to follow up with Ergon & Telstra.	NK	<p>1) Relocation of power pole may take 3 -4 months from date of application. The application was lodged in early May 17. To reduce impacts, intersections works (power pole located at the intersection) will be carried out at last. Also Project Team will follow up with Ergon energy.</p> <p>2) Allocation may not be adequate to complete works as the submission assumed no works to existing pavement. The soil test reveals that rehabilitation works required for existing pavement. To reduce impacts approximately 2m width of existing pavement & existing Kerb & channel will not be rehabilitated or reconstructed. Also storm water works will be carried out along Schnitzerling Street only (not cross McEvoy St & railway line).</p>

Killarney Streetscapes (\$100,000 grants from State - W4Q)	Scoping completed & additional funds required to complete all works.	Consultation with land owners & the community to be held separately. Tentative date for consultation will be in late June 2017.	RB	Allocation is inadequate to complete the full scope of works & require additional funds of \$90,000. Council to approve the additional funds or to reduce the scope works to one side with additional funds of \$40,000.
Blackspot 16/17 - Various jobs (TEC - \$1,275,900 & fully funded by FEDS - Black spot)	Connolly Dam Rd design in progress.	Complete all design works by Mid-June 2017.	NK/ HT/ BW	Connolly Dam Rd & Longs Lane works can't be commenced & Dalcouth Rd/ Gentle Rd, Britannia St/ Railway St, Palmers Bridge, Glen Rd can't be completed this financial year due to State funded projects, Flood damage works & RMPC contracts. SDRC will advise TMR to carry over these projects to next financial year.
Thanes Ck culvert reconstruction	Consultant engaged for design & tender preparation works.	Complete design & tender documents by late June 2017	NK	
Construction Phase	Status	Next Milestone Target Date	PM	Project risks (For Grants more than \$500,000) & Comments
Connells Rd Bridge Replacement	Bridge works except installation of bridge rails completed. Road works almost completed except sealing.	Complete all works by June 2017.	NK	
Boxes Rd Bridge Replacement	Bridge works except installation of bridge rails completed. Road works in progress.	Complete all works by June 17.	NK	
Kenilworth St Upgrade	Storm water works in progress. LHS Pavement and K & C works almost completed. RHS pavement and K & C completed from CH 700 - 840 m.	Complete sealing LHS side by June 2017.	PC	
Blackspot 16/17 - Various jobs	Old Stanthorpe Rd, MT Tully Rd, Dragon Street/ Pratten Street, Wallace Street/ Percy Street, Eukey Rd/ Sugarloaf Rd/ MT Tully Rd intersection	Note: Connolly Dam Rd & Longs Lane works can't be commenced & Dalcouth Rd/ Gentle Rd, Britannia St/ Railway St, Palmers Bridge, Glen Rd can't be	NK/ HT	

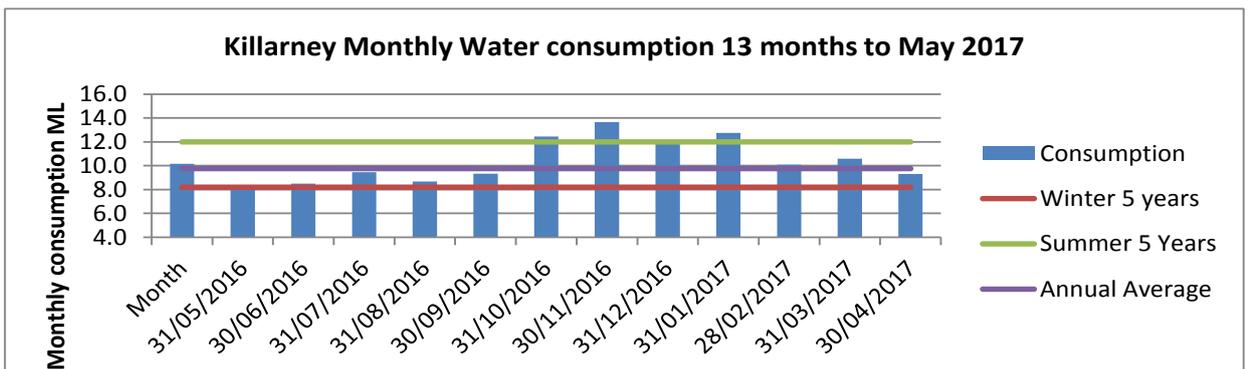
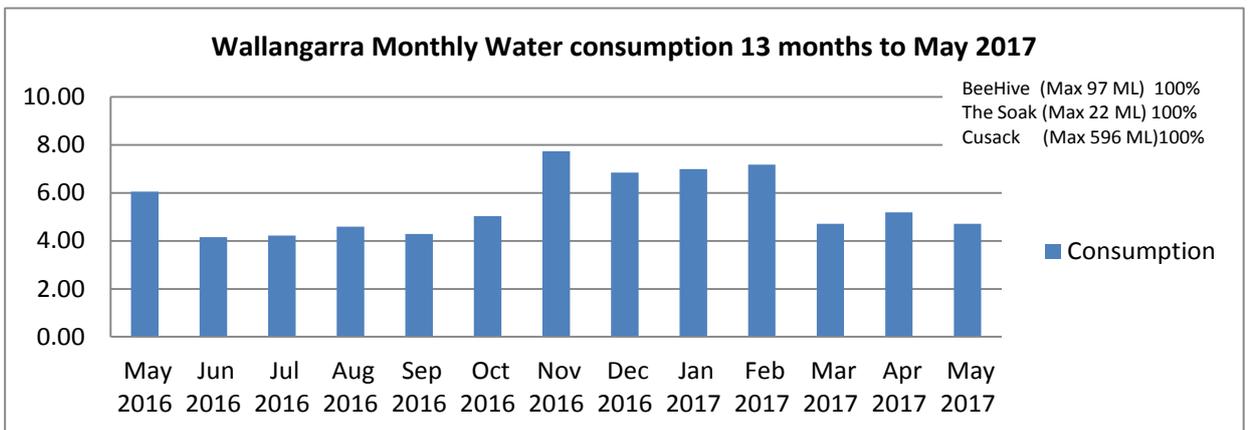
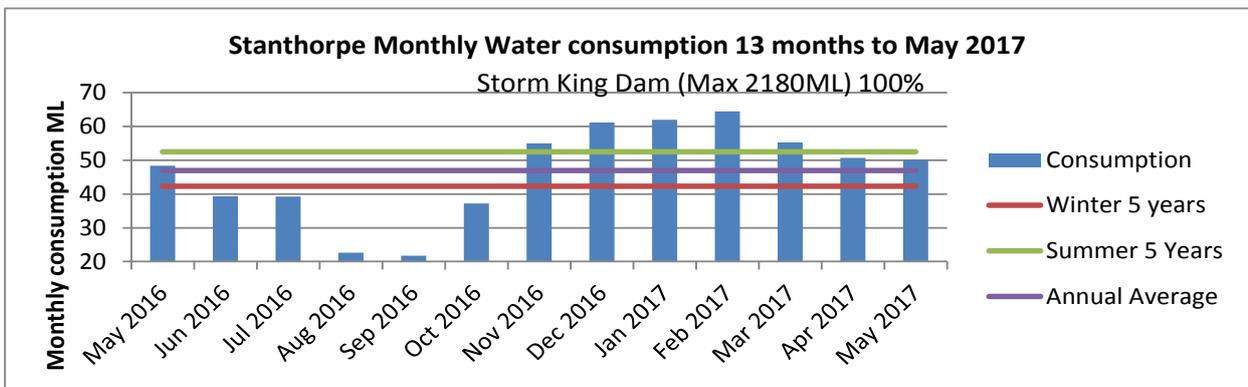
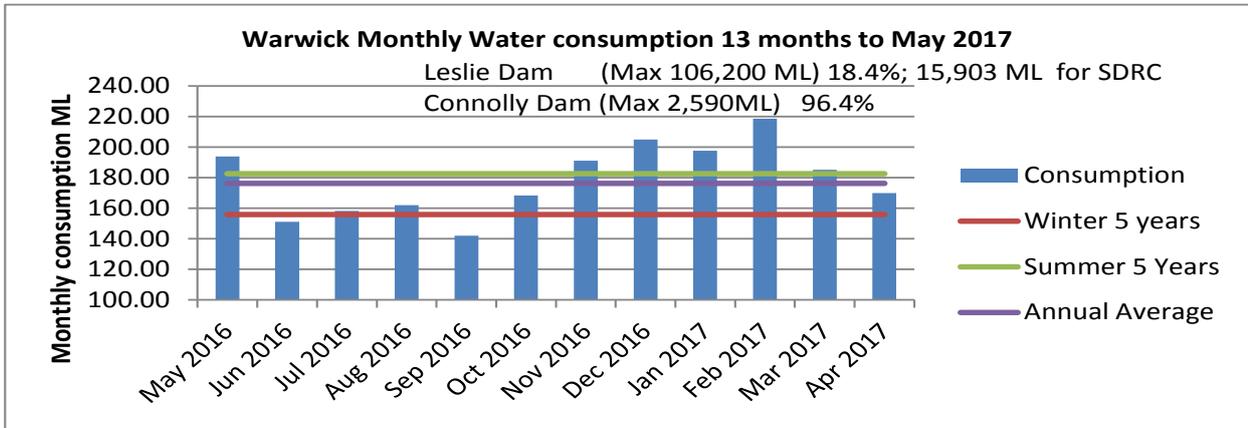
	works in progress.	completed due to State funded projects, Flood damage works & RMPC contracts. SDRC will advise TMR to carry over these projects to next financial year.		
Completed Projects				
TIDs Eukey Rd				
TIDs Inverramsay Rd – CH 8.5 – 11.8 km (Additional scope: Sealing middle section can be carried out in late May as \$90,000 savings available from this project).				
R2R Goomburra Rd (CH 15.15 – 16.19 km)				
R2R Elphinstone Rd				
R2R Nundubbermere Rd				
R2R Goldfields Rd Floodway				
Warwick CBD tree surrounding rehabilitation				
Resheeting - Stage 1 & 2				
Resealing - Stage 1 & 2				
Blackspot - Eukey Rd, Amiens Rd/ Glynlyon Drive & Amiens Rd/ Cannon Ck Rd intersections				
TIDS Amiens Rd (CH 0.0 - 4.2 km)				
Reseal - Stage 1 & 2				

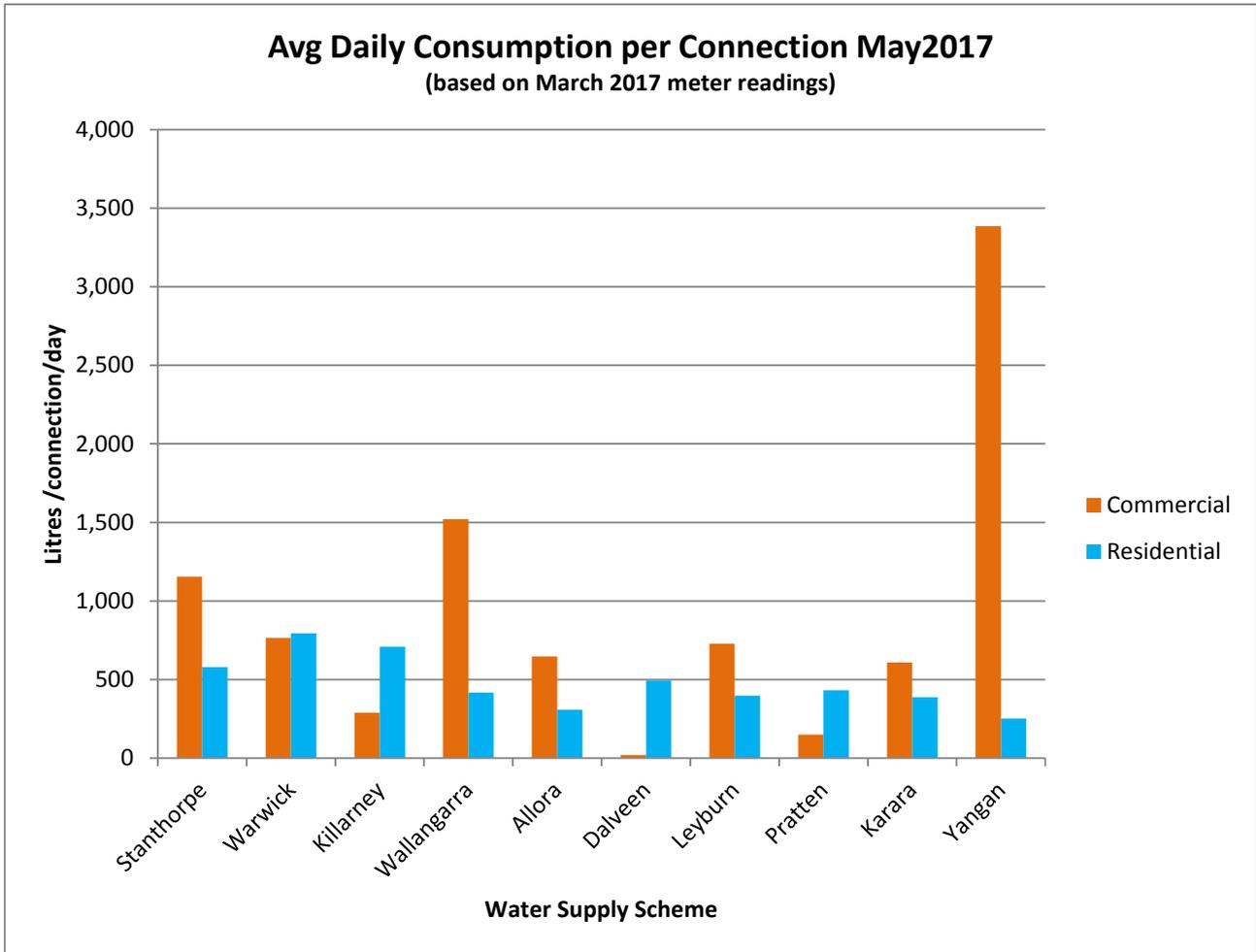
Community Services & Major Projects (attached)

WATER & WASTEWATER

Water & Wastewater Report as at 31 May 2017

Monthly Water Consumptions Graphs





Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Nil

Options

1. Receive the report; or
2. Do not receive the report

Attachments

1. Community Services & Major Projects 2016/17 Status Report [View](#)

**Community Services & Major Projects
 2016/17 Project Status Update**

Community Services Projects	Status	Next Milestone Target Date	Risk & Mitigation	PM	Project Tracking (Green – On Target) (Orange – Minor Slippage) (Red – Off Target)
Community Health & Wellbeing	Approx. 100 people attended the screening of “that Sugar film”	Flyers delivered to all medical centres in Allora, Warwick, Stanthorpe including Carbal medical centre Warwick.	Attendance to “That Sugar Film”. Risk mitigated by reducing entrance fee to zero.	HMR and PB	
Reconciliation Week – Red Dust Healing workshop	58 people attended Workshop on 08/06/2017	Project Debrief	Nil	PB	Complete
NAIDOC Week	Calendar included in Granite Belt magazine June issue. Calendar of events released throughout the networks	Continue to promote calendar and individual events. Offer assistance where needed for the key events	Nil	HMR and PB	
Seniors Month (August) and Seniors Expo (24 August)	Event listing for calendar distributed to various networks including previous event hosts. Expo listing form distributed to interagency and all previous stallholders	Book graphic designer to develop the promo materials. Book GBM and PnP publications	Nil	PB	
Disability Action Week	Working party met. Set dates for established regular events. Confirmed Expo as a new event on the calendar to showcase NDIS opportunities	Send out invitations/event listing forms to all stakeholders and interagency networks, community organisations. Return of event listings by 7 July	Nil	PB	
Youth Action Policy and Plan	Youth Policy presented at Council Briefing session now with Governance Team to be included for this month's General Meeting	Continue to Collate survey data. <ul style="list-style-type: none"> Prioritise issues and strategies from the data for 		HMR	

	<p>Youth Action Plan on hold – due to changes with Youth program. Meeting next week to discuss Collating of data continued more surveys collected from Warwick State High school.</p>	<p>the 2017-2018 Youth action plan Youth action plan to go to later meeting once youth policy is endorsed by council</p>			
Grant Applications	Status	Next Milestone Target Date	Risk Mitigation	PM	
Stanthorpe Aerodrome Runway Reseal	Grant application submitted.	Notification regarding success or otherwise of grant mid-year 2017	<p>Funding: Grant may not be approved Timing: Seal during warm weather Delay: Inclement weather may delay works Operations: Aerodrome to be closed during works – NOTAM to be issued.</p>	AJ	
Warwick Aerodrome Taxiway Realignment	Grant application submitted	Notification regarding success or otherwise of grant mid-year 2017	<p>Funding: Grant may not be approved Timing: Seal during warm weather Delay: Inclement weather may delay works Operations: Aerodrome may need to be closed during works – NOTAM to be issued</p>	AJ	
Initiation/Procurement Phase	Status	Next Milestone Target Date	Risk Mitigation	PM	
Allora Streetscape	<p>Contract awarded for Rotunda component.</p> <p>Site meeting held with works to discuss kerb and channel build out. Council's design area drafting kerb and channel works.</p>	<p>Rotunda site install 18/08/17</p> <p>Design for kerb and channel due back mid-July to allow kerb and channel to be installed by end of July.</p>	<p>Delay: Inclement weather may delay works – schedule works for winter Delay: Unavailability of contractors – utilise Council staff where possible</p>	AJ	

Connolly Dam Toilets	Contract awarded for construction of ablution block, excluding treatment plant and power. Contractor completing soil test for slab design and on-site sewerage.	Lodgement of building application by 22/06/17	Water contamination – use experienced contractors, install environmentally appropriate systems Delay: Inclement weather may delay works – schedule works for winter	ZD	Contract awarded, less water treatment plant and power. Contract award 80% of grant funding. Risk that balance of components will be in excess of grant funding.
Pioneer Park Swanfels Shelter Rebuild	Draft design received Timber quote accepted. Estimation of roof sheeting, concrete and fasteners currently being quantified. Community engagement letters issued to approximately 100 people.	Timber quote due 09/06/17 Community Engagement Scheduled 28 June 2017.	Delay: Inclement weather may delay works Community – Risk of high level of community involvement. Mitigation through engagement session scheduled for 20 June 2017	MB	
Construction Phase	Status	Next Milestone Target Date	Risk Mitigation	PM	
Asset Management Plan – Buildings	Draft AMP received, feedback provided and now in finalisation	Final AMP 15/06/2017	Delay. Mitigation through close contact with contractor.	MB	Final report may be delayed due to changes required to hierarchy
Emu Swamp Dam Feasibility	Inception meetings held. Contractor formally requested an Extension of Time (EoT). In response, request put to DEWS to vary milestone 2 from 31 May, with DEWS approving EoT for Milestone 2 to 16 June 2017. Matter tabled to Council Special Meeting 14 June 2017.	Strategic Assessment 16 June 2017. Updated PMP drafted to meet milestone 3 of Deed.	Time: Risk if no decision is made by Council. Mitigation: Officers already in discussion with DEWS.	MB	
Flood Mitigation Gauges	Equipment received	Installation booked for 19 to 23/06/17	Delay: Inclement weather may delay works – schedule works for winter	AJ	

Short Street Depot Relocation	Crib room, ablution block and sheds nearing completion. Time delay expected due to weather	Completion 15/06/2017	Delay: Inclement weather may delay works – schedule works for winter	ZD	Whilst no EoT has been requested, it is expected that a delay of about a week will occur.
Town Hall Toilets Decommissioning	Pending Heritage Exemption Certificate Building approval (demolition) pending receipt of Heritage Exemption Certificate DoEH contacted and explained that Statutory timeframe for assessment ends 30 June.	Heritage Exemption Certificate response due date 30 June	Community disapproval: Feedback encouraged, limited response received Delay: Heritage Exemption Certificate required prior to commencing – application made Delay: Inclement weather may delay works – schedule works for winter	ZD	
Warwick Water Treatment Plant Water Clarifier	Contractor In procurement stage	Site possession late July 2017	Water supply contamination: Use experienced contractors, no connection to water supply until all tests successful Funding: Unsuitable material may be struck onsite, requiring variations Delay: Unsuitable material may be struck onsite, inclement weather may delay works	AJ	
Completed Projects					
Allora Community Hall Improvements					
Civic Centre Fire Repairs					
Equipotential Bonding at Seasonal Pools					
Maryvale Cemetery Improvements					
Mt Marlay Lookout Upgrade					
Outdoor Burial Wall – Stage 2, Block E					
Pioneer Park Swanfels Shelters Demolition					

Stanthorpe Library/Art Gallery Under Floor Drainage	
Stanthorpe SES Shed Extension	
Town Hall Asbestos Removal	
Warwick Admin CCC Alterations	
Warwick Saleyards Upgrade Walkways & Stairs – Stage 3	
Mitchner Shelter Conservation Management Plan	
Cametery Beams	

11.2 Jim Mitchell Park

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer: Manager Community Services and Major Projects	Meeting Date: 28 June 2017
	ECM Function No/s: 21.10.10	

Recommendation

THAT Council commence community engagement about implementing paid camping for a maximum of three (3) nights at Jim Mitchell Park, Dalveen – Lot 1 on SP13186.

Report

Throughout the Southern Downs region, many sites are being utilised for overnight/day camping by the travelling public. This is occurring on both Council owned freehold land; and Reserve land of which Council is Trustee, at no cost to those utilising these facilities.

One of these parks, Jim Mitchell Park, is a reserve for park purposes and is regularly used by campers. Council is the appointed "Trustee" for the land. The park has been identified as a highly utilised area and is considered to be appropriate for implementing paid camping facilities i.e. with suitable access and the provision of limited amenities including toilet facilities.

With Council being trustee of the land, the following criteria applies to how Council manages the site:

- Camping on reserves is governed by the State Caravan Park Policy;
- The policy restricts camping to a maximum of three (3) nights;
- Development approval is required if the site does not have an existing use right;
- Length of stay may be extended with approval through the lodgement of a Land Management Plan (LMP);
- Council can apply to utilise the trust land for a purpose which is inconsistent with the designated purpose of the reserve;
- The State may approve camping on reserves that are not designated for camping e.g. reserves for recreation, provided limited facilities are available and nothing more;
- Limited facilities are required, which may include toilets, water and dump points;
- Should the Council wish to establish more extensive facilities on a reserve for recreation, Council must apply for a term lease for caravan park purposes e.g. Dalrymple Creek Park, Allora;
- The State will only approve camping where there are no commercial facilities or where existing businesses cannot cope with demand.

On 26 October 2016, a report was tabled to the General Council Meeting by Council's Land Management Officer and Manager Corporate Services seeking direction on paid camping at Jim Mitchell Park, Dalveen. In response, Council resolved that it would approve the implementation of camping at Jim Mitchell Park, subject to approval from the Department of Natural Resources and Mines.

Following the resolution of Council, officers made contact with the Department, submitting a Land Management Plan for consideration. The Department approved the Land Management Plan (Annexure A) paving the way for implementing paid camping at this facility.

Budget Implications

There will be anticipated revenue for paid camping at Jim Mitchell Park with campers estimated to pay \$10 per night.

Policy Consideration

Corporate Plan 2014-2019

4.1 Identify new external revenue sources;

Operational Plan: 2016/2017

8.2 Manage Council land holdings to maximise return.

Community Engagement

Council to consider community engagement with the Dalveen community.

Legislation/Local Law

Subordinate Local Law 1.6: Operation of Camping Grounds

Options

1. Approve the implementation of paid camping for a maximum of three (3) nights at Jim Mitchell Park, Dalveen – Lot 1 on SP131686 and commence the community engagement process.
2. Do not approve the implementation of paid camping for a maximum of three (3) nights at Jim Mitchell Park Dalveen – Lot 1 on SP131686 and do not commence community engagement.

Attachments

1. Annexure A - Land Management Plan [View](#)

FOR SECONDARY USE THAT IS INCONSISTENT WITH RESERVE & TRUSTEE HAS NOT UNDERTAKEN A MASTER PLAN FOR RESERVE/PRECINCT

1. INTRODUCTION

This land management plan applies to the trust land known as Jim Mitchell Park, Dalveen.

Subject Land: Lot 1 on Survey Plan 131686

Land Management Plan Duration:

Duration: Ongoing

Review: Review of the land management plan will occur:

- at the expiry or surrender of current trustee leases;
- when a request is received for secondary use;
- in consultation with relevant users/lessees at least every five (5) years or as required with three (3) months' notice of the requirement for such review being give; or
- earlier as required by the Minister, subject to three (3) months' notice being given to the trustee of a requirement for review from the Minister in accordance with the *Land Act 1994*.

Minor amendment may be made by the trustee to improve operational efficiency of the plan with the amended land management plan being submitted for approval under the *Land Act 1994* within one (1) month of such amendment being made.

2. TRUSTEE DETAILS

Trustee's Name Southern Downs Regional Council

Trustee's Address PO Box 26, Warwick QLD 4370

3. EXISTING TENURE OF THE SUBJECT LAND

Trust Land Description: Reserve for PARK

Lot / Plan: Lot 1 on Survey Plan 131686

Parish / County: n/a

Locality: Dalveen

Local Government: Southern Downs Regional Council

Area of Land: 0.203800 ha

Conditions of Tenure: Camping

LAND MANAGEMENT PLAN – RESERVE FOR PARK

4. EXISTING 'USES'

4.1 Existing Uses – Primary and Secondary

The trust land is primarily used for Park purposes.

There is currently no secondary use of the Reserve.
The Reserve has been utilised for camping for many years now.

4.2 Existing Interests

Within the Reserve, the Trustee has infrastructure suited for camping; including toilets, covered picnic tables and a waste dump point. Upon approval of this Land Management Plan the Trustee would like to continue with allowing camping on this Reserve.

4.3 Native Title Status

The proposed dealing satisfies all six requirements of Section 24JA of the Native Title Work Procedures. In accordance with section 24JA of the Native Title Act 1993 (Cth), the non-extinguishment principle applies.

5. PROPOSED USE/S OF THE SUBJECT LAND

5.1 Proposed Use/s of the Subject Land

The proposed secondary use of the subject land is for the continuation of camping within the Reserve.

Camping on the Reserve will be limited to three (3) nights in line with the Caravan Policy PUX/901/102.

5.2 Is the Proposed or Existing Secondary Use consistent with the Primary Use of the Trust Land?

No

6. COMMUNITY CONSULTATION

Community consultation was undertaken at a meeting held on the 20 March 2017, 'Dalveen Cuppa with Councillors', the community was undisputedly of the opinion that camping should continue on the Reserve.

LAND MANAGEMENT PLAN – RESERVE FOR PARK

7. SUMMARY AND RECOMMENDATION

The Land Management Plan contains the following outcomes:

- Decision making in relation to the proposed development of the trust land rests, in the first instance, with Southern Downs Regional Council;
- The Southern Downs Regional Council will be responsible for ensuring that all local, state and federal government legislative requirements affecting the trust land are met.

Any proposed inconsistent trustee leasing of the trust land that does not diminish use of the trust for its dedicated purpose will be submitted by the trustee for approval in terms of the *Land Act 1994*.

8. APPENDICES

Appendix A – Locality Map

Appendix B – Aerial photo showing location of Trust Land and surrounding parcels

11.3 Event, Sport & Recreation Advisory Committee Minutes

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer: Manager Community Services and Major Projects	Meeting Date: 28 June 2017
	ECM Function No/s: 26.37.01	

Recommendation

THAT Council receive the minutes of the Event, Sport & Recreation Advisory Committee Meeting held on 16 May 2017.

Report

The Southern Downs Event, Sport & Recreation Advisory Committee met on 16 May 2017. Attached to this report are the minutes of that meeting.

Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Nil

Options

1. Receive the Minutes of the Event, Sport & Recreation Advisory Committee Meeting held on 16 May 2017.
2. Do not receive the Minutes of the Event, Sport & Recreation Advisory Committee Meeting held on 16 May 2017.

Attachments

1. Minutes of the Event, Sport & Recreation Advisory Committee Meeting held on 16 May 2017 [View](#)



1. PRESENT

Cr Cameron Gow, Cr Yve Stocks, Michael Smail, Craig Magnussen, Mayor Tracy Dobie

OBSERVERS

Cr Jo McNally, Michael Bell (Manager of Community Services & Major Projects), Sue Organ (Minute Secretary), Pam Burley (Community Development Officer)

2. APOLOGIES

Amy Walker, Susan Tyrrell, Warwick Fraser, Michael Dwan, Cr Rod Kelly, David Keenan (CEO)

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The Committee Chair stressed the importance of attendance at the meetings.

Cr Dobie informed the Committee that attendance is low with other Committees also.

Manager of Community Services & Major Projects reiterated that people applied for these positions and some people were unsuccessful. He expressed his disappointment about the nonattendance at the Advisory Committee meeting two days prior to the Forum. He explained that Council has committed money to run the Forum and he is concerned the opportunity will be missed. There are people attending from outside the region and they are coming to see how Council will be running the Forum.

The Manager also referred the Committee to Clause 5.2.7 of the Terms of Reference which states:

If any Member of the Committee is absent for three (3) consecutive meetings without having obtained leave of absence from the Committee, the Member's continued membership of that Committee will be referred to Council for determination.

Cr Stocks also expressed her disappointment in today's attendance and suggested that the Committee be given the opportunity to reassess their commitment to the group.

Recommendation

THAT the Minutes of the Event, Sport and Recreation Advisory Committee Meeting held on 7 February 2017 be confirmed.

Moved: Craig Magnussen

Seconded: Michael Smail

Carried.

4. SPORT & RECREATION FORUM – 18 MAY 2017

a) Presentation by Pam Burley – Community Engagement

- Set realistic goals
- The objective of the forum is to develop an Action Plan from the Recommendations of the Sport & Recreation Strategy.
- Committee needs tips to get flow of conversation for each table
- Putting conversations together that work
- Operating principles – address them at the start
- If people are going off on a tangent, then explain that they are raising a great point but ask if they can park that question for another time as we need to stick to the relevant question of the day
- Create a hospitable space
- Explore questions that matter
- Encourage everyone's contribution
- Connect diverse people and ideas
- Listen together for patterns, insights and deeper questions
- Make collective knowledge visible
- Suggestion box for those that do not feel comfortable speaking in a group situation
- Collective Action Plan of ideas
- Allow time for feedback from each group

Questions for the Forum

1. How will our sporting groups work with other organisations within the community?
 - Examples of other organizations include lessees, peak bodies, parent groups, school groups, state affiliations, funding bodies etc.
 - Work together to provide and promote healthy eating at sporting events and venues
2. How can we maximize usage of community venues and assets ?
 - Future planning of assets to ensure they allow access and usage by all residents (disability access)
 - Work with tourism to attract events to the region
 - Maximise multi-purpose use
 - Maintenance of current assets
 - Audit of current facilities and potential for resource sharing
 - Actively promote the region's vast array of sport and recreational assets
3. How can we maximize progression from junior sports up to senior sports and keep volunteers within our organization?
 - Support links between junior and senior sports clubs
 - Create strong pathways for transition into senior sports and recreation
 - Volunteer skills development e.g Improve governance and asset management
 - Affordability – funding opportunities and subsidies
 - Development of elite sporting opportunities within the region

Action: Sue Organ to send the Committee and the Mayor the questions prior to the Forum. Pam Burley to work with Sue Organ to provide dot points under each question for facilitation on the day.

Action: Sue Organ to email list of attendees to the Committee.

6. GENERAL BUSINESS

a. Commonwealth Games Update

Michael Smail reported that the Committee is still waiting to hear from Trinidad & Tobago if they are coming to the region prior to the games for shooting and hockey.

Promotion of the region in November to get visitors to the region, including food.

b. Raising the level of service

Level of restaurants and accommodation needs to be lifted whether it is for tourism, sport, recreation or an event.

c. Funding Application

Letter received back from the State Government that application for regional Sport & Recreation Masterplan was unsuccessful.

7. NEXT MEETING

Tuesday 20 June 2017 at 9.00am in Warwick Council Chambers

8. CLOSURE

The meeting closed at 11.55am

12. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

12.1 Pest Management Advisory Committee Minutes

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Manager Environmental Services	ECM Function No/s: 11.23.01

Recommendation

THAT Council:

1. Receive and endorse the minutes of the Pest Management Advisory Committee held at Warwick on 23rd May 2017.
2. Maintain the current guidelines for the payment of the Wild Dog Bounties as detailed in the current Wild Dog Bounty Payment Policy

Report

The minutes of Councils Pest Management Advisory Committee are submitted for Councils consideration and adoption of recommendations each three months. The minutes of the meeting held on 23rd May 2017 are attached for Councils consideration.

There was one recommendation from the meeting:

That Council maintains the current guidelines for the payment of the Wild Dog Bounty as detailed in the current Wild Dog Bounty Payment Policy.

The minutes and the Policy are attached for Council's information.

Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

The Pest Management Advisory Committee is a community Consultative Group.

Legislation/Local Law

Biosecurity Act 2014
Control of Nuisances Local Law

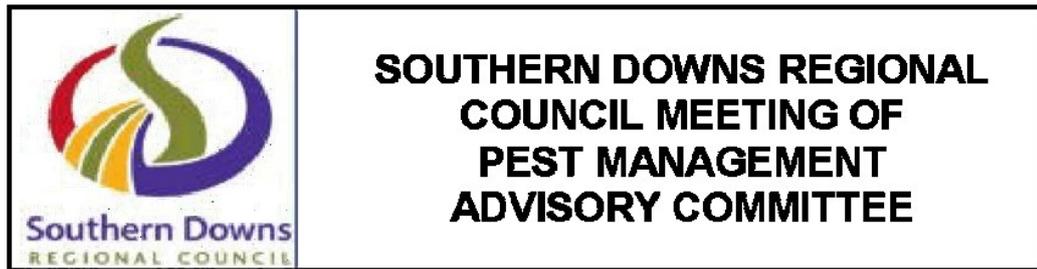
Options

Council:

1. Receive the report and endorse the recommendations or
2. Not receive the report and not endorse the recommendations

Attachments

1. Minutes Pest Management Advisory Committee - 23 May 2017 [View](#)
2. PL-PE066 Wild Dog Bounty Payment Policy [View](#)



MINUTES OF THE SOUTHERN DOWNS PEST MANAGEMENT ADVISORY COMMITTEE

Held in the Council Chamber, Warwick on

Tuesday 23 May 2017 at 10.30 am

TUESDAY 23 MAY 2017

ORDER OF BUSINESS:

1. PRESENT.....	3
2. APOLOGIES	3
3. BUSINESS ARISING FROM PREVIOUS MINUTES	3
4. UPDATE ON PEST ANIMAL FUNDING INITIATIVES	3
5. WILD DOG MANAGEMENT ADVISORY COMMITTEE / STANTHORPE DINGO SPUR FENCE ASSOCIATION.....	3
6. HEALTH IMPLICATIONS FROM ABANDONED ORCHARDS & VINEYARDS	4
7. SDRC PEST MANAGEMENT OFFICERS ACTIVITY REPORTS.....	4
8. UPDATE BY MEMBER GROUPS.....	4
9. GENERAL BUSINESS.....	5
10. FUTURE MEETING	4
11. CLOSURE	4

1. PRESENT

Mr Ken McCray (TMR), Cr Cameron Gow, Ms Jayne Thorpe (Condamine Alliance), Mr Ray Lambert (SDRC), Mr Tim O'Brien (SDRC), Mr David Parsons (CHLG), Vanessa Macdonald (QMDC) and Mr Craig Magnussen (SDRC).

Observers

Mr Ken Harris (SDRC) and Mrs Michelle Anderson (Minute Secretary).

2. APOLOGIES

Mayor Tracy Dobie, Mr David Keenan (Chief Executive Officer), Cr Jo McNally, Cr Sheryl Windle, Cr Yve Stocks, Cr Vic Pennisi, Cr Rod Kelly, Cr Neil Meiklejohn, Cr Marika McNichol, Mr John Agnew (Agforce), Mr Clive Smith (Wild Dog Management Advisory Committee), Mr Tom Upton (DDMRB), Mr Damlan Ferguson (Agforce) and Mandy Craig (Wild Dog Management Advisory Committee).

Recommendation:

That the minutes of the previous meeting held on 21 February 2017 are a true and accurate record.

Moved: Jayne Thorpe **Seconded:** Ken McCray **CARRIED**

3. BUSINESS ARISING FROM PREVIOUS MINUTES

Item 6 – Council has received the Wild Dog Management Advisory Committee Strategic Plan. Council did not provide a recommendation to scrap the Wild Dog Bounty. As discussed, the current guidelines will remain in force but will be reviewed as available funding changes.

Recommendation:

That Council maintain the current guidelines for the payment of the Wild Dog Bounty as detailed in the current Wild Dog Management Plan.

Moved: Jayne Thorpe **Seconded:** Ken McCray **CARRIE**

Item 8 – With a cooler change in the weather arriving, the little red flying foxes have now left the area.

4. UPDATE ON PEST ANIMAL FUNDING INITIATIVES

The meeting was provided an update.

5. WILD DOG MANAGEMENT ADVISORY COMMITTEE AND STANTHORPE DINGO SPUR FENCE ASSOCIATION

The meeting was provided with a brief report of the last Wild Dog Management Advisory Committee meeting. Next meeting of this Committee will be the AGM to be held on 24 August 2017.

Meeting held on 11 April 2017 of Stanthorpe Dingo Spur Fence Association to discuss Main Road's request to remove Texas Road grid and capital works. Electrification of a further 5km of the fence between Mallow and Bendee has been completed.

6. HEALTH IMPLICATIONS FROM ABANDONED ORCHARDS & VINEYARDS

ACTION:

Staff to contact Biosecurity (Land Management) for the latest information and legislation applicable to abandoned orchards & vineyards.

7. SDRP PEST MANAGEMENT OFFICERS ACTIVITY REPORTS

Craig Magnussen & Ray Lambert provided the meeting with reports on their current activities. Cross border pest control is of high importance in the control of all pests but especially relevant at present with the rabbit control program in Wallangarra.

ACTION: Mandy Craig of Border Rivers Landcare to be invited to speak to this Committee with particular interest around cross border pest control.

8. UPDATE BY MEMBER GROUPS

Four members gave their reports to the meeting.

9. GENERAL BUSINESS

1. There has been one response to the Public request for feedback on the Aerial Baiting Program.
2. State Wide Flying Fox Forum – LGAQ's Kristy Gooding is the person in charge with the information she has presented being very interesting and informative. We are represented at this Forum by a Maranoa Officer.
3. Commentary/Update on Invasive Pests – Current model is being updated and should be finalised by the end of this week.

10. FUTURE MEETING

The next meeting of the Southern Downs Regional Council Pest Management Advisory Committee Meeting will be held on 29 August 2017 at the Stanthorpe Council Chambers, 61 Marsh Street, Stanthorpe at 10.00am.

11. CLOSURE

As there was no further business the meeting closed at 12.15pm.



Wild Dog Bounty Payment Policy

Policy Number:	PL-PE066
Department:	Planning, Environment and Community Services
Section:	Environmental Services
Responsible Manager:	Manager Environmental Services
Date Adopted:	28 February 2011
Date to be Reviewed:	Within 6 months of the quadrennial election or as required by budgetary considerations.
Date Reviewed:	24 August 2016
Date Rescinded:	N/A

REVISION RECORD

Date	Version	Revision description
11.08.14	1	New format and updated.
24.08.16	2	Minor amendments and new form attached.

Wild Dog Bounty Payment Policy

Policy no: *PL-PE066*

Updated: 24 August 2016

Page 1 - 7

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CONTENTS

1	Policy Background.....	3
2	Purpose.....	4
3	Scope	4
4	Legislative Context	4
5	Policy Details.....	4
5.1	Payment level.....	4
5.2	Approval	4
5.3	Processing	5
5.3.1	Persons authorised to verify claims.....	5
6	Related Documents.....	5
	Appendix 1 – Wild Dog Bounty Claim Form.....	6
	Appendix 2 - Persons authorised to verify claims and payments.....	7

1 Policy Background

The Policy relates to incentive (bounty) payments made by Council for the destruction of wild dogs in the Southern Downs Regional Council area.

Wild dogs are restricted pest animals under the Biosecurity Act 2014 (the Act). Under sections 23 & 42 of the Act, landholders have a legal obligation to take reasonable steps to keep land under their control free from restricted pests.

In order to meet these responsibilities, Council, with assistance from Biosecurity Queensland provides landholders with a 1080 baiting service and organises regionally coordinated baiting programs. 1080 may only be supplied by approved Council and Biosecurity Queensland officers under strict conditions. In recognition that not all areas can be baited due to regulatory restrictions and to encourage the use of all available control methods, as a further assistance Council provides an incentive payment, or bounty for wild dogs shot or trapped in the Southern Downs Regional Council area. There is no legal obligation for Council to provide this payment.

Besides baiting, trapping and shooting, other control options available to landholders include the use of wild dog proof fencing and livestock guardian animals.

Council further contributes to wild dog management through the maintenance of declared pest animal fences. Currently this includes funding maintenance of the Killamey and Stanthorpe wild dog check fences and extends to funding top netting on sections of the Darling Downs Moreton Rabbit Board for the purpose of wild dog control. Current expenditure on these fences is approximately \$400 000 per annum which Council is obligated to continue paying.

Council also contributes funding to State based wild dog research through local government precept payments to Biosecurity Queensland.

Wild dogs disperse over large distances but tend to have restrictive home ranges. Home ranges may encompass large numbers of both small and large properties. The bounty reflects this by offering individuals undertaking control a cash contribution to the labour and resource intensive activity of trapping and shooting. Bounties also provide an incentive for opportunistic control.

As proof of an animal's destruction, the whole animal must be sited and claim forms approved by a person authorised under this policy to do so. Bounty payments are only made for dingoes and their hybrids to prevent domestic dogs from being targeted or being misrepresented as wild dogs. As bounty payments are funded by and intended to benefit the Southern Downs Region community, payment is restricted to animals identified as being destroyed in the Council area. This information, in conjunction with baiting data is also used to monitor compliance with control obligations and enables better planning of control programs.

The Queensland Government does not support the use of bounties so does not provide any funding.

NSW Livestock Health and Pest Authorities do not pay wild dog bounties but do collect rates from rural landholders specifically for pest control.

Prior to amalgamation, Stanthorpe Shire Council did not pay bounties, whilst amalgamation partner Warwick Shire Council paid \$30 per scalp. This was increased to \$50 across Southern Downs Regional Council following its inception and more recently increased to \$100. Individual landholders or baiting syndicates may also offer bounties of various levels at their own discretion and cost.

2 Purpose

The purpose of this policy is to assist Council to manage wild dog incentive payments in a consistent and effective manner.

3 Scope

This policy applies to the payment of a bounty by Council upon presentation of the whole wild dog shot or trapped in the Southern Downs Regional Council area.

4 Legislative Context

The *Biosecurity Act 2014* sets out provisions for restricting pest animals and landholders' obligations to control them. There is no legislative obligation for local governments to make bounty payments for the destruction of wild dogs.

5 Policy Details

5.1 Payment level

The bounty is \$100 for each approved whole wild dog and \$50 for each approved pup (as determined by the authorised person).

5.2 Approval

A number of persons are authorised to approve claim forms to enable efficiency of processing (see 5.3.1).

Authorised persons cannot approve their own claim forms.

Claim will not be authorised unless a whole dog is presented.

The claimant is responsible for destroying each wild dog after it has been marked by an authorised person.

The property from which the animal was taken must be identified on the claim form by property description (lot/plan number).

Claims will only be approved for animals identified as being destroyed within the Southern Downs Regional Council area.

Authorised persons will only sight the whole wild dog and sign claim forms at a pre-arranged time and place of their convenience.

Claim forms will be forwarded by the Authorising Signatory to the SDRC Office.

Dogs will not be accepted at Council offices.

5.3 Processing

Approved claim forms will be stamped with the date received by Council and forwarded Internally to Council's Environmental Services section for processing.

Council staff will record details of the identified property and animals in a database.

Once a claim form has been checked the Manager Environmental Services will send a signed memo to Council's Financial Services section to endorse payment.

Claimants may be asked to justify payments if excessive dogs are presented.

Claimants are encouraged to lodge electronic funds transfer details with Council. Claims will be made by electronic funds transfer in preference to cheques to reduce administrative costs.

EFT forms only need to be completed once or when details change.

5.3.1 Persons authorised to verify claims

As per the attached Appendix 2.

6 Related Documents

- Appendix 1 - Wild Dog Bounty Claim Form

Appendix 1 – Wild Dog Bounty Claim Form



Southern Downs
REGIONAL COUNCIL

CLAIM FOR WILD DOG BOUNTY

Claimant's Name: _____

Postal Address: _____

Phone: _____

Details of Wild Dog/s destroyed

Date of Destruction	Sex	Age	Shot or Trapped	Address	Property Description Lot & Plan Number

Please note: If you have not claimed a Wild Dog bounty from Council within the last 2 years, you must attach a completed SDRC Electronic Transfer Form to receive payment.

I understand that bounties can only be claimed for animals destroyed within Southern Downs Regional Council and that an Authorised Person must receive or have rendered unsuitable for future use whole wild dog in order to complete a valid claim.

Signature of Claimant: _____ Date: _____

Authorised Person

I received and destroyed/rendered unsuitable for future claim the whole wild dog that corresponds to the information provided.

Name of Authorised Person: _____

Position: _____

Signature of Authorised Person: _____ Date: _____

POINTS TO NOTE:

- Bounties will only be paid on presentation of a whole dog (not scalps).
- Payment rates are: \$50 per pup (up to 14 weeks of age); \$100 per wild dog (over 14 weeks of age)
- Council provide bounty payments as an incentive to encourage integration of trapping/shooting with other controls including coordinated baiting, guardian animals and pest barrier fences.
- Claims are signed by authorised person at times convenient to them.
- Bounty payments are a privilege not a legal right.
- Under S23 & 42 of the *Biosecurity Act 2014*, Landholders have a legal obligation to take reasonable steps to keep land under their control free from restricted pests.

PE.v2 25 July 2016 1 of 1

Appendix 2 - Persons authorised to verify claims and payments.

Persons authorised to verify claims:

Councillors:

Cr Cameron Gow
Cr Rod Kelly

Southern Downs Regional Council Environmental Services:

Warwick Local Laws Officers (Pest Management)
Stanthorpe Local Laws Officers (Pest Management)
Local Laws Coordinator
Manager Environmental Services

Community Representatives:

Dalveen Dingo Destruction Group: Jim Mitchell, Ross McCorquodale, Ben Usher.
Karara Dingo Destruction Group: Andrew Costello, Michael Welsh.
Greymare Destruction Group: Ian Cullen.
Risdon/ Wildash Destruction Group: Ben Cory.
Killarney Destruction Group: Laurence Dagg.
West of Dog Fence Stanthorpe: Peter Reimers, Clive Smith.
East of Dog Fence Stanthorpe: Stan Reid.
Allora District: Glynn Rees.
Toolburra Dingo Destruction Group: Jack Dwan.

Persons authorised to make payment:

Southern Downs Regional Council, Manager Environmental Services

12.2 Council's Role as Concurrence Agency for Amenity and Aesthetics, Planning Regulation 2017

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Planning and Compliance Coordinator	ECM Function No/s: 7.13.1

Recommendation

THAT, for the purposes of the *Planning Regulation 2017*, Council resolves that the following types of buildings may have an extremely adverse effect on the amenity or likely amenity of the locality, or be in extreme conflict with the character of the locality:

- (a) all Class 1 and Class 10 removal buildings to be relocated onto a site within the Region;
- (b) all Class 1 buildings with a gross floor area less than 60m² (*gross floor area* includes only enclosed habitable areas, and excludes areas used for parking, verandahs, and the like);
- (c) all Class 1 buildings which due to their design or appearance resemble a shed, garage or similar structure;
- (d) shipping containers to be located in any urban area or Rural residential zone; and
- (e) shipping containers to be located in the Rural zone where:
 - (i) located within 100 metres of an urban area or Rural residential zone;
 - (ii) the lot has an area of 4000 square metres or less; or
 - (iii) located within 20 metres of a lot boundary.

Report

On 26 April 2017, Council resolved in accordance with Schedule 7 of the *Sustainable Planning Regulation 2009*, that the following types of buildings may have an extremely adverse effect on the amenity or likely amenity of the locality, or be in extreme conflict with the character of the locality:

- (a) all Class 1 and Class 10 removal buildings to be relocated onto a site within the Region;
- (b) all Class 1 buildings with a gross floor area less than 60m² (*gross floor area* includes only enclosed habitable areas, and excludes areas used for parking, verandahs, and the like);
- (c) all Class 1 buildings which due to their design or appearance resemble a shed, garage or similar structure;
- (d) shipping containers to be located in any urban area or Rural residential zone; and
- (e) shipping containers to be located in the Rural zone where:
 - (i) located within 100 metres of an urban area or Rural residential zone;
 - (ii) the lot has an area of 4000 square metres or less; or
 - (iii) located within 20 metres of a lot boundary.

This resolution (and similar resolutions in December 2009 and April 2012) ensured Council has a role as a concurrence agency for the assessment of the amenity and aesthetic impact of particular building work under the *Sustainable Planning Act 2009*. (Similar resolutions were also made under the *Integrated Planning Act 1997*.)

The *Planning Act 2016* and *Planning Regulation 2017* will commence on 3 July 2017. To ensure Council continues to be a concurrence agency for the assessment of amenity and aesthetic impacts of building work, a new resolution is required.

Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Planning Act 2016

Planning Regulation 2017

Options

Council:

1. Makes a new resolution, for the purposes of the *Planning Regulation 2017*, to ensure Council continues to be a concurrence agency for the assessment of possible amenity and aesthetic impacts of particular class 1 and 10 buildings.
2. Ceases to be a concurrence agency for possible amenity and aesthetic impacts of particular class 1 and 10 buildings.

Attachments

Nil

12.3 Policies Review - June 2017

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Governance and Risk Officer Manager Corporate Services	ECM Function No/s: 04.12

Recommendation

THAT Council adopt the following policies:

- Grants to Community Policy (PL-ES075);
- Community Engagement Policy (PL-CS059);
- Arts and Culture Policy (PL-ES053);
- Revenue Policy (PL-FS013);
- Southern Downs Youth Policy (PL-ES077); and
- Rates Concession Policy (PL-FS076).

Report

As discussed at the 5 June 2017 Briefing Session, Council staff have undertaken a review of the following policies in order to ensure their appropriateness to Council's operations, particularly relating to legislation:

- Grants to Community Policy (PL-ES075);
- Community Engagement Policy (PL-CS059);
- Arts and Culture Policy (PL-ES053).

Minor amendments have also been made the Revenue Policy (PL-FS013) and are attached for review. As a result, it is proposed that the current policies be replaced with the first four draft policies attached.

The Southern Downs Youth Policy (PL-ES077) and the Rates Concession Policy (PL-FS076) are both new Council policies.

Budget Implications

Nil

Policy Consideration

Corporate Plan 2014-2019 (revised edition) 'The Well-Governed Southern Downs'

Community Engagement

Nil.

Legislation/Local Law

As outlined in the draft policies.

Options

Council:

1. Adopt the following policies:
 - Grants to Community Policy (PL-ES075);
 - Community Engagement Policy (PL-CS059);
 - Arts and Culture Policy (PL-ES053);
 - Revenue Policy (PL-FS013);
 - Southern Downs Youth Policy (PL-ES077); and
 - Rates Concession Policy (PL-FS076).

2. Do not adopt the following policies:
 - Grants to Community Policy (PL-ES075);
 - Community Engagement Policy (PL-CS059);
 - Arts and Culture Policy (PL-ES053);
 - Revenue Policy (PL-FS013);
 - Southern Downs Youth Policy (PL-ES077); and
 - Rates Concession Policy (PL-FS076).

3. Adopt amended versions of the following policies:
 - Grants to Community Policy (PL-ES075);
 - Community Engagement Policy (PL-CS059);
 - Arts and Culture Policy (PL-ES053);
 - Revenue Policy (PL-FS013);
 - Southern Downs Youth Policy (PL-ES077); and
 - Rates Concession Policy (PL-FS076).

Attachments

1. Grants to Community Policy [View](#)
2. Community Engagement Policy [View](#)
3. Arts and Culture Policy [View](#)
4. Revenue Policy [View](#)
5. Southern Downs Youth Policy [View](#)
6. Rates Concession Policy [View](#)



Grants to Community Policy

Policy Number:	PL-ES075
Department:	Community Services & Major Projects
Section:	Community Services
Responsible Manager:	Manager Community Services & Major Projects
Date Adopted:	14 June 2017
Date to be Reviewed:	July 2018
Date Reviewed:	N/A
Date Rescinded:	N/A

REVISION RECORD

Date	Version	Revision description



Grants to Community Policy

Policy no: PL-ES075

Updated: 14 June 2017

Page 1 - 8

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CONTENTS

1	Purpose	3
2	Scope	3
3	Legislative Context	3
4	Policy Details	4
4.1	Governance.....	4
4.2	Grants to Community – Funding Streams.....	4
4.3	Grants to Community Guidelines.....	4
4.4	Grants to Community – Assessors & Decision Makers.....	5
4.5	Size of Grants.....	5
4.6	Type of Grant.....	5
4.7	Promotion.....	6
4.8	Policy Outcomes.....	6
4.9	Dealing with Performance Issues.....	6
4.10	Record Keeping.....	6
4.11	Grants to Community Review.....	7
4.12	Major Event Sponsorship.....	7
4.13	Operational Funding Recipients.....	7
4.14	Council as an Auspicing Organisation.....	7
5	Definitions	8
6	Related Documents	8
7	References	8

1 Purpose

The purpose of the Grants to Community Policy is to provide Council with one policy that encompasses all the funding available through Council to the communities of the Southern Downs region.

The policy will provide the foundation for Southern Downs Regional Council to deliver funding to community members and not-for-profit community organisations in an open, fair, equitable and transparent manner.

2 Scope

This policy applies primarily to the following Grants to Community and is to be read in conjunction with the attached Grants to Community Guidelines:

- (a) Sport & Recreation Grant ("SRG");
- (b) Community Grant ("CG");
- (c) Events Grant ("EG");
- (d) Fast Grant ("FG"); and
- (e) Regional Arts Development Fund ("RADF").

In addition, the following will be briefly addressed:

- (f) Major Event Sponsorship;
- (g) Annual Operational Funding Recipients; and
- (h) Council as an Auspicing Organisation.

This policy does not apply to River Improvement Trusts.

3 Legislative Context

Local Government Regulation 2012, Part 5

Section 194 Grants to Community Organisations

A local government may give a grant to a community organisation only –

- (a) *If the local government is satisfied –*
 - (i.) *the grant will be used for a purpose that is in the public interest; and*
 - (ii.) *the community organisation meets the criteria stated in the local government's community grants policy.*

Section 195 Community Grants Policy

A local government must prepare and adopt a policy about local government grants to community organisations (a community grants policy), which includes the criteria for a community organisation to be eligible for a grant from the local government.

4 Policy Details

The purpose of the Grants to Community - Funding Streams is to offer financial assistance to community members and not-for-profit community organisations for their facilities and activities.

This policy is to be read in conjunction with the attached Grants to Community Guidelines.

4.1 Governance

The governance of Grants to Community is undertaken by Council staff in accordance with the Grants to Community Policy and Grants to Community Guidelines.

4.2 Grants to Community – Funding Streams

Council offers the following Grants to Community Funding Streams:

- Sport & Recreation Grant;
- Community Grant;
- Events Grant;
- Regional Arts Development Fund (RADF); and
- Fast Grant.

4.3 Grants to Community Guidelines

The Guideline is a detailed document outlining all aspects of Council's Grants to Community and has been written with the applicant in mind to provide them with clear and concise guidance throughout the application process.

Section 1 to Section 7 of the Guidelines is designed to provide applicants with an overview of what is generic across all of Council's Grants to Community:

Section 1	Funding Streams & Funding Pool
Section 2	Funding Rounds
Section 3	Dos & Don'ts / Hints & Tips
Section 4	Applicant Support
Section 5	In-Eligible Criteria
Section 6	Eligible Criteria
Section 7	Application Process

Section 8 to Section 12 outlines the specific requirements for each Funding Stream so the applicant clearly understands which Funding Stream is the most suitable for their project.

- Section 8 Sport & Recreation
- Section 9 Community Grant
- Section 10 Events Grant
- Section 11 Fast Grant
- Section 12 Regional Arts Development Fund (RADF)

Section 13 and Section 14 contain the Grants to Community Glossary of Terms and Frequently Asked Questions.

4.4 Grants to Community – Assessors & Decision Makers

The Grants to Community Funding Stream application assessors and decision makers are:

Funding Streams	Decision Makers
Sport & Recreation Grant	Mayor & Councillors
Community Grant	Mayor & Councillors
Events Grant	Mayor & Councillors
Fast Grant	Under Delegation by the CEO
Regional Arts Development Fund (RADF)	RADF Reference Group, Mayor & Councillors in accordance with the RADF and State Funding Guidelines

4.5 Size of Grants

The maximum grant available for each Funding Stream is noted below; however, the average grant awarded may be less. Council is not able to be the sole funder for every project and has the discretion to offer applicants partial funding.

Funding Stream	Maximum Grant Available
Sport & Recreation Grant	Capped at \$10,000
Community Grant	Capped at \$10,000
Events Grant	Capped at \$10,000
Fast Grants	Capped at \$1,000
Regional Arts Development Fund	Not Capped

4.6 Type of Grant

The Grants to Community Funding Streams are offered as continuing programs in that there will be annual funding rounds. New, emerging and/or established community not-for-profit organisations are encouraged to apply.



4.7 Promotion

The Grants to Community Funding Streams will be promoted using a combination of one or more of the following approaches:

- Online information & documents on the Southern Downs Regional Council (SDRC) grants page and via the scrolling banner;
- Media releases & advertisements in Daily News, Border Post and Southern Free Times including the Council News page;
- Community information sessions;
- Community Contact Centres' TV;
- Telephone 'on-hold' message;
- Facebook;
- Community Contact Centres; and
- Internal Council Newsletter and Intranet.

4.8 Policy Outcomes

The outcomes of this policy include:

- Achieving the objectives of Council's Corporate Plan 2014-2019 (as amended) and Community Plan 2030 (as amended).
- Providing community organisations with financial support to meet identified community need and providing benefit to the broader Southern Downs region.
- Developing vibrant, engaged and more resilient communities.
- Providing a standard approach and framework to establish community partnerships.
- Distributing funds in an equitable, transparent and sustainable manner.

4.9 Dealing with Performance Issues

Grant recipients may fail to deliver on aspects of their Funding Agreement for a range of reasons. In such instances following interventions may occur:

- Request the funding be returned; or
- Place the applicant on the not-acquitted list and, until the full acquittal is received, the applicant remains on the list indefinitely.

4.10 Record Keeping

The Grants to Community records are managed by the relevant Community Services personnel. All records are electronically filed into Council's ECM Records Management System. All documents relevant to Grants to Community need to be stored by Council for at least seven (7) years.

Accurate record keeping tracks the interactions between Council and each unique grant applicant throughout the entire grant process.

4.11 Grants to Community Review

Review of the new Grants to Community needs to initially occur after each Grants to Community round closes and be based on *what worked? What didn't work? What would we do differently next time?* This should be ongoing until two or three rounds have closed.

After each of the above reviews all Grants to Community governing documents should be updated to reflect the lessons learned in an endeavour to continuously improve Councils Grants to Community.

Subsequently, the established Grants to Community should be reviewed annually.

Achievements and implementation will be evaluated as follows:

- Council staff will be responsible for reviewing the Grants to Community lessons learned and implementing any improvements approved by Council's senior management.
- Depending on the reviewed improvements required, the implementation of them for RADF will need to be approved by the RADF Reference Panel and subsequently by Arts Queensland.
- Should Policy amendments be required a Report will be presented to Council for consideration.
- It is envisaged that whilst reporting, monitoring and assessment data will be used, the review may also seek information from key stakeholders.

4.12 Major Event Sponsorship

Council supports a number of Major Events and Festivals in the Region. This support falls outside the remit of this policy. The Major Events and Festivals are supported by the Southern Downs Regional Council under strict contractual conditions and have a proven and significant impact on the regional economy.

Organisations that are supported by Council through the Major Event Sponsorship are not eligible to apply for Council's Grants to Community.

4.13 Operational Funding Recipients

Organisations that receive annual operational funding from Council are not eligible to apply for the Grants to Community, with the exception of the Regional Arts Development Fund (RADF), should the operational funding recipient be eligible as a prospective applicant.

4.14 Council as an Auspicing Organisation

In the event Council is approached by an individual or organisation to be their Auspicing Organisation for a purpose outside of Councils Grants to Community, they are to be directed to Council's Corporate Services Department.

5 Definitions

Section 13 of the attached Guidelines includes the Grants to Community Glossary of Terms.

6 Related Documents

- Grants to Community – Guidelines
- SDRC Community Plan 2030
- SDRC Corporate Plan 2014 – 2019

7 References

- Local Government Act 2009
- Local Government Regulation 2012

DRAFT



Community Engagement Policy

Policy Number:	PL-CS059
Department:	Engineering Services
Section:	Community Services and Major Projects
Responsible Manager:	Manager Community Services and Major Projects
Date Adopted:	20 December 2011
Date to be Reviewed:	June 2018
Date Reviewed:	June 2017
Date Rescinded:	

REVISION RECORD

Date	Version	Revision description
June 2017	2	Policy Review

Community Engagement Policy

Policy no: PL-CS059

Updated: June 2017

Page 1 - 7

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CONTENTS

1	Policy Background.....	3
2	Purpose.....	3
3	Scope	3
4	Legislative Context	4
5	Policy Details.....	4
5.1	Engagement Methodology.....	4
5.1.1	Inform	5
5.1.2	Consult	5
5.1.3	Involve	5
5.1.4	Collaborate	5
5.1.5	Empower	5
5.2	Policy Outcomes.....	6
6	Definitions.....	6
7	References.....	7

1 Policy Background

Community engagement is a way of including the views of the community in our planning and decision making processes. Meaningful and effective community engagement has benefits for Council and community. It allows Council to draw on wider sources of information, perspectives and possible solutions. This in turn results in better outcomes for Council and community.

As engagement is a two way process it also allows for the effective communication of information by Council which can encourage changes in community attitude as they have better access to complex information.

2 Purpose

The purpose of the Community Engagement Policy is to define Council's commitment to community engagement and the principles and processes that Council will follow to encourage active participation by the community in Council's decision making.

The objectives that Council is seeking to achieve through this policy are:

- Outline Council's commitment to engaging the community in ways that fit the circumstances;
- Provide a range of engagement opportunities to encourage maximum participation;
- Develop Council's skills and capacity to undertake effective community engagement;
- Ensure Council decisions benefit from community input and sharing of information;
- Coordinate community engagement activities where possible to avoid duplication and over consultation;
- Develop a greater understanding of issues and potential cost of initiatives; and
- To foster good communication and build relationships and trust.

3 Scope

Community engagement is the responsibility of all staff and elected representatives. The Policy applies to all Councillors, Council Officers, Contractors and Consultants of the Southern Downs Regional Council when making decisions that impact significantly on people's lives.

The responsible Directorate will establish the most appropriate engagement techniques at the project planning stage and will then be responsible for providing information on the issue and facilitating the community engagement.

Community Engagement Policy

Policy no: PL-CS059

Updated: June 2017

Page 3 - 7

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As each situation is different, Council and staff will use their judgement to ensure that the community is appropriately engaged as necessary.

4 Legislative Context

- Local Government Act 2009

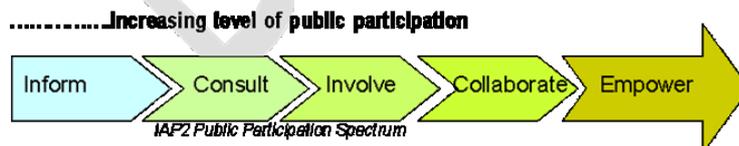
5 Policy Details

The Southern Downs Regional Council commits to the following:

- Undertaking meaningful community engagement with the Southern Downs communities;
- Clearly communicating the purpose of the engagement and the extent to which the outcome will be guided by the community input;
- Using an appropriate level of engagement for the purpose;
- Encouraging maximum participation;
- Building engagement skills and knowledge across Council;
- Continue to utilise the report format which includes the section titled "community engagement" which details the proposed engagement strategy to be taken;
- Reporting on community engagement activities; and
- Being transparent in our processes and honest in our communication.

5.1 Engagement Methodology

The Southern Downs Regional Council, where practical and appropriate, will adopt the framework and techniques for public participation as proposed by IAP2 for community engagement activities. IAP2 is internationally accredited and promotes best practice in the engagement of communities.



The level of engagement will depend on the particular circumstances of the issue or project.

5.1.1 Inform

At inform level 'one-way' methods of engagement are used to provide information to the community. This information often explains "why" a decision has been made or the processes used for making a decision.

Examples of informing are media releases, fact sheets, newsletters websites and notification letters.

5.1.2 Consult

Consulting involves the exchange of information between Council and the community. At consult level 'two-way' methods of engagement are used to allow community members the opportunity to express their opinions on a particular issue or proposal.

Examples of consulting include surveys, focus groups, staffed public displays, on-line comments and public meetings.

5.1.3 Involve

At involve level engagement requires Council to actively seek the involvement of the community as part of the planning and decision-making process.

Examples of involving the community include advisory committees, community workshops, on-line social media and deliberative polling.

5.1.4 Collaborate

Engagement at a collaborative level provides the community with a high level of involvement in Council's decision-making. This type of community engagement encourages community members to be involved in identifying solutions to local issues.

Examples of collaborative methods include community reference groups, joint ventures, community panels and forums.

5.1.5 Empower

Empowering places the final decision-making in the hands of the community.

Examples of empowering are citizen juries, ballots and delegated decision-making.

5.2 Policy Outcomes

The Community Engagement Policy will deliver the following outcomes:

- Effective and efficient community engagement that supports quality decision making;
- Greater understanding of council undertakings; and
- Communities working with Southern Downs Regional Council to improve services and find solutions to local and regional issues.

6 Definitions

Term	Meaning
Communication	Communication is the process through which a message is passed to a person or group of people external or internal to Southern Downs Regional Council.
Community	Community refers to individuals and organisations that have a stake or interest in the Southern Downs Regional Council. Council recognises that all community members have the right to access and participate in community engagement activities regardless of their abilities, age, gender, cultural and linguistic diversity, and geographic location.
Community Engagement	Community engagement is any process where Council involves the community in decision making and uses community input to make a decision. Within Council most engagement will be about providing information to the community, seeking information from the community, listening and creating opportunities for the community to participate in decisions.
Effective Community Engagement	Effective community engagement does not necessarily mean that there will be agreement, or that every aspect of Council's activities is open to comment or control. Council is ultimately responsible for making decisions that are in accordance with legislative requirements and best represent the current and future interests of residents and the region.

Community Engagement Policy

Policy no: PL-CS059

Updated: June 2017

Page 6 - 7

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Project	<i>Project is a planned undertaking (including strategy and policy development) that builds, enhances and maintains Council assets or enhances Council services in order to achieve a desired outcome, within a defined scope and funding requirements.</i>
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7 References

- **SDRC Community Engagement Policy 59 – Adopted 20 December 2011**
- **Brisbane City Council Community Engagement Policy**
- **Cairns Regional Council Community Engagement Policy**
- **Cassowary Coast Regional Council Community Engagement Policy**
- **Central Highlands Regional Council Community Engagement Policy**
- **Fraser Coast Regional Council Community Engagement Policy**
- **Lockyer Valley Regional Council Community Engagement Policy**
- **Moreton Bay Regional Council Community Engagement Policy**
- **Redland City Council Community Engagement Policy**
- **Scenic Rim Regional Council Community Engagement Policy**
- **Sunshine Coast Council Community Engagement Policy**
- **City of Townsville Community Engagement Policy**
- **Western Downs Regional Council Community Engagement Policy**



Arts and Culture Policy

Policy Number:	PL-ES053
Department:	Engineering Services
Section:	Community Services and Major Projects
Responsible Manager:	Manager Community Services and Major Projects
Date Adopted:	27 April 2011
Date to be Reviewed:	June 2018
Date Reviewed:	June 2017
Date Rescinded:	

REVISION RECORD

Date	Version	Revision description
1 March 2017	2	Policy Review
28 March 2017	3	Policy Review
10 April 2017	4	Policy Review
13 April 2017	5	Policy Review
24 April 2017	6	Final Draft

Arts and Culture Policy

Policy no: PL-ES053

Updated: June 2017

Page 1 - 8

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CONTENTS

1	Policy Background.....	3
2	Purpose.....	3
3	Scope	3
4	Legislative Context	4
5	Policy Details.....	4
5.1	Goals and Strategies.....	4
5.1.1	Infrastructure	5
5.1.2	Community and Lifestyle	5
5.1.3	Growth and Opportunity	6
6	Definitions.....	7
7	Related Documents.....	8
8	References.....	8

DRAFT

1 Policy Background

Arts and cultural development is an integral part of community definition, and contributes to the growth, wellbeing and cohesion of communities in the Southern Downs. It enriches our built and natural environment and our knowledge of cultural heritage. It creates a sense of place, identity and belonging and provides visitors to the Region with an enhanced experience.

2 Purpose

The purpose of the Arts and Cultural Policy is to establish Council's role in arts and cultural development in the region by providing:

- a vision and framework identifying key opportunities and strategies for implementation, which drive arts and cultural development in the Southern Downs Region; and
- a "blue print" used by the Council to guide the decision-making on where to strategically best allocate the available resources.

The policy applies to the cultural programs and facilities of Council, the Regional Arts Development Fund program and the broader community arts, culture and heritage sector programs and activities.

Council is committed to:

- working in partnership with community members and organisations to achieve shared arts and cultural policy objectives; and
- engaging with federal and state government funding bodies to secure adequate resources and increase investment in regional projects and programs.

Policy objectives include (but are not limited to):

- creation of appropriate public arts and culture infrastructure and a public environment that encourages art in the public environment;
- strengthened arts, culture and heritage organisations and cultural institutions;
- vibrant community festivals, celebrations and events; and
- development of the creative and expressive potential of individuals and communities.

Council will adopt a whole-of-government approach through the integration of cultural issues and development, including art and design opportunities, into key result and program areas, within public infrastructure, planning and environmental management policy.

3 Scope

This policy applies to and informs Councillors and all Council employees in the implementation of arts and cultural activities. It is linked with Council's Corporate Plan, providing a guide for the Southern Downs Regional Arts Development Fund Committee and a platform for Council to determine priorities for funding for grants and support to communities and events in accordance with the Council's Corporate Plan 2014-2019 and Southern Downs Community Plan 2030.

This policy provides a strategy framework for the development of a range of cultural and creative opportunities involving Council, strategic partners and the broader communities of the Southern Downs Region and recognises that Art, Culture and Heritage play an important part in creating and maintaining a livable, healthy and happy community.

This policy will inform Council's planning process when offering Operational Funding assistance to the region's art galleries, through the establishment of transparent, fair and equitable opportunities and outcomes as set out in the Memorandum of Understanding.

4 Legislative Context

- Local Government Act 2009

5 Policy Details

The Southern Downs Regional Council commits to the following principals:

- ***Celebrating Cultural Diversity:*** Council recognises and respects the social and cultural diversity of the Region, in terms of lifestyle, background, beliefs and creative expression, and supports the use of arts and cultural programs to explore, understand and celebrate the differences and commonalities across the Region, including young people, Indigenous people, people with a disability and those people from culturally and linguistically diverse backgrounds;
- ***Participation and collaboration:*** Council recognises that collaborative and participatory arts and cultural activities provide opportunities for shared cultural experiences, which can generate a sense of community belonging and pride and can make significant contributions to a unique and distinctive cultural environment;
- ***Equity, Access and Social Justice:*** Council recognises the rights of all residents to equal opportunity and aims to eliminate barriers that affect people's ability to access and participate in Council services, programs and facilities; and
- ***Growth and Prosperity:*** Council recognises that arts and cultural skills, resources and creative endeavour are valuable attractors and contributors to the social and economic life and wellbeing of the community.

5.1 Goals and Strategies

The Arts and Cultural Policy is underpinned by the following key goals and strategies.

5.1.1 Infrastructure

Goal: Appropriately developed, maintained and enhanced public infrastructure, facilities and spaces driven by the cultural aspirations of the users and the real needs of the programs and services delivered within these spaces.

Strategies:

- Encourage the integration of public art and design, which reflects the communities' cultural heritage and future aspirations into infrastructure developments in the Region, including encouraging private developers to incorporate in their developments art which contributes to the public domain (NB: This will be incorporated into a future Public Art Policy);
- Undertake an audit and develop a database of all facilities used for the creation and presentation of arts and cultural activity throughout the Region, to determine the location, nature, and use of existing assets, and where relevant the different models of management and financing, to inform maintenance, enhancement and future development plans for such facilities;
- Develop an Art in Public Spaces Policy, Strategies and Processes, based on best practice and the experience of others, to reflect Council's recognition of the added value that an accessible, culturally diverse program of public art can bring for public benefit;
- Support existing, or develop strategic guidelines for the systematic acquisition of artworks which reflect the priorities of the Public Art Policy (when developed); and
- Connect communities with bike paths and walking trails that celebrate creativity through forms of public art and the art of landscaping.

5.1.2 Community and Lifestyle

Goal: An environment where arts and cultural activities can flourish and contribute to the Region as a great place to live, work and play.

Strategies:

- Ensure the Arts and Cultural Policy is understood across all Council Departments and culture is integrated into relevant policies and programs, to create artful, liveable communities through partnerships and collaboration;

- Continue to invest in and appropriately resource the Regional Arts Development Fund (RADF) partnership with Arts Queensland, to support professional artists and arts workers to practise and develop their art, for and with communities;
- Build community capacity by facilitating and supporting programs involving mentorship and artist residences to enhance the professional practice of individuals and community organisations;
- Investigate skills and training requirements for the arts, museum, gallery and heritage sector:
 - facilitate professional assistance and training (e.g. in grant writing, governance, project management) for individuals and community organisations.
- Ensure events including arts are incorporated in Council's wider event program.
- Explore the possibility of enhancing the impact of local events by facilitating complementary arts activities at local arts and community venues, such as: libraries, galleries, town halls, community centres, pools and local retail precincts;
- Work with local communities in identifying their cultural needs, local cultural planning and opportunities for cultural expression, to develop and promote the Region's unique artistic and cultural diversity both in terms of heritage and contemporary cultural issues;
- Assist with identifying opportunities for (and where appropriate facilitate) the sharing of resources between arts and cultural groups to maximise the usage of resources;
- Support activities which provide young people, people with a disability and ageing residents with access to arts and cultural opportunities; and
- Identify and implement effective communication channels between the arts, culture and heritage sector and the broader community, e.g. through the development of an online portal to arts, culture and heritage in the Region to provide, for example, information on arts and cultural projects and events, a cultural directory of local artists and arts workers, creative and heritage organisations and resources.

5.1.3 Growth and Opportunity

Goal: Development of the arts and cultural sector, within broader regional economic development activities, including promotion and cultural tourism, and

enhancement of the economic viability of individuals and creative businesses working in the Region.

Strategies:

- The development of creative businesses facilitated by the Council's Economic Development Strategy (as adopted and amended);
- Investment in tourism, major events, arts and cultural activities which will be facilitated through Council's Economic Development Strategy (as adopted and amended); and
- The development of cultural tourism through the Economic Development, Customer Service and Community Development Strategies (as adopted and amended).

6 Definitions

Term	Meaning
Arts and Culture	The words 'arts' and 'culture' are used in the broadest sense. The arts are how we express, both individually and collectively, the values and history of the diverse community. Culture is a way of life for a group of people or a time; the representation of customs, traditions, a set of common understandings, shared beliefs and values, which can include associations with land, language, ways of living and working, artistic and creative expression, relationships and identity. When we consider these tangible expressions alongside people's ideas, values, memories and attitudes – this creates an expression of the unique culture. The arts can be variously categorised. Broadly they include: Visual Arts, Craft and Design (drawing, photography, paintings, pottery, printmaking, 3D); Writing; Film, Video, New Media and Digital Arts; Performing Arts (Theatre, Dance and Music); Festivals and Events; Indigenous Arts; Creative Industries (Arts Businesses involving any of the art forms, Cottage Industries and in some definitions Architecture). The sector also includes cultural groups, facilities and venues, galleries, libraries and museums.
Artist	An artist in this community is any person who creates arts and cultural product. Emerging artists are just beginning and have not yet placed art-making at the centre of their lives, whereas professional artists have done so. Professional artists are experienced and their work is recognised by their peers.
Community Capacity	This is the ability of a community to manage its own concerns. With strong community capacity, members of a community can work together to develop and sustain strong relationships, solve problems and make group decisions, and collaborate effectively to identify goals and implement them.
Community	Community Cultural Development affirms the community and its members as the

Cultural Development	creators and owners of their cultural practices. In collaboration with professional artists and cultural workers, communities can express their inherent creativity, celebrate their unique culture and generate activities with social and economic benefits. Cultural development therefore involves numerous council functions, not only arts, entertainment and cultural programs, but also community services and facilities, urban and landscape design, heritage conservation, parks and recreation, planning and development controls.
Cultural Heritage	Includes the legacy of physical artefacts and materials and intangible practices or traditions that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations. In the context of this document the natural heritage is included as part of the region's cultural heritage.
Cultural Tourism	Cultural tourism relates to travel directed toward experiencing the arts, heritage, and special character of unique places. It includes arts (such as galleries, studios, performing and visual arts), cultural activities (festivals, celebrations, rituals, events), and physical heritage (buildings and environments).
Public Art	Artistic works or activities created for, located in, or part of an unsupervised public space or facility, and/or the conceptual contribution of artists to the design of public spaces and facilities. Public art involves contemporary art practice that occurs outside of the traditional gallery or museum system, and may cover a wide range of art forms and materials, including but not limited to: permanent three-dimensional and two-dimensional works such as sculptures, murals, mosaics and unique street furniture elements, temporary and ethereal works such as projection works, lighting, multimedia and performance based work.
Strategic Planning	A continuous and systematic process where people make decisions about intended future outcomes, how outcomes are to be accomplished, and how success is measured and evaluated.

7 Related Documents

- Arts Queensland – Regional Arts Development Fund Guidelines

8 References

- Arts and Culture Policy 53 – Adopted 27 April 2011



Revenue Policy

Policy Number:	PL-FS013
Department:	Business and Community Services <u>Executive Services</u>
Section:	Finance
Responsible Manager:	Manager Finance & <u>Information Technology</u>
Date Adopted:	25 May 2009
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Date Reviewed:	25 May 2016 <u>28 June 2017</u>
Date Rescinded:	

REVISION RECORD

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<u>28/06/17</u>	<u>3</u>	<u>Reviewed</u>

Revenue Policy

Policy no: PL-FS013

Updated: ~~25 May 2016~~ 28 June 2017

Page 1 -
144

© Southern Downs Regional Council

CONTENTS

1	Purpose.....	3
2	Scope	3
3	Legislative Context.....	4
4	Policy Details.....	4
4.1	Policy Statement	4
4.2	Principles for levying rates and charges.....	5
4.2.1	General Rates	5
4.2.2	Special Rates and Charges.....	5
4.2.3	Water Charges	6
4.2.4	Waste Water Charges.....	6
4.2.5	Waste Charges	7
4.2.6	State Emergency Management Fire and Rescue Levy.....	7
4.2.7	Annual Rates Notices.....	8
4.2.8	Utility Notices	8
4.2.9	Supplementary Notices	8
4.2.10	Discount	8
4.2.11	Interest on Arrears.....	8
4.3	Principles for Granting Concessions for Rates and Charges.....	9
4.3.1	Unapparent Plumbing Failure.....	9
4.3.2	Home Haemodialysis	9
4.3.3	General Ongoing Rates Concessions.....	10
4.3.4	Other.....	11
4.5	Principles for Cost-Recovery	11
5	Physical and social infrastructure costs for new developments.....	12

Revenue Policy

Policy no: PL-FS013

Updated: ~~25 May~~
2016/28 June 2017

Page 2 -
144

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1 Purpose

A Revenue Policy forms part of Council's budget each year. The *Local Government Regulation 2012* identifies the matters that a local government must include in its Revenue Policy. In essence, a Revenue Policy is a statement outlining the strategic policy position of Council in relation to revenue measures to be adopted in the budget.

2 Scope

Section 104(5)(c) of the *Local Government Act 2009* states that the system of financial management established by Council must include, amongst other matters, a revenue policy. Section 193 of the *Local Government Regulation 2012* provides:-

1. A local government's revenue policy for a financial year must state—
 - a. the principles that the local government intends to apply in the financial year for—
 - i. levying rates and charges; and
 - ii. granting concessions for rates and charges; and
 - iii. recovering overdue rates and charges; and
 - iv. cost-recovery methods; and
 - b. If the local government intends to grant concessions for rates and charges—the purpose for the concessions; and
 - c. the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.
2. The revenue policy may state guidelines that may be used for preparing the local government's revenue statement.
3. A local government must review its revenue policy annually and in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.

3 Legislative Context

Local Government Act 2009

- o Chapter 4: Finances and accountability
- o Part 3: Financial planning and accountability
- o Section 104: Financial management Systems

Local Government Regulation 2012

- o Chapter 5: Financial Planning and accountability
- o Part 4: Financial Policies
- o Section 193: Revenue Policy

4 Policy Details

4.1 Policy Statement

Council intends to achieve an equitable distribution of the cost of its operations between different groups of ratepayers. In seeking to achieve this equitable distribution, Council's view is that every ratepayer should contribute at least at a basic level to the cost of operations of the Council.

Council will also have regard to the measures required to stimulate the local and national economy and, particularly where the Council is in competition with private sector providers of goods and services, will price according to generally accepted market principles. These principles ensure the Council does not put private sector providers at a disadvantage because its businesses are publicly owned.

Council will ensure that the rates and charges made are sufficient to cover the cost of its operations and that it is able to continue to provide services to the community at a level consistent with the growth and development of the area.

In general, Council will be guided by the "user-pays" principle in setting rates and charges. In doing so, the intention is to minimise the impact of rating on the local economy, so that the cost of a Council service is incurred by the user of that service wherever possible. It is acknowledged, however, that individual consumers of a commodity or service cannot always be separately identified. For this reason there is a need for specific user charges to be supplemented by other general revenue sources.

When considering these matters, Council will generally benchmark any variations in charges from year to year against the general movement in prices that occur in other sectors of the

~~community~~**Community** as measured by indexes such as Roadwork Input Cost Index, the Consumer Price Index, Council Cost Index (calculated by the Local Government Association of Queensland) and their components. While taking these movements into consideration Council needs to ensure that the rates and charges made are sufficient to cover the cost of its operations and that it is able to continue to provide services to the community at a level consistent with the growth and development of the area.

For Council Business Units that have adopted the code of competitive conduct, prices will be set according to full cost pricing principles including the achievement of an appropriate return on Council's investment.

4.2 Principles for levying rates and charges

4.2.1 General Rates

Council accepts that the basis for levying general rates in Queensland is land valuation. However, other factors can be considered. There is considerable diversity in the Region's various urban, rural, commercial and industrial sectors, their varying access to and requirements for services and facilities and expenditure in the sectors. The desirability for an equitable distribution of rates, therefore, needs to take into account these factors as well as issues mentioned in the foregoing Policy Statement, and warrants the use of a differential rating system.

Where differential general rating is applied, land categories are defined by first separating the urban, rural, commercial and industrial sectors of the Region and then identifying land uses to distinguish between sectors within these areas. Department of Natural Resources and Mines land use codes assist in identifying which land should be included in differential categories that may apply within these sectors.

Minimum rates are able to be set by Council under section 77 of the *Local Government Regulation 2012*. Any changes in these minimum rates will take into account the overall movement in general rates and movements in indexes – and their components as mentioned above.

4.2.2 Special Rates and Charges

Where Council believes it is appropriate for a special rate or charge to be levied in a defined area for a particular reason or benefit, such as for a special road development program, then as required by the Act and Regulation, the Council will carry out the following before the service begins:

- Identify the service to be provided;
- Detail the estimated cost of this service;
- Define the benefited area and ratepayers included therein;
- Identify any different categories or degrees of benefit to the properties if the special rate or charge is to be levied differentially; and
- State the reason/s why Council believes the service will enhance the value, utility or attractiveness of the properties to be rated and, if there are differences in benefit, state the basis on which the differences have been determined.

4.2.3 Water Charges

Within the Southern Downs Regional Council there exist a number of separate water schemes.

Southern Downs Regional Council's water supply services ~~are~~ could be considered a business activity under the Local Government Act 2009. Water charges are set to recover all of the costs associated with the provision of the water supply system by Council. These costs include ongoing operation and maintenance costs, loan interest, return on investment and other competitive neutrality adjustments. Charges are calculated based on the known and expected costs of individual systems and taking into account the matters stated in the Policy Statement.

Additionally, a charge is applied to all unconnected land in the declared service area that is capable of being connected to the Council's water network so as to cover the fixed costs associated with making the service available.

~~The quantum of the charge and the manner in which it is applied currently varies across the different water supply systems. However, Council is undertaking a process to align water supply charges to better reflect industry best practice and to ensure a consistent approach across the entire region.~~

Details of all pricing arrangements are identified within Council's Revenue Statement.

4.2.4 Waste Water Charges

Ratepayers are provided waste water services through a number of separate waste water schemes.

Southern Downs Regional Council's waste water services ~~are~~ could be considered a

business activity under the Local Government Act 2009. Consequently, waste water charges are collected and used for the purpose of meeting the full operating and capital costs of the waste water supply systems and instituting improvements to those systems, as well to meet return on capital requirements. Charges are calculated based on the known and expected costs of individual systems and taking into account the matters stated in the Policy Statement.

Additionally, a charge is applied to all vacant land in the declared service area that is capable of being connected to the Council's waste water network so as to cover the fixed costs associated with making the service available.

The quantum of the charge and the manner in which it is applied currently varies across the different water supply systems. However, Council is undertaking a process to align water supply charges to better reflect industry best practice and to ensure a consistent approach across the entire region.

Premises within the declared service area whose owners elect not to connect to the water supply system will also be charged as if they were connected.

4.2.5 Waste Charges

Cleansing services and facilities for domestic and commercial waste are provided at various locations throughout the Southern Downs Regional Council area. The cost of maintaining the service and facilities varies between areas and consequently the quantum charged and the manner in which the charge is applied may vary between townships. Charges are levied to meet, firstly, the costs of collecting waste and, secondly, for managing, operating, maintaining and improving cleansing services and waste storage/dumping facilities, including the recycling of waste.

The per-bin charges conform to the user pays principle and contributes to the variable costs of providing a bin pick up service.

Where Council expands the defined cleansing service area during the year, charges will be applied on a pro-rata basis from the date the service is supplied after giving sufficient notice to enable all premises in the expanded area to avail themselves of the service.

The charges are identified within Council's Revenue Statement.

4.2.6 State Emergency Management Fire and Rescue Levy

As required, Council collects an Emergency Management Fire and Rescue Levy on behalf of the State Government on all properties that are a prescribed property, within

the *Fire and Emergency Services Act 1990*. Council provides returns to Queensland Fire Services and remits funds collected.

4.2.7 Annual Rates Notices

Council will levy rates and charges (other than waste water access charges, water access charges and water consumption charges) on a yearly basis. Notices will be issued in ~~August/July/September~~August of the financial year and will allow a discount period of not less than 30 days if discount is applicable.

4.2.8 ~~Water Consumption~~Utility Notices

Council will levy waste water access charges, water access charges and water consumption charges on a half-yearly basis. Notices will be issued in October/November and March/April of the financial year. ~~No and will allow a discount period of not less than 30 days if~~ discount is applicable.

4.2.9 Supplementary Notices (Local Government Regulation 2012 (s109))

Where the use made of a particular parcel of land varies (eg reconfiguration, vacant land has a building constructed thereon), or a change of valuation is received from Department of Environment, Natural Resources & Mines, rates and charges will be amended and a supplementary rate notice issued. For full details of utility charge adjustments refer to Revenue Statement Section 2.6.

4.2.10 Discount (Local Government Regulation 2012 (s130))

It is the Council's policy to encourage the prompt payment of rates and charges by offering a discount for payment by a designated date.

4.2.11 Interest on Arrears (Local Government Regulation 2012 (s133))

It is the Council's policy to ensure that the interests of all ratepayers are protected by discouraging the avoidance of responsibilities for the payment of rates and charges debts. To this end, the Council will impose the maximum rate of interest permissible by legislation on all outstanding rates and charges. Interest will compound on all amounts outstanding (including those assessments where an instalment or deferred payment plan has been negotiated) 35 days after the issue of initial notice and calculated on daily rests.

4.2.12 Payment of Rates by Instalments (Local Government Regulation 2012 (s129))

Council has an adopted policy for payment of rates by instalments. For eligibility criteria and conditions refer to Section 2.4.2 of Council's Revenue Statement.

4.3 Principles for Granting Concessions for Rates and Charges

In considering the application of concessions Council will be guided by the principles of:

- The same treatment for ratepayers with similar circumstances.
- ~~Transparency by making clear the requirements necessary to receive concessions.~~
- Flexibility to allow Council to respond to local economic issues.

Consideration may be given by Council to granting a class concession in the event all or part of the Southern Downs Regional Council area is declared a natural disaster area by the State Government.

4.3.1 Unapparent Plumbing Failure

Part remission of water consumption charges is granted to owners of properties who incur water consumption charges because of an unapparent plumbing failure and who satisfy the criteria set down in Council's Partial Relief from the Payment of Water Consumption Charges Policy. The Policy sets out the eligibility criteria to be satisfied and the manner of calculation of the remission.

4.3.2 Home Haemodialysis

Part remission of water consumption charges is granted to landowners where the occupier is receiving home haemodialysis and who satisfy the criteria set down in Council's Home Haemodialysis Water Allowance Policy. The Policy sets out the eligibility criteria to be satisfied and the manner of calculation of the remission.

~~4.3.3 Senior Citizens Clubs~~

~~Rebate of by 50% for the water and waste water charges for the Killarney, Allora and Warwick Senior Citizens Centres.~~

~~4.3.4 Warwick Polocrosse Club~~

~~Exemption from February 2013 of the Warwick Polocrosse Club from one water access charge and only charge them access fees for one 40mm meter, and charge water~~

~~consumption rates at the same rate per kilolitre as properties connected to untreated dam water.~~

~~Exemption from April 2016 from paying water access charges for a new 40mm connection for a limited period up to 30 June 2019.~~

~~year~~

~~This includes where the existing tank is plumbed for any degree of household usage or not.~~

4.1.14.3.3 General Ongoing Rates Concessions

A rebate of all or part of rates or charges or deferral of interest charges is granted to the following ratepayer categories or circumstances that satisfy the relevant criteria set down in Council's Rates Concession Policy:

- Not for profit/charitable organisations;
- Permits to occupy – Pump sites;
- Leased Council vacant land;
- Invasive pest control special rate;
- Water tank installation
- Compassionate Grounds

~~Existing tank owners are exempt from the rebate. This includes where the existing tank is plumbed for any degree of household usage or not.~~

4.3.54.3.4 Other

Other remission or rate deferral requests will be assessed on their individual merits. Council reserves the right to limit rate increases under special arrangements made with Council pursuant to Section 116 of the Local Government Regulation 2012.

4.4 Principles for Recovering Overdue Rates and Charges

Council requires payment of rates, fees and charges within the specified period and it is Council's policy to pursue the collection of all outstanding rates and charges diligently but with due concern for financial hardship which may be faced by some members of the community.

For rates and utility charges, reminder notices will generally be issued within two weeks after the due date. Council reserves the right to send the details of any ratepayers that still have not paid their rates after the due date to a Collection Agency to instigate recovery procedures unless an alternative arrangement has been made.

If general rates are outstanding for three years or more Council may, in accordance with the provisions of the Act and Regulation, offer the property for sale to recover outstanding amounts.

In cases of financial hardship, Council may approve rates and charges debt repayment agreements for individual ratepayers or, in instances such as natural disasters and/or for classes of ratepayers.

4.5 Principles for Cost-Recovery

Council recognises the validity of maximising the use of appropriate user pay charges or cost recovery fees to reduce the burden on general rates. However in setting its cost recovery fees, Council will be cognizant of the requirement that such a fee must not be more than the cost to Council of providing the service or taking the action to which the fee applies.

5 Physical and social infrastructure costs for new developments

Mechanisms for the planning and funding of Infrastructure for urban growth are contained within the Sustainable Planning Act 2009.

Pursuant to the provisions of this Act, and the Southern Downs Regional Planning Scheme, developers are required to pay the costs associated with the following:-

- any ~~increase demanded on the available capacity of the existing trunk infrastructure due to any new development; and/or~~
- any additional trunk infrastructure required due to any new development; and
- where appropriate, a contribution towards social infrastructure changes required to cater for the increase or changes in population caused by new development.

Where a property developer proposes a subdivision with a higher standard of landscaping, recreation equipment, building or maintenance than would ordinarily be required by Council in accordance with its policies, practices and standards, the Council may use a Special Rate or Charge to recover the additional costs of maintenance from the ratepayers that directly benefit from the increased amenity of the subdivision. Where appropriate, Council may determine a contribution from general revenue to recognise broader community use of the assets.



Southern Downs Youth Policy

Policy Number:	PL-ES077
Department:	Community Services and Major Projects
Section:	Youth Services
Responsible Manager:	Manager Community Services and Major Projects
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Southern Downs Youth Policy

Policy no: PL-ES077

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Page 1 - 8

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CONTENTS

1	Policy Background	4
2	Purpose	4
3	Scope	4
4	Legislative Context	4
5	Policy Details	5
5.1	Principles.....	5
5.1.1	Communication.....	5
5.1.2	Building Community Capacity.....	5
5.1.3	Leadership.....	5
5.1.4	Equity and Inclusiveness	5
5.2	Council Role.....	5
5.2.1	Advocate.....	5
5.2.2	Youth Development.....	6
5.2.3	Partner	6
5.2.4	Community Engagement.....	6
5.3	Objectives	6
5.3.1	Participation & Engagement.....	6
5.3.2	Partnerships, Roles and Collaboration	6
5.3.3	Planning and Decision Making	6
5.3.4	Diversity.....	7
5.3.5	Employment, Education and Training.....	7
5.3.6	Funding.....	7
5.3.7	Recreation	7
5.3.8	Services and Strategies.....	7
5.3.9	Safety	7

5.3.10	Health and Wellbeing	7
6	Definitions.....	8
7	References.....	8

1 Policy Background

Southern Downs Regional Council has had a long and renowned history of its commitment to youth services and delivery of youth programs across the Southern Downs. Council's Youth Service started in 1999 and Council's Young Leader program (previously Young Ambassadors and Young Delegates) began in 2000.

The Youth Policy was first written in response to extensive community engagement with young people and Warwick Shire Council in 2003, which at the time was lead and facilitated by the Local Government Association of Queensland (LGAQ). The Policy was revised during amalgamation in 2009 and the policy has been reviewed yearly, upon its inception, as part of the annual Youth Action Plan.

2 Purpose

The purpose of Council's Youth Policy is to guide Council and its employees in decision making and project delivery that affects young people aged 12-25 in the region.

The Southern Downs Regional Council recognises the importance of young people to the future of our community and the value of considering young people and facilities for the region. In recognising this, Council is committed to addressing the needs of youth in our community, both directly and indirectly through collaboration with other agencies and non-government organisations (NGOs). Emphasis will be on building partnerships, developing young people to have a voice and support to become self-sufficient.

3 Scope

The Southern Downs Regional Council Youth Policy applies to all young people aged 12-25 years in the Southern Downs Regional Council local government area. The policy will apply to all aspects of delivery of services to young people by Council. The policy will inform Council's annual Youth Action Plan, which will provide guidance, planning and delivery of services and programs to young people (12-25 years) who live, work, and play or visit the region.

4 Legislative Context

- **Local Government Act 2009, S.4 Principles**
 - Democratic representation, social inclusion and meaningful community engagement.
- **SDRC Corporate Plan**

- 1.3 – Continue to monitor and stay informed about matters that affect the community
- 1.6 - Partner with agencies to develop and implement services for young people, people with a disability and our ageing residents
- 4.7 - Lobby State and Federal Governments on issues of concern to the regional community
- **LGAQ** – *“Whether a service is a legislative requirement of councils, or is provided by local choice, the Local Government Act requires that councils are responsive to the needs, interests and aspirations of individuals and groups within their communities”.*

5 Policy Details

5.1 Principles

The Youth Policy is underpinned by the following four (4) core principles.

5.1.1 Communication

Ensure effective communication and engagement with young people, including genuine and regular communication between Council and young people.

5.1.2 Building Community Capacity

Increase the capacity of young people and youth organisations to respond to the current and future needs of the Southern Downs community.

5.1.3 Leadership

Provide leadership opportunities and skills development for young people and represent youth interests to all levels of government and the broader community.

5.1.4 Equity and Inclusiveness

Consider the diverse needs of young people, providing for all ages, abilities and backgrounds across the Southern Downs region.

5.2 Council Role

5.2.1 Advocate

Council will advocate the local needs and priority concerns of the regions young people to all levels of Australian Government (State and Federal), and within the community services sector.

5.2.2 Youth Development

Council will in partnership provide youth activities and programs to build the capacity and develop the skills of the regions young people. This will include workshops, training, recreation and events.

5.2.3 Partner

Council will partner with young people, service providers, stakeholders, and community to support and facilitate collaboration, identify service needs and opportunities for the regions young people.

5.2.4 Community Engagement

Council will collaborate with the service sector, young people, community in identifying local needs and priority concerns of young people and youth stakeholders in the region. Including, facilitating actions, projects and strategies in relation to addressing identified needs and concerns.

5.3 Objectives

5.3.1 Participation & Engagement

Council recognises the importance of youth participation and engagement in Council processes, civic activities, active recreation and community. Council is committed to positively encouraging young people through participatory leadership processes to empower them to make decisions and actively participate in their community. Furthermore, Council will seek appropriate forms of communication to connect with young people in general.

5.3.2 Partnerships, Roles and Collaboration

Council recognises the value of the Young Leader program, including their role, and the importance of the retention of youth leaders in the region. Council will endeavour to consult with young people and youth stakeholders within the region in a timely and appropriate manner on matters that will, or are likely to, impact youth. Council will create effective partnerships with community and service sector in the development and implementation of programs and initiatives.

5.3.3 Planning and Decision Making

Council acknowledges the importance of planning communities and public space that are inclusive of, and address the needs of young people. Council is committed to proactively involving young people and youth stakeholders through consultation and decision making processes.

To achieve this objective Council will develop and implement a "Youth Council", which will be established to provide input into Council activities and decisions.

5.3.4 Diversity

Council recognises its role and responsibility to consider the diversity of young people and their particular needs when making decisions and considering relevant planning, policy and projects within the community. Council recognises the value of, and will encourage, young people from all backgrounds to participate in the cultural life of the community.

5.3.5 Employment, Education and Training

Council is committed to working in partnership with all tiers of government and the community, to encourage the development of employment, education and training opportunities for young people within the region.

5.3.6 Funding

Council will strive to attract and secure funding for youth development, recreation and participation opportunities for young people across the region.

5.3.7 Recreation

Council will ensure that a range of recreational facilities and affordable, appropriate activities exist for young people, through working in partnership with other tiers of government, young people, stakeholders and the broader community.

5.3.8 Services and Strategies

Council is committed to working with young people and youth stakeholders to plan, innovate, and support strategies that can improve the access, identification of gaps, and promotion of the range of youth services within the region (including e.g., but not limited to, Transport, Housing, and Health services).

To facilitate this objective, Council will roll out "Youth forums" to encourage and generate ideas that will assist Council provide better services to the broader community.

5.3.9 Safety

Council recognises the need for young people to live in a safe community and will work in partnership with other tiers of government, young people, stakeholders, police, other relevant bodies, and the broader community to achieve this aim.

5.3.10 Health and Wellbeing

Council recognises the importance of supporting and promoting the health and wellbeing of young people across the Southern Downs including raising awareness of existing services and current health issues for young people.

6 Definitions

Term	Meaning
Young People	Young people aged 12-25 in the Southern Downs Local Government Area
Council	Southern Downs Regional Council, including Councillors and Staff
Region	Southern Downs local government geographic area

7 References

Queensland Youth Strategy – “Building young Queenslanders for a global future” - 2017

SDRC Corporate Plan 2014-2019

Mackay Regional Council Youth Policy

Latrobe Council Youth Policy

City of Greater Dandenong Youth Strategy

Kingborough Youth Policy

Yarra Council Youth Policy

Cairns Regional Council Youth Policy

City of Devonport Youth Policy

Campbelltown City Council Youth Policy

Ipswich City Council Youth Policy

Southern Downs Youth Policy

Policy no: PL-ES077

Updated: June 2017

Page 8 - 8

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Rates Concession Policy

Policy Number:	PL-FS076
Department:	Corporate Services
Section:	Finance
Responsible Manager:	Manager Finance & Information Technology
Date Adopted:	28 June 2017
Date to be Reviewed:	28 June 2018
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Rates Concession Policy

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Page 1 - 15

© Southern Downs Regional Council

CONTENTS

1	Policy Background	3
2	Purpose	3
3	Scope	3
4	Legislative Context	4
5	Policy Details	4
5.1	Not-For-Profit/Charitable Organisations.....	4
5.1.1	Eligibility.....	4
5.1.2	Applications	5
5.1.3	Amount of Rebate.....	6
5.2	Permits to Occupy Pump Sites and Separate Pump Site Assessments.....	7
5.3	Leased Council Vacant Land	8
5.4	Invasive Pests Control Special Rate	8
5.5	Water Tank Rebate	10
5.6	Financial Hardship	11
5.6.1	Major Medical Situations	12
5.6.2	Unusual and severe circumstances.....	13
5.7	Other	14
5.8	Cost Report.....	14
6	Definitions	14
7	Related Documents	15

1 Policy Background

Council must levy rates, fees and charges and requires payment of such rates, fees and charges within the specified period. It is Council's policy to levy and pursue the collection of all outstanding rates and charges diligently but with due concern for the following:

- financial hardship which may be faced by some members of the community;
- Economic development of the region; and
- Cultural, environmental, historic, heritage or scientific significance within the region.

Chapter 4, Part 10 of the *Local Government Regulations 2012* allows local governments to grant a ratepayer a concession for rates or charges.

Section 121 only allows the following types of concessions:

- a) A rebate of all or part of the rates or charges;
- b) An agreement to defer payment of rates or charges;
- c) An agreement to accept a transfer of unencumbered land in full or part payment of the rates or charges.

2 Purpose

This policy aims to identify target groups and establish guidelines to assess requests for rates and charges concessions in order to alleviate the impact of rates and charges.

This policy has been developed to ensure consistency in the determination of concessions for rate and charges with respect to Chapter 4, Part 10 of the *Local Government Regulations 2012*.

In considering the application of concessions Council will be guided by the principles of:

- The same treatment for ratepayers with similar circumstances.
- Transparency by making clear the requirements necessary to receive concessions.
- Flexibility to allow Council to respond to local economic issues.

Consideration may be given by Council to granting a class concession in the event all or part of the Southern Downs Regional Council area is declared a natural disaster area by the State Government.

3 Scope

This policy applies to any person, group or organisation seeking rebates and concessions for rates and/or charges.

The scope of this policy is limited to rate concession types under section 121(a) and 121(b) of the *Local Government Regulations 2012* being:

Rates Concession Policy

Policy no: PL-FS076

Updated: 28 June 2017

Page 3 - 15

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- a) A rebate of all or part of the rates or charges; and/or
- b) An agreement to defer payment of rates or charges.

It does not include concessions allowed under a separate policy, including:

- PL-FS068 – Home Haemodialysis Water Allowance; and
- PL-FS035 – Partial Relief from the Payment of Water Consumption Charges Policy.

This policy supersedes any previous ongoing concessions granted by Council.

4 Legislative Context

- *Local Government Regulation 2012* – Chapter 4, Part 10

5 Policy Details

Rate concessions are considered for the following ratepayers categories.

5.1 Not-For-Profit/Charitable Organisations

Pursuant to sections 120(1)(b)(i), section 121(a), and section 122(1)(b), (4), (5) and (6) of the *Local Government Regulation 2012*, Council grant a concession to approved organisations whose objectives do not include the making of profit and who provide services to their membership and the community.

The granting of rate concessions under this section ends two years after the current application is approved; upon change of ownership; or upon the change of the purpose for which the property is used (as determined by an authorised Council Categorisation Officer) whichever is the sooner. Subsequently a new application for rate concession is required to be submitted.

5.1.1 Eligibility

Not-For-Profit/Community Organisation – An Incorporated body who:

- Does not include the making of profit in its objectives;
- Does not charge a fee for service;
- Is located within the Council area and the majority of its members reside in the Council area;

- Does not receive income from gaming machines and/or from the sale of alcohol in an organised manner (e.g. bar with regular hours of operation with permanent liquor license);
- Is the owner, lessee or life tenant of the property and is the incorporated bodies main grounds/base/dub house or residence;
- Has, either solely or jointly with a co-owner, the legal responsibility for the payment of rates and charges which are levied in respect of the property; and
- Is not a religious body or entity or educational institution recognised under State or Federal statute or law.
- Does not receive any dividends or other income from shareholdings in any other entity.
- Does not pay any monies to board members or any other financial incentive to such including but not limited to share entitlements.

Council will not allow any rate concession where there is either an actual or perceived competitive advantage obtained by the 3rd party through Council allowing such a concession.

Should an applicant only have part ownership of the property the Council remission is similarly reduced.

5.1.2 Applications

Applications will only be accepted on the form "Not for Profit Application for Rate Concession". The form must be completed by the applicant and must be supported by any information required to assist in the decision making process. Such information includes:

- The organisation's constitution;
- Tax status;
- Most recent audited Financial Statements;
- Number of paid and unpaid (i.e. volunteers) labour; and
- Primary activities carried on by the organisation.

Eligibility for a concession is assessed by Council biennially prior to the issue of the first rate notice each financial year (generally June/July). Organisations not provided with a concession, and believe they meet the relevant criteria, may apply for approval at any time. If an application is approved by Council, concessions are applied from the beginning of the current rating period (concessions are not applied retrospectively).

5.1.3 Amount of Rebate

1. Senior Citizens Clubs

Levies	Rebate Level
General Rates	N/A - Exempt under Rates Exemption Policy
Separate Rates/Charges	0%
Special Rates/Charges	0%
Water Access Charges	50%
Water Consumptions Charges	0%
Waste Water Charges	50%
Cap	N/A

2. Showground Related Organisations

Levies	Rebate Level
General Rates	N/A - Exempt under Rates Exemption Policy
Separate Rates/Charges	0%
Special Rates/Charges	0%
Water Access Charges	25%
Water Consumptions Charges	0%
Waste Water Charges	25%
Cap	N/A

3. Sporting organisations which rely mainly on volunteer labour

Levies	Rebate Level
General Rates	N/A - Exempt under Rates Exemption Policy
Separate Rates/Charges	0%
Special Rates/Charges	0%

Water Access Charges	25%
Water Consumptions Charges	0%
Waste Water Charges	25%
Cap	N/A

4. Community/Charitable organisation which relies mainly on paid labour

Levies	Rebate Level
General Rates	25%
Separate Rates/Charges	0%
Special Rates/Charges	0%
Water Access Charges	0%
Water Consumptions Charges	0%
Waste Water Charges	0%
Cap	\$1,000

5. Rural Fire Brigade

Levies	Rebate Level
General Rates	N/A - Exempt under Rates Exemption Policy
Separate Rates/Charges	0%
Special Rates/Charges	0%
Water Access Charges	100%
Water Consumptions Charges	0%
Waste Water Charges	100%
Cap	N/A

5.2 Permits to Occupy Pump Sites and Separate Pump Site Assessments

Pursuant to sections 120(1)(c), section 121(a), and section 122(1)(b), (5) and (6) of the *Local Government Regulation 2012*, Council grant a concession by way of a rebate of 50% of the general rate subject to the conditions below:

- A permit to occupy for a pump site has been issued;

- The permit to occupy is not valued with other rateable land; and
- Where the total assessable area is 25 square meters or less.

5.3 Leased Council Vacant Land

Pursuant to sections 120(1)(c), section 121(a), and section 122(1)(b), (5) and (6) of the *Local Government Regulation 2012*, Council grant a concession to lessees of Council land by way of a rebate of 100% of the general rate and separate charges subject to the conditions below.

1. The land is owned or held as Trustee by Council; and
2. The land is leased to another person; and
3. The land is vacant; and
4. The land is not used for any business or commercial/industrial purpose (excluding a grazing lease); and
5. The land is not valued with other rateable land held by the lessee.

5.4 Invasive Pests Control Special Rate

Pursuant to sections 120(1)(d), section 121(a), and section 122(1)(b), (5) and (6) of the *Local Government Regulation 2012*, Council grant a concession to all ratepayers levied with Invasive Pests Control Special Rate ("the special rate"), by way of rebate of 100% of the special rate, subject to compliance by the ratepayers with the conditions below.

The concession is granted on the grounds that the concession will encourage the economic development of all or part of Council's local government area. The conditions applicable to this grant of concession are as follows: -

1. In accordance with the Invasive Pests Control Scheme ("the Scheme") adopted by Council at its 2017/2018 budget meeting, all ratepayers levied with the special rate will receive a Proposed Control of Works Form at the time of receiving their rate notice;
2. The ratepayer must fully complete and return the Control Works Form to Council within 60 days of its receipt;
3. In the event that Council does not receive the completed Control Works Form within 60 days after its receipt by the ratepayer, the rebate of the special rate will be limited to the period beginning on 1 July 2017 and ending on the due date for the

return of the form, with the balance of the special rate becoming due and payable from the day after the due date for the return of the form, calculated by reference to the following formula: -

$$\frac{\text{No. of days from day after due date for return of form to 30 June 2019} \times \text{amount of special rate as levied}}{365}$$

4. If a completed and returned Control Works Form does not identify any invasive weeds or pest animals (collectively referred to as "invasive pests") on the rateable land the subject of the special rate, and a subsequent inspection of the rateable land by an authorised person of Council reveals the existence of invasive pests, the rebate of the special rate will be limited to the period beginning on 1 July 2017 and ending on the date of inspection by the Council authorised person, with the balance of the special rate becoming due and payable from the day after the inspection, calculated by reference to the following formula: -

$$\frac{\text{No. of days from day after date of inspection to 30 June 2019} \times \text{amount of special rate as levied}}{365}$$

5. If a completed and returned Control Works Form is returned and identifies invasive pests on the rateable land the subject of the special rate: -
- a. The Control of Works Form must detail: -
 - i. The location of the invasive pests;
 - ii. 'Before' photos showing the extent of the infestation; and
 - iii. A list of proposed control works (including a timetable for same not extending beyond 30 June 2020) that the landholder will undertake to remove the invasive pests.
 - b. The ratepayer must undertake the proposed control works specified in, and in accordance with the timetable identified by, the Control Works Form.
 - c. If a subsequent inspection of the rateable land by an authorised person of Council reveals that the ratepayer has not undertaken the proposed control works specified in, or in accordance with the timetable identified by, the Control Works Form, the rebate of the special rate will be limited to the period beginning on 1 July 2017 and ending on the date of inspection by the Council authorised person, with the balance of the special rate

becoming due and payable from the day after the inspection, calculated by reference to the following formula: -

No. of days from day after date of inspection to 30 June 2018 x amount of special rate as levied

365

5.5 Water Tank Rebate

Pursuant to sections 120(1)(d), section 121(a), and section 122(1)(b), (5) and (6) of the *Local Government Regulation 2012*, Council grant a concession to ratepayers levied with a Water Utility Access Charge ("the water access charge"), by way of a rebate of 100% of a water access charge for a property for a set period, subject to compliance with the conditions below. The concession is granted on the grounds that the concession will encourage the economic development of all or part of Council's local government area. The conditions applicable to this grant of concession are as follows:

1. The property is included in the differential general rating categories of:
 - a. Residential 1; or
 - b. Residential 2.
2. A ratepayer installs a reticulated water tank which is plumbed to their dwelling for any degree of household usage (i.e. toilet, laundry or general household usage).
3. The ratepayer completes the form "Application for Water Tank Rebate"
4. With the above application, the ratepayer provides evidence of the purchase of the water tank and works carried out to plumb the water tank into their dwelling. This evidence must include:
 - a. A tax invoice for the purchase of the water tank stating the size of the tank and the property details where the tank was delivered to; and
 - b. A tax invoice from a licensed plumber who plumbed the water tank into the dwelling stating the works that were done and the property details where the works were carried out.
5. The water tank must be installed on the property within the 2017/2018 financial year. The rebate will not be allowed on pre-installed tanks. This includes where the existing tank is plumbed for any degree of household usage or not.

6. The rebate can only be applied once per property.

Upon receipt and approval of the evidence noted in point 3 above, Council will allow a rebate of 100% of a water access charge levied on the property for the full financial year regardless of when the evidence is provided. In the event of multiple meters installed on a property and thus multiple water access charges levied, the rebate will only be allowed for a single water access charge of the smallest meter size (i.e. if a property has two 20mm and one 25mm meters, the rebate will only be allowed on a single 20mm access charge).

The extent of the rebate is based on the size of the installation as follows:

- Tanks with capacity greater than or equal to 5 Kilolitres up to 22.7 Kilolitres will receive the rebate for 3 financial years;
- Tanks with capacity greater than or equal to 22.7 Kilolitres will receive the rebate for 5 financial years;
- Tanks with capacity less than 5 Kilolitres do not attract a rebate
- Where a body corporate of a group of strata title residences installs a communal tank, the capacity requirement is on a pro rata basis for the number of dwellings connected to the tank (i.e. individual dwelling rate is assessed based on communal tank capacity divided by the number of dwellings plumbed to it for household use).

5.6 Financial Hardship

Pursuant to sections 120(1)(c), section 121(b), and section 122(1)(b), (5) and (6) of the *Local Government Regulation 2012*, Council may grant a concession to ratepayers who are having difficulty in paying their rates in one of the following circumstances:

1. Major medical situation; or
2. Unusual and severe circumstances.

The concession is granted by way of deferral of all interest charges and legal recovery from the date of application until 30 June of the current financial year subject to compliance by the ratepayers with the conditions below.

1. The property is included in one of the following differential general rating categories:
 - a. Residential 1;

- b. Residential 2;
 - c. Residential 3; or
 - d. Residential 4.
2. The ratepayer completes the form "Hardship Application for Rates Deferral"
 3. The deferral of interest charges and legal recovery expires annually and the ratepayer must make a new application if the major medical situation continues;
 4. The levied rates and charges on the property are still required to be paid in full;
 5. The nature of applications for concession is generally determined on a case-by-case basis against the principles outlined in this policy.

5.6.1 Major Medical Situations

Where a ratepayer is having difficulty in paying their rates due them and/or associated persons (spouse/children/parents) suffering from one of the following major medical situation:

- Illness involving long term hospitalisation;
- Incapacitation;
- Major trauma (e.g. accident);
- Life threatening illness (e.g. terminal cancer); or
- Emergency operation

The concession is granted by way of deferral of all interest charges and legal recovery until 30 June of the current financial year, subject to compliance by the ratepayers with the conditions below:

1. The patient resides permanently at the nominated address within the Southern Downs Regional Council area;
2. The ratepayer must complete and submit an application for deferral concession with the following details:
 - a. Details of the relevant major medical situation as listed above;
 - b. The date and duration of the major medical situation; and
 - c. Supporting letter/statement by doctor/medical practitioner confirming the major medical situation.

Any application made for a deferral concession under major medical situations may be approved by the Chief Executive Officer or Manager of Finance and Information Technology.

5.6.2 Unusual and severe circumstances

Where a ratepayer is having difficulty in paying their rates due them and/or associated persons (spouse/children/parents) suffering from unusual and severe circumstances.

These may include:

- Sudden and unexpected loss of income;
- Sudden and unexpected major expenditure;
- Other unusual and severe circumstance.

The concession is granted by way of deferral of all interest charges and legal recovery until 30 June of the current financial year, subject to compliance by the ratepayers with the conditions below:

- The ratepayer resides permanently at the nominated address within the Southern Downs Regional Council area;
- The ratepayer must complete and submit an application for deferral concession with the following details:
 - Details of the relevant unusual and severe circumstance;
 - The date and duration of the circumstance; and
 - Supporting information for Council to decide upon the application. This information can include:
 - Gross income (household and commercial) – which includes: Income from employment, pensions, other social security benefits, income from rental properties, other investment income, as well as deemed income (e.g. potential rental income from non-owner residents such as children that live at home and earn income but do not pay rent);
 - Assets (income producing assets);
 - Copies of invoices of any major expenditure;
 - Details on advice sought from a Financial Counsellor.

- the application demonstrates unusual and severe difficulty rather than the usual frustrations and trials to which other ratepayers or similar organisations are subjected to from time to time;

Any application made for a deferral concession under unusual or severe circumstances must be approved at a General Council Meeting.

5.7 Other

Other remission or rate deferral requests will be assessed on their individual merits. Council reserves the right to limit rate increases under special arrangements made with Council pursuant to Section 116 of the *Local Government Regulation 2012*.

5.8 Cost Report

At the budget meeting each year, a report must be prepared and presented to Council showing the cost of each concession granted per property for the current financial year and for the time since the concession was first granted.

6 Definitions

Term	Meaning
Hardship	when payment of due rates and charge was made, the ratepayer would be left unable to provide for themselves, their family or other dependents the following: <ul style="list-style-type: none"> • Food; • Accommodation; • clothing; • medical treatment; • education; or • other basic necessities.

7 Related Documents

- PL-FS013 – Revenue Policy
- PL-FS057 – Debt Recovery Policy

Rates Concession Policy

Policy no: PL-FS076

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Page 15 - 15

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12.4 Alignment Amendment of the Southern Downs Planning Scheme

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Planning and Compliance Coordinator	ECM Function No/s: 18.15.11

Recommendation

THAT:

1. Council makes an alignment amendment to the Southern Downs Planning Scheme under the Alignment Amendment Rules made by the Planning Minister under section 293 of the *Planning Act 2016*, for the purpose of making the planning scheme consistent with the *Planning Act 2016*.
2. The alignment amendment commence upon commencement of the *Planning Act 2016* on 3 July 2017.
3. A public notice advising of the making of the alignment amendment be published in:
 - (i) the gazette;
 - (ii) in a newspaper circulating in the Southern Downs Region; and
 - (iii) on the Council's website.
4. A copy of the public notice and a copy of the alignment amendment be given to the Chief Executive of the Department of Local Government, Infrastructure and Planning.

Report

At its meeting on 24 May 2017, Council decided to propose to make an alignment amendment to the Southern Downs Planning Scheme to incorporate the new concepts and terminology of the *Planning Act 2016*, which commences on 3 July 2017.

The stages of the process for making an amendment alignment are as follows:

1. Council decides to propose to make an alignment amendment under the Minister's rules;
2. After preparing the alignment amendment, Council decides to make the alignment amendment and to commence the alignment amendment (either upon commencement of the Act or after the commencement of the Act);
3. Council publishes a public notice about the alignment amendment;
4. A copy of the alignment amendment, the public notice and the amended instrument (if requested) are to be provided to the Chief Executive of the Department of Local Government, Infrastructure and Planning.

A copy of a draft alignment amendment that was prepared in accordance with a template provided by the Department of Infrastructure, Local Government and Planning (DILGP) was forwarded to Councillors on 8 May 2017. Due to the *Planning Regulation 2017* being finalised and made on

1 June 2017, some minor changes have been made to the amendment template provided by DILGP to reflect the final version of the Regulation.

Attached to this report is the final alignment amendment to the Southern Downs Planning Scheme which has been prepared in accordance with the latest template provided by the DILGP and the Queensland Planning Provisions (version 4.0). (The planning scheme maps have not been included in the attached document.)

It is recommended the alignment amendment commences on commencement of the Act on 3 July 2017.

Budget Implications

There will be costs associated with the public notification of the alignment amendment.

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Planning Act 2016

Planning Regulation 2017

Alignment Amendment Rules

Southern Downs Planning Scheme

Options

Council:

1. Makes an amendment alignment to the planning scheme.
2. Does not make an alignment amendment to the planning scheme, and relies instead on the transition provisions of the Act.

Attachments

1. Alignment Amendment of the Southern Downs Planning Scheme (Excluded from agenda - Provided under separate cover)[View](#)

12.5 Waste Reduction and Recycling Plan Review

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Manager Environmental Services	ECM Function No/s: 31

Recommendation

THAT in accordance with Section 125 of the Waste Reduction and Recycling Act 2011, Council undertake community consultation on the proposed amendments to the 2017-2027 Waste Reduction and Recycling Plan.

Report

It is a requirement of the Waste Reduction and Recycling Act 2011 for Council to have a Plan which sets out Council's intention for managing waste, including waste reduction and recycling in the Region for the next ten (10) years. Council adopted the first plan in 2013, and it has gone through several amendments since this time. The purpose of the Plan is to provide Council and the community with the information required to effectively and efficiently undertake waste management in the Region in a manner that minimises environmental, economic and social impacts and meets the reasonable expectations of the community as well as legislative requirements.

The Plan has the following five (5) goals:-

- Goal 1:** The total amount of waste generated in the Region is reduced by 10% by 2025 to no more than 1.0 tonne per person per annum.
- Goal 2:** The amount of waste that is reused, recycled and recovered represents more than 40% of the waste stream by 2025.
- Goal 3:** The disposal of waste is environmentally and socially sustainable.
- Goal 4:** The community is educated about the real costs of waste and given the tools to manage and limit their own waste.
- Goal 5:** Waste management is financially sustainable.

Council considered various options with respect to possible amendments to the Waste Reduction and Recycling Plan at the Briefing Session held on 8 May 2017. This was in response to the result from the Ballandean community opposed to plans to close the Ballandean Waste Transfer Station. This option was proposed after Council reviewed the Waste Reduction and Recycling Plan in August and October 2016 and conducted community consultation at this time.

What Remains Unchanged?

There is no intention to alter with the current operation of the waste facilities that have been upgraded to supervised facilities over recent years, these facilities being:-

Warwick	Stanthorpe	Allora
Killarney	Northern Granite Belt	Pratten
Wallangarra	Broadwater	Leyburn
Yangan	Maryvale	

Current Strategy

The current Waste Reduction and Recycling Plan provides for the upgrade and closure of the following waste facilities:-

Upgrade	When	Close	When
Glen Aplin	2019/20	Ballandean	2019/20
Amiens	2019/20	Pozieres	2019/20
Karara	2019/20	Greymare	2019/20
Forest Springs	2021/22		

Attachment 1 contains a map which indicates a 10 kilometre radius around the waste facilities that are currently proposed to be upgraded within the current Plan.

With the capital cost of upgrading each facility increasing along with the financial impact of providing supervision to these facilities, there is an opportunity to further rationalise what facilities remain open and be upgraded to a supervised facility and those facilities that could be closed, given their proximity to existing facilities.

The current unsupervised waste facilities are designed for the acceptance of domestic waste and recyclables. There are on-going issues with these facilities being abused by customers, with whitegoods, furniture, fencing and other farm related waste being left on the ground. There is also a missed opportunity to further remove recyclables from the waste stream, which is resulting in filling the major landfills at a faster rate.

Proposed Amendments to the Strategy

Based on the feedback from the May 8 Briefing Session, the following waste facilities are proposed to be upgraded and closed:-

Upgrade	When	Close	When
Karara	2018/19	Forest Springs	2018/19
Ballandean	2018/19	Pozieres	2018/19
		Greymare	2018/19
		Glen Aplin	2018/19
		Amiens	2018/19

Attachment 2 contains a map which indicates a 10 kilometre radius around the waste facilities that are now proposed to remain operational.

This would ensure that by the end of 2018/19, all waste facilities would be upgraded to an acceptable standard and supervised, hence improving dramatically how the site is operated and increasing the opportunity for recyclables to be removed from the waste stream.

With the new waste management contract being developed, it's important that the level of servicing is confirmed at the time of going to tender as this ensures the best value for money.

Income to Fund Waste Management Services

Waste management is not self-funding. Some revenue for waste management is raised through a utility charge for those properties within the waste collection areas. Other revenue is raised through gate fees and charges at supervised facilities for commercial and industrial waste. The operational and capital expenditure on waste management is not met by these targeted revenue streams.

There is current no fee for depositing domestic waste at landfill regardless of type or bulk. There is therefore no incentive for waste reduction or recycling.

In common with most of the activities of Council, the shortfall between the waste revenue and expenditure is met by general rates. There is an opportunity to both link the costs of waste management to the amount of waste generated and provide an incentive for minimising waste by overtly identifying a waste component in general rates. This could be in the form of a waste levy.

The waste levy could be an addition to the general rate or it could be a separately identified part of the general rate. The waste levy could be at a level that covers the whole costs of waste management or a particular component such as landfill.

From the Briefing Session, Council asked that the inclusion of a waste levy in the rates in 2018/19 financial year. This has been included in the proposed 2017-2027 Waste Reduction and Recycling Plan. Further investigations will be conducted into the introduction of a levy along with possible disposal fees, once all waste facilities are supervised.

Future Landfill Cells at Warwick and Stanthorpe Waste Facilities

Given the current outlay to design, seek approval and to construct new landfill cells at the Warwick and Stanthorpe Waste Facilities, it's proposed that a review be undertaken on the most appropriate size of these cells, the capital outlay and timing.

There is also an opportunity, prior to committing to this significant expenditure in the coming years, to conduct an options analysis on what will provide the best outcome to Council and the community going forward on the operational costs for both of these waste facilities.

Budget Implications

The proposed amendments to the current Waste Reduction and Recycling Plan will have impact on the following budgets aspects:-

- Capital Works Program;
- Operational budgets for the impacted facilities;
- Waste contract rates (currently JJ Richards and Endeavour) for servicing these facilities.

Policy Consideration

Waste Reduction and Recycling Act 2011
Waste Reduction and Recycling Regulation 2011

Community Engagement

Section 125 of the Waste Reduction and Recycling Act states that before Council adopts the revised Waste Reduction and Recycling Plan, the public must be consulted about the amendments. The Council must consider any submissions received as a result of this consultation prior to adopting the amended Plan. It is proposed that the consultation will be for at least 28 days.

The last public consultation on the plan was done in 2016.

Legislation/Local Law

- Waste Reduction and Recycling Act 2011; and
- Waste Reduction and Recycling Regulation 2011.

Options

1. In accordance to Section 125 of the Waste Reduction and Recycling Act 2011, Council undertake community consultation on the proposed amendments to the 2017-2027 Waste Reduction and Recycling Plan.
2. Make no further amendments to the 2017-2027 Waste Reduction and Recycling Plan.

Attachments

1. 2017-2027 Waste Reduction & Recycling Plan (Excluded from agenda - Provided under separate cover)[View](#)
2. Map indicating a 10 kilometre radius around the waste facilities that are currently proposed to be upgraded in the current Plan (Excluded from agenda - Provided under separate cover)[View](#)
3. Map indicating a 10 kilometre radius around the waste facilities that are now proposed to be upgraded. (Excluded from agenda - Provided under separate cover)[View](#)

12.6 Proposed Amendments to the Planning Scheme - Consideration of Submissions

Document Information

 <p>Southern Downs REGIONAL COUNCIL</p>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Planning and Compliance Coordinator	ECM Function No/s: 18.15.11

Recommendation

THAT Council:

1. Retains Lots 1 and 2 SP267727 in the Rural residential zone;
2. Amends the planning scheme to include the Carnell Raceway environs overlay; and
3. Amends Table 8.2.7.3 of the planning scheme as follows:

Table 8.2.7.3 – Morgan Park environs overlay and Carnell Raceway environs overlay - Self-assessable and assessable development

Performance outcomes	Acceptable outcomes
Population density	
<p>PO1 The development does not individually or cumulatively increase the number of people residing permanently in the environs of Morgan Park or Carnell Raceway.</p>	<p>AO1 (a) Land is not subdivided for use for rural, residential or rural residential purposes. (b) There are no Community residences, Multiple dwellings, Residential care facilities, Relocatable home parks or Retirement facilities for permanent occupation established in the area overlay.</p>
Noise	
<p>PO2 Development does not introduce uses that are sensitive to noise interference or nuisance unless adequate, practicable, mitigation measures are incorporated into the development.</p>	<p>AO2 Premises that are not used for an industrial, business activity or rural purpose incorporate noise attenuation measures including:</p> <ul style="list-style-type: none"> • Double glazing of Acoustic grade windows >Rw30; • Mechanical ventilation; • Concrete or masonry external walls >Rw40; and • Roof/ceiling with noise insulation >Rw38 <p>OR The external envelope of habitable rooms in a residential building is constructed in a manner that provides a 30dB(A) 40dB(A) reduction for all habitable rooms. <i>Note: To determine whether the components of the building's external envelope can achieve the required reduction reference may be made to MP4.4 of the Queensland Development Code – Buildings in a Transport Noise Corridor - Category 2 construction.</i> OR A report prepared by a suitably qualified person is submitted demonstrating that the external habitable rooms in a residential building will be constructed to achieve a maximum noise level of 45 dB(A) during a motor racing event at Morgan Park or Carnell Raceway, whichever is relevant.</p>

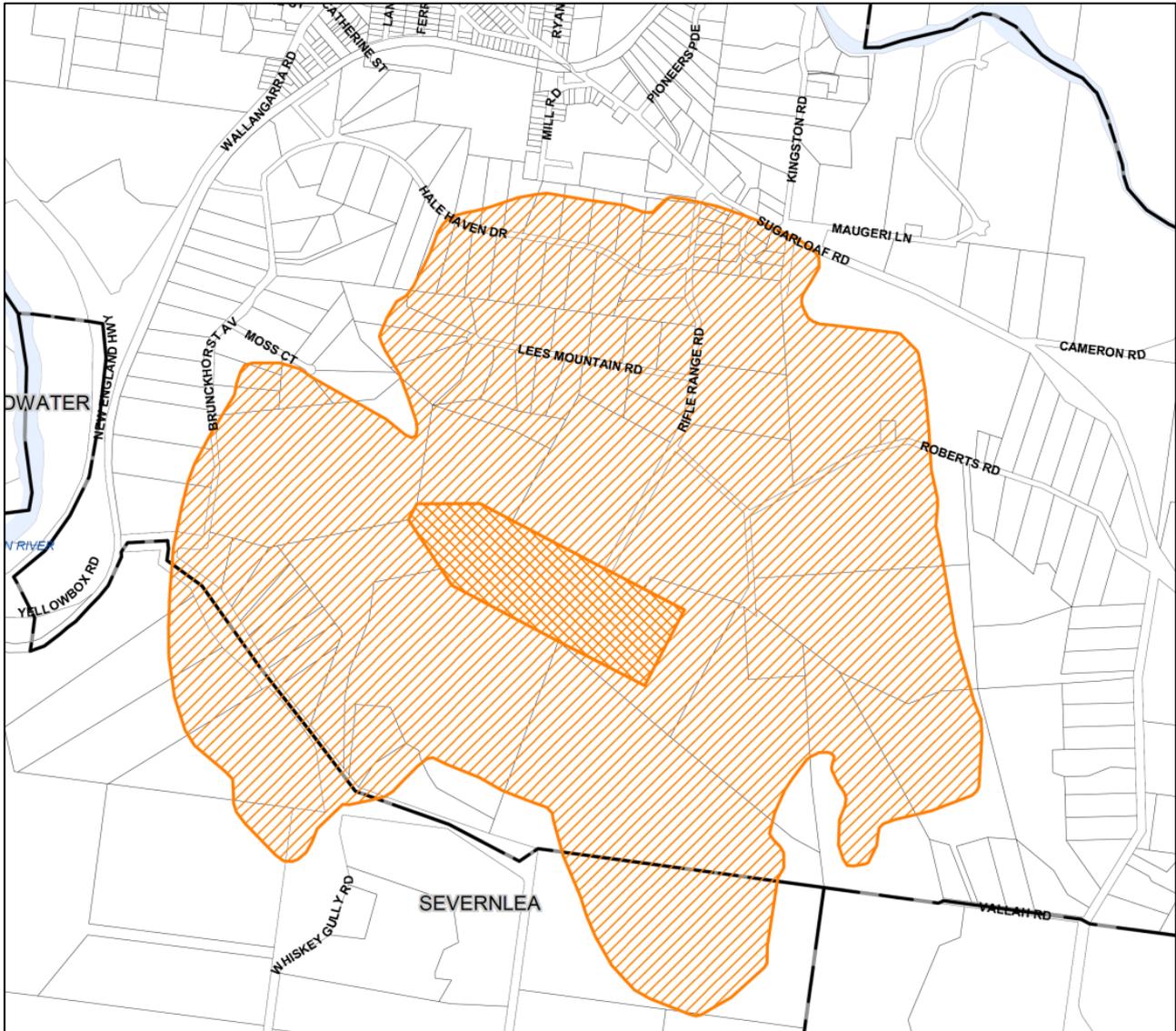
Report

Public consultation for the major amendments to the Southern Downs Planning Scheme commenced on 10 February 2017. A report was presented to the June Special Meeting

addressing the matters raised in the submissions in relation to the proposed Carnell Raceway environs overlay.

The Carnell Raceway environs overlay has been proposed to reduce potential conflict between the raceway and residential uses, by requiring development within the overlay to meet the *Morgan Park environs overlay and Carnell Raceway environs overlay code overlay code*.

The area included within the proposed overlay is shown on the map below.



The report considered at the Special Meeting recommended that the overlay be implemented as proposed, and that Table 8.2.7.3 of the planning scheme be amended as follows:

Table 8.2.7.3 – Morgan Park environs overlay and Carnell Raceway environs overlay - Self-assessable and assessable development

Performance outcomes	Acceptable outcomes
Population density	
PO1 The development does not individually or cumulatively increase the number of people residing permanently in the environs of Morgan Park or Carnell Raceway.	AO1 (a) Land is not subdivided for use for rural, residential or rural residential purposes. (b) There are no Community residences , Multiple dwellings, Residential care facilities, Relocatable home parks or Retirement facilities for permanent occupation established in the area overlay .

3.3.10.1(2) Element - Land use impact - Specific outcomes

Carnell Raceway is maintained as a significant sport and recreation facility of regional significance and potential conflict with sensitive uses is reduced by limiting potentially incompatible development in the vicinity.

3.3.10.2(2) Element - Land use impact – Land use strategies

The ongoing use of Carnell Raceway is protected by restricting the further subdivision of land and the development of new sensitive uses in the vicinity of the raceway.

6.2.1.2(2)(p) Community facility zone code - Purpose

Due to the significance of the Carnell Raceway as a sport and recreation facility, development which could prejudice, restrict or limit the use of the raceway will not be permitted unless the use is developed in a manner that ensure that it will not affect the use of the Carnell Raceway.

If Council decides not to proceed with the Carnell Raceway environs overlay, the following proposed amendments (shown in red) should also **not** proceed, as these amendments are directly related to the implementation of the overlay:

3.5.4.2(1) Element - Sport and recreation – Land use strategies

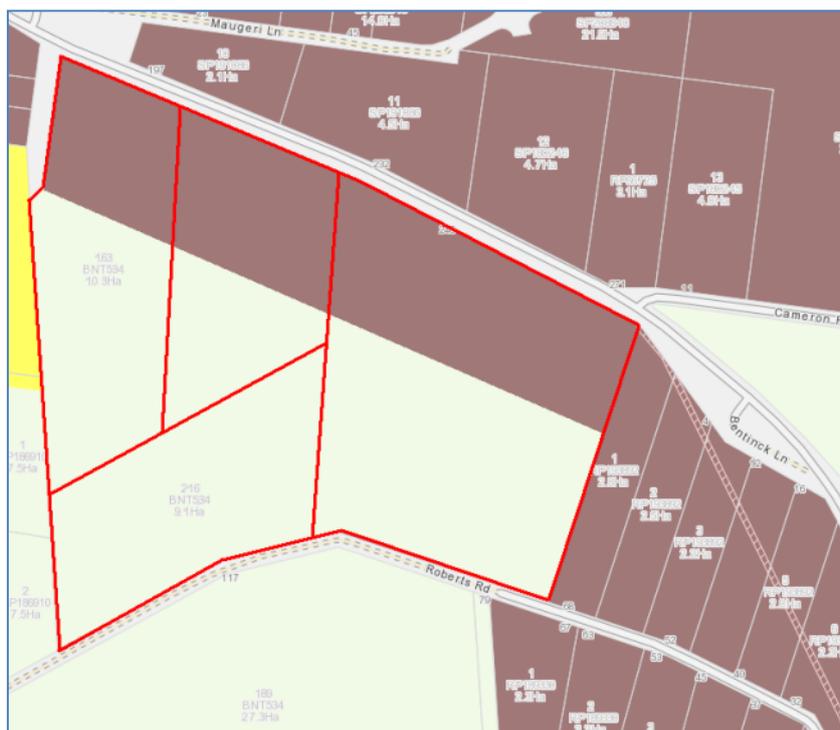
The major sport and recreation community resources in the Southern Downs are protected for ongoing use and enjoyment. Development for residential uses or other uses that might be impacted on by the activities at Morgan Park **or Carnell Raceway** will not be supported in the identified buffer areas surrounding Morgan Park **and Carnell Raceway** unless they are developed in a manner that mitigates any potential impact. The other major sport and recreation facilities will be protected from constraints caused by incompatible development through the development control process.

6.2.11.3 Rural residential zone code – Assessment Criteria

PO9 - All uses are located, designed, oriented and constructed to minimise noise and dust nuisance from existing lawful uses including industry and agricultural uses **~~and in the vicinity of Carnell Raceway – the raceway.~~**

Rezoning of Lots 1 and 2 SP267727

The rezoning of Lot 1 SP267727 and part of Lot 2 SP267727 was proposed in order to restrict subdivision of land within proximity to the Carnell Raceway. The rezoning of this land was first considered by Council when the land was in four allotments (as shown below) and prior to the preparation of the Carnell Raceway environs overlay. The land has since been realigned to create three smaller allotments and a larger balance area.



The existing provisions of the Rural residential zone code restrict subdivision of land within proximity of the Carnell Raceway. Lot 2 SP267727 is the only allotment within this area which can currently be subdivided. Under the existing provisions, Lot 2 could be subdivided into allotments of 4000m², subject to the provision of sealed and kerbed roads and all urban services, excluding sewerage. However, a large area of remnant vegetation and the topography within the western part of Lot 2, limit the potential for subdivision within this area.

Furthermore, under the amendments to the Reconfiguring a lot code, the subdivision of Lot 2 SP267727 could proceed subject to lots with frontage to Roberts Road having an area of at least 2.0 hectares and the remaining lots having a minimum area of 4000m².

As the subdivision potential of that part of Lot 2 SP267727 that is closest to Carnell Raceway is limited, there is little need for the Carnell Raceway environs overlay code to prohibit subdivision of land within the overlay. Furthermore, the provisions of the overlay code require any new dwellings within the overlay to incorporate noise attenuation measures which further reduces the adverse impact of allowing subdivision of this land.

The Morgan Park environs overlay code (which is proposed to apply also to the Carnell Raceway environs overlay) includes the following criteria:

AO1(a) Land is not subdivided for use for rural, residential or rural residential purposes.

This provision of the code has little effect in the Morgan Park environs as there is no land within the overlay included in a residential or Rural residential zone. Most of the area within the Morgan Park environs overlay is included in the Rural zone, and these allotments are not of sufficient area to meet the minimum lot sizes for subdivision in the Rural zone. Therefore AO1(a) of the code could be deleted without affecting on the Morgan Park environs, and having minimal impact on the Carnell Raceway environs.

Given that there is limited potential for subdivision of that part of Lot 2 SP267727 closest to Carnell Raceway, and the overlay code would require any new dwellings within this area to be constructed to mitigate the impacts of the raceway, it can be considered reasonable that Lots 1 and 2 SP267727 remain in the Rural residential zone.

Rezoning of 22 South Street, Allora

At the Council on 24 May 2017, Council decided not to proceed with the proposed rezoning of 20 Herbert Street and 22 South Street, Allora, to the Industry zone. There was strong community

objection to the proposed rezoning with 35 submissions received objecting to the proposed rezoning. No submissions were received in support of the proposed rezoning.

Following the meeting on 24 May 2017, letters were sent to the 35 submitters and the landowners advising of Council's decision. Following receipt of that advice, the General Manager of Denny's Engineering and Welding Pty Ltd, Stephen Blakemore, spoke with Council officers complaining about Council's decision not to proceed with the rezoning of 22 South Street. A copy of a letter that has since been received from Mr Blakemore is attached to this report.

Arrangements have been made for Mr Blakemore to attend the Council Briefing Meeting on 10 July 2017 to discuss Council reconsidering the rezoning of the land at 22 South Street, Allora.

Budget Implications

Costs associated with public notification.
Possible claims for compensation.

Policy Consideration

Corporate Plan

4.4 Apply the Planning Scheme to ensure consistent and balanced decisions are made in relation to lifestyle and growth opportunities.

8.1 Review the Planning Scheme in accordance with State legislation.

Operational Plan

Oversee review of the Planning Scheme including initiatives to streamline Development Assessment.

Complete the review (Amendment 1 and Amendment 2) of the Southern Downs Planning Scheme by the end of 2016.

Community Engagement

The proposed amendments to the Planning Scheme underwent a public consultation process for more than 30 business days.

Legislation/Local Law

Sustainable Planning Act 2009

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

Southern Downs Planning Scheme

Options

Council:

1. (a) Retains Lots 1 and 2 SP267727 in the Rural residential zone;
- (b) Amends the planning scheme to include the Carnell Raceway environs overlay; and
- (c) Amends Table 8.2.7.3 of the planning scheme as follows:

Table 8.2.7.3 – Morgan Park ~~environs overlay~~ and Carnell Raceway ~~environs overlay~~ - Self-assessable and assessable development

Performance outcomes	Acceptable outcomes
Population density	
PO1 The development does not individually or cumulatively increase the number of people residing permanently in the environs of Morgan Park or Carnell Raceway .	AO1 (a) Land is not subdivided for use for rural, residential or rural residential purposes. (b) There are no Community residences , Multiple dwellings, Residential care facilities, Relocatable home parks or Retirement facilities for permanent occupation established in the area overlay .
Noise	

<p>PO2 Development does not introduce uses that are sensitive to noise interference or nuisance unless adequate, practicable, mitigation measures are incorporated into the development.</p>	<p>AO2 Premises that are not used for an industrial, business activity or rural purpose incorporate noise attenuation measures including:</p> <ul style="list-style-type: none"> • Double-glazing of Acoustic grade windows >Rw30; • Mechanical ventilation; • Concrete or masonry external walls >Rw40; and • Roof/ceiling with noise insulation >Rw38 <p>OR</p> <p>The external envelope of habitable rooms in a residential building is constructed in a manner that provides a 30dB(A) 40dB(A) reduction for all habitable rooms. <i>Note: To determine whether the components of the building's external envelope can achieve the required reduction reference may be made to MP4.4 of the Queensland Development Code – Buildings in a Transport Noise Corridor - Category 2 construction.</i></p> <p>OR</p> <p>A report prepared by a suitably qualified person is submitted demonstrating that the external habitable rooms in a residential building will be constructed to achieve a maximum noise level of 45 dB(A) during a motor racing event at Morgan Park or Carnell Raceway, whichever is relevant.</p>
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2. (a) Retains Lots 1 and 2 SP267727 in the Rural residential zone; and
- (b) Does not amend the planning scheme to include the Carnell Raceway environs overlay, and therefore does not proceed with the subsequent amendments to Section 8.2.7 Morgan Park environs overlay code, section 3.5.4.2(1) Sport and recreation - Land use strategies, and Table 6.2.11 PO9 Rural residential zone code – Assessment Criteria.; and
- (c) Amends Table 8.2.7.3 as follows:

Table 8.2.7.3 – Morgan Park **environs overlay - Self-assessable and assessable development**

Performance outcomes	Acceptable outcomes
Population density	
<p>PO1 The development does not individually or cumulatively increase the number of people residing permanently in the environs of Morgan Park.</p>	<p>AO1</p> <ol style="list-style-type: none"> (a) Land is not subdivided for use for rural, residential or rural residential purposes. (b) There are no Community residences, Multiple dwellings, Residential care facilities, Relocatable home parks or Retirement facilities for permanent occupation established in the area overlay.
Noise	
<p>PO2 Development does not introduce uses that are sensitive to noise interference or nuisance unless adequate, practicable, mitigation measures are incorporated into the development.</p>	<p>AO2 Premises that are not used for an industrial, business activity or rural purpose incorporate noise attenuation measures including:</p> <ul style="list-style-type: none"> • Double-glazing of Acoustic grade windows >Rw30; • Mechanical ventilation; • Concrete or masonry external walls >Rw40; and • Roof/ceiling with noise insulation >Rw38 <p>OR</p> <p>The external envelope of habitable rooms in a residential building is constructed in a manner that provides a 30dB(A) 40dB(A) reduction for all habitable rooms. <i>Note: To determine whether the components of the building's external envelope can achieve the required reduction reference may be made to MP4.4 of the Queensland Development Code – Buildings in a Transport Noise Corridor - Category 2 construction.</i></p> <p>OR</p> <p>A report prepared by a suitably qualified person is submitted demonstrating that the external habitable rooms in a residential building will be constructed to achieve a maximum noise level of 45 dB(A) during a motor racing event at Morgan Park.</p>

3. Makes an alternative resolution with regards to the zoning of Lots 1 and 2 SP267727 and the Carnell Raceway environs overlay.

Attachments

1. Letter from Stephen Blakemore, Denny's Engineering and Welding Pty Ltd [View](#)

DENNY'S ENGINEERING AND WELDING PTY LTD

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15 June 2017

Chief Executive Officer
Southern Downs Regional Council
64 Fitzroy Street
WARWICK QLD 4370

Dear Sir, *David*

I am addressing this letter to you on behalf of Denny's Engineering and Welding Pty Ltd. As the manager of this business I wish to express my concern regarding your recent decision to zone our premises at 22 South Street (Lot 2 RP114992, lots 1&2 RP171158) as a 'Low Density Residential Zone' instead of an 'Industry Zone'. After reading the planning report completed in May 2017 I have evaluated the issues raised through submissions and have serious concerns regarding their validity and relevance to Denny's Engineering. I am also concerned about the impact this decision may have on the future business and possible expansions of the company.

As I am sure you are aware, Denny's Engineering has a rich heritage and strong ties to the local community, being in operation since 1956. Don Denny started the business which has operated from Allora for sixty-one years. It wasn't until 2004 that the new premise was completed on Haigs Road. Denny's Engineering and Welding currently employs over seventy staff members, making us one of the larger businesses in the region. I feel that our current employment value, combined with the five million we currently invest back into the community annually, provides us with the right to have our premises evaluated separately from the adjoining company in Allora (Grain X). Unfortunately, and much to the disappointment of the new owners of Denny's Engineering and Welding, I feel that our proposal to be zoned as Industrial was not finalised based upon our businesses merits, rather upon the complaints raised by anonymous citizens who reside across from Grain-X. Consequently, I feel that the submissions entered are largely based on opinion rather than fact, making them detrimental for the future of Denny's Engineering and Welding.

The first issue raised by submission that was included in your planning report was, 'there is no need for additional industrial land-Allora has an Industrial estate'. Allora's officially recognised Industrial estate is positioned on a largely sloping sight, that is, it is located on the side of a mountain. The construction of a premises large enough to suit

the requirements of Denny's would require a flat area which currently does not exist. The construction of such a sight in Allora's current industrial estate would, therefore, be completely impossible financially. As such, whilst this submission may be applicable to small businesses, it does not apply to larger operations, such as Denny's, and I therefore feel it is not a relevant point raised as an objection to our re-zoning.

The second point raised by the submissions is that, 'the land is unsuitable for industrial zoning'. As a local who has extensive knowledge of past and current businesses in the area, I am confident in stating that the land in 22 South Street Allora has been utilised for commercial and industrial purposes for an extensive period of time. Denny's Engineering has been operating at this location since the mid 1980s and previous to this, the site was utilised as a butter factory and a produce store. Consequently, the point made in the submissions has no factual basis or historical standing in regard to Allora, making it, in the opinion of Denny's Engineering, an invalid point. This conclusion also relates to the third submission raised regarding the impact re-zoning would have on the value of surrounding residential areas. With Denny's being in operation since 1956, our location has not, until the construction of Grain X had any impact on the market value of property owned by nearby residents. As such, whilst re-zoning Grain X may impact property value, altering Denny's to Industrial will have, and never has had, an impact on the residents of Allora.

The fourth point raised in the submissions relates specifically to Grain X and, therefore once again, its relevance to Denny's proposal to be re-zoned is non-existent. The next submission states that, 'there is no benefit to the community in rezoning the land'. This point was the most disappointing as it indicates that Denny's has been 'roped' in with Grain X, rather than being treated as a separate business. When appreciating the fact that Grain X employees approximately between twelve and twenty-six staff part-time in comparison to Denny's employment of seventy full-time staff, I fail to see how this submission was included. The contribution Denny's makes to the community, in terms of employment alone is significant and, as such, our continued existence in this region is far more beneficial in comparison to Grain X, which is where I feel the majority of these submissions are based.

Whilst I understand that Grain X is an issue, the impact this decision may potentially have on the future existence of Denny's in the Southern Downs region is significant. Our new owners, Satake Australia, upon receiving the letter from the Planning and Compliance Officer which refused our proposal have initiated serious discussion into moving the entirety of the business to a more viable area. Prior to this decision, they had planned to invest further in this region, bringing more business and consequently, job opportunities. Their plan was to move Satake Australia to Allora and utilise the premise in 22 South Street, however, my superiors are now seriously discussing closing all operations in Allora and moving them to Penrith in Sydney where they currently own another premise. As I am sure you have already gathered, the impact this would have on the local area would be significant as all seventy employees would suddenly be without a job, increasing a problem that is already an identified issue for the Southern Downs. Furthermore, our removal from the area would impact other businesses in the region with whom we liaise with for production purposes.

The next submission raised further indicates that the decision to refuse our proposal was not made based on factual information. In the planning report it was stated that, 'there is no need to rezone the site of Denny's Engineering and Welding Pty Ltd as they already have an additional facility where they conduct industrial activities'. Our second site is the premise built in 2004, located on Haigs Road and is becoming too small an area to complete production demand. For production at Denny's to remain viable Satake Australia wishes to invest further, however, the recent refusal has left the new owners with the impression that council does not support industrial investment in the Allora area. They were surprised that the area was not already zoned Industrial as the current businesses operations are clearly within that sector. As possible investors into the region they were very disappointed by the lack of respect, interest and assistance showed by local council, particularly in the re-zoning matter.

Additionally, the next submission raised which stated that 'the roads surrounding Denny's are unsuitable for industrial uses' fails to recognise their superiority for such use in comparison to the official Allora industrial area. The roads surrounding 22 South Street are more effective for large transportation vehicles, such as those utilised by Denny's as there are multiple points at which they can turn around. This ability does not exist at the previously mentioned Allora industrial state and vehicles who miss a stop would need to travel a considerable distance down the road to find a suitable place to change direction. As a result, I feel this point is invalid and further indicates the lack of research behind these submissions in relation to Denny's.

The remainder of the suggestions noted in this Planning report are irrelevant to the Denny's and all based specifically on Grain X, making them inconsequential to the refusal of our proposal. Despite this, I have briefly commented on their lack of applicability to the decision made regarding the rezoning of Denny's as the consequences for our business are significant. They are as follows:

- The proposed rezoning is Council acceding to Grain X and favouring Grain X.

This point highlights why the new owners of the business are disappointed in Council. It demonstrates the lack of attention and research conducted by council in relation to the matter of rezoning, particularly regarding Denny's Engineering and Welding which is a significant business (especially by comparison to Grain X) in the region.

- Denny's Engineering was forced to relocate outside of Allora because they were located on land that was not zoned industry. Grain X should also be encouraged to move. Grain X has been given preferential treatment.

Council made the comment 'Council did not require Denny's Engineering to relocate any of their activities from their South Street Site'. Whilst this comment is correct, it fails to consider the reason Denny's moved initially- because their current zoning prevents necessary expansion.

- Residents feel the proposed rezoning is an attempt to deceive them and give Grain X the ability to run their business 24 hours a day. Rezoning the land will not silence those complaining about Grain X.

- Grain X consistently fails to meet approval conditions and timeframes for compliance. Council fails to regulate and enforce conditions. Rezoning will cause greater complacency further impacting on the quality of life for residents. Rezoning the land to Industry relinquishes Council from all accountability and responsibility.
- In 2013 there were close to 100 objections by residents to the Grain X business operating in Allora. These residents were totally ignored by council and now suffer detrimental effects on a daily basis.

The three submissions above are a further indicator to lack of consideration given to Denny's as a separate business. All three submissions are based upon Grain X and, as such, I fail to see their relevance in Council's decision to reject our proposal for rezoning as Industrial.

As a concerned manager of a business which has potential to expand, further benefiting the region I hope I have given you a greater background to my concerns as well as the possible ramifications if 22 South Street (Lot 2 RP114992, lots 1&2 RP171158) is not rezoned to Industrial. The potential loss of jobs to the community combined with the loss of contributions made via this business are key factors to the requirement of your initial decision being reversed. Whilst my superiors are seriously discussing moving, I have been allotted one chance to prevent this from occurring if they conclude it is a more viable option to move to Sydney. As a result, it is my hope that you can now evaluate our proposal based upon Denny's Engineering and Wedling Pty Ltd, rather than the issues you are currently facing with Grain X. Whilst I am sympathetic to the issues Grain X is causing you, I feel that Denny's as a business who contributes so much to the community should not be punished due to the actions of our neighbours. I hope the decision can be re-evaluated and a conclusion reached which is not dependant on who we share a boundary fence with can be deduced.

I look forward to your timely reply as this is a time sensitive matter which is impeding our future business in the region. If you have any further queries or wish to inquire about Denny's Engineering and Welding Pty Ltd to enable an informed decision please do not hesitate to contact me. I can be reached by telephone on 0400 605 740 or via email: steve@dennys.com.au.

I thank-you for your serious consideration of this proposal.

Yours sincerely,



Stephen Blakemore
General Manger Denny's Engineering and Welding Pty Ltd, Head of Sales Satake
Australia.

12.7 Delegations Register - Council to CEO

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Governance and Grants Officer Manager Corporate Services	ECM Function No/s: 22.01.01

Recommendation

THAT Council adopt the amendments to the 'Council to CEO Delegations Register' as per the attached document.

Report

Pursuant to section 257 of the *Local Government Act 2009*, Council is required to review the Register of Delegations for the Southern Downs Regional Council to the Chief Executive Officer (CEO). With ever increasing responsibilities on local governments, it is not feasible for local government to exercise all powers at or through its meetings. Delegation of certain powers from Council to the CEO, and from the CEO to Council officers ensures the administrative efficiency of Council.

The purpose of this report is to advise Council of the changes made to various Acts and Regulations which has resulted in Council's Delegations to the Chief Executive Officer requiring updating and amending. Additionally, previously the delegation limits for the CEO were contained within the CEO to Employee or Contractor Delegations Register, however the CEO's limits are now included in the Council to CEO Register.

Council last adopted amendments to the Register of Delegations from Council to the Chief Executive Officer at its General Meeting on 23 June 2016.

Council subscribes to the Local Government Association of Queensland's online delegations register service which provides up to date advice on local government legislative delegations through King and Company Solicitors. As part of this service, Council has been advised of a number of changes to the Register from Council to the Chief Executive Officer. Below is a summary of new registers, changes of substance to existing registers and registers that have been removed. These updates are from 1 March 2017.

Changes of substance to existing registers – Existing registers that have been amended:

Planning Regulations

Economic Development Act 2012

Environmental Protection Regulation 2008

Fire and Emergency Service Act 1990

Local Government Act 2009

Mineral Resources Act 1989

Tobacco and Other Smoking Products Act 1998

Transport Operations (Marine Safety) Act 1994

Waste Reduction and Recycling Act 2011

Water Act 2000

Budget Implications

Nil

Policy Consideration

Corporate Plan 2014 – 2019: The Well- Governed Southern Downs

- 8.6 Develop and implement customer focused policies and processes in keeping with Council's commitment to customer service.

Community Plan 2030: The Well-Governed Southern Downs

- 8.6 Create seamless processes between Southern Downs Regional Council and the community.

Community Engagement

Nil.

Legislation/Local Law

Local Government Act 2009, section 257 – Delegation of Local Government Powers and section 260(1) – requires that the Chief Executive Officer must establish and record all delegation in a delegations register.

Local Government Regulation 2012, section 305 – provides the particular content requirements for the register.

Options

1. Adopt the amendments to the 'Council to CEO Delegations Register' as per the attached document.
2. Amend or add conditions if appropriate.
3. Do not adopt the amendments in the 'Council to CEO Delegation Register'.

Attachments

1. Council to CEO Delegations (Excluded from agenda - Provided under separate cover)[View](#)

12.8 Proposed Mineral Mining Operation, Cherrabah Granite Mine

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Environmental Health Coordinator	ECM Function No/s: N/A

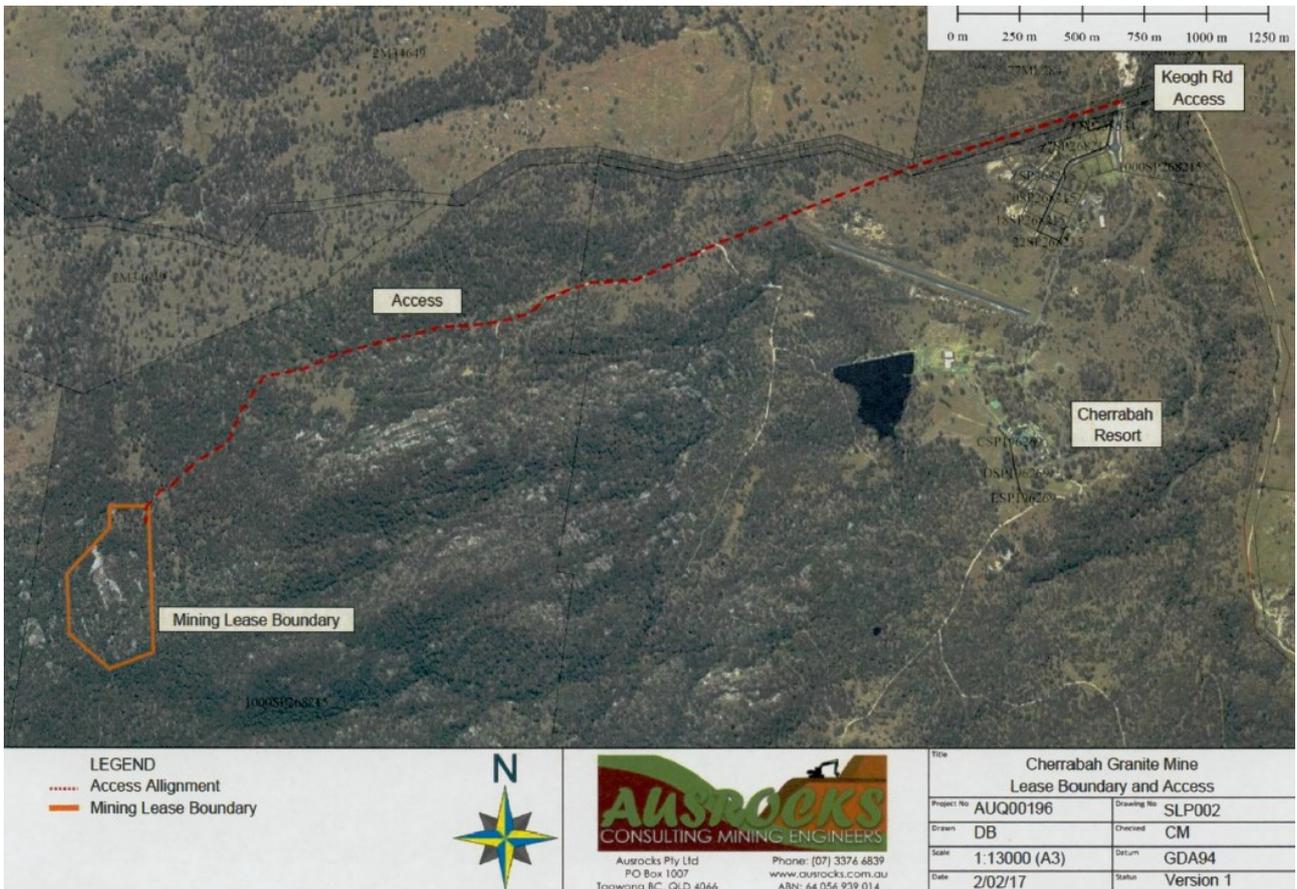
Recommendation

THAT Council make an objection to the proposed mineral mining operation, Cherrabah Granite Mine, to be located at 365 Keoghs Road, Elbow Valley, described as Lot 1000 SP 268215, Parish of Wildash, County of Merivale, for the following reasons:

1. The land is a habitat for endangered species, protected under the *Environment Protection and Biodiversity Conservation Act 1999*. The mining lease application should be referred to the Federal Government under the *Environment Protection and Biodiversity Conservation Act 1999*.
2. Impacts of truck movements on Council's roads and the need for annual contributions toward maintenance of the road.
3. Sealing of Keoghs Road to be used for access to the proposed mine, so as to reduce road maintenance of the unconstructed road and to reduce dust impacts on the 22 lots that form part of the Cherrabah Development that are located in close proximity to this road.

Report

Council has received notification that application has been made for a mining lease and environmental authority for the proposed mineral mining operation, Cherrabah Granite Mine. The applicants, Joyful View Garden Real Estate Development Resort Co. Pty Limited, are proposing to mine granite over a period of 20 years on the property at 365 Keoghs Road, Elbow Valley (described as Lot 1000 SP 268215, Parish of Wildash, County of Merivale). The map below outlines the entire property.



The infrastructure proposed for the site includes three sedimentation ponds and water storage, a storage shed, office and staff amenities, the location of which is shown on the map below.



Information provided in the mining lease application states that geological investigations in the area indicate there is approximately 468 000 tonnes of granite resource. It is proposed that 222 375 tonnes of this will be mined over the twenty year duration of the mining lease.

The proposed workforce at the mine will be a Quarry Manager/Site Senior Executive to oversee the on-site operations, as well as two fulltime plant operators and an office/sales manager.

The access to the mining lease will be along Keogh's Road, through a road reserve and then along an internal access road.

An application is not required to be made to Council for this activity, as it is regulated by the state government under the *Mineral Resources Act 1989* and the *Environmental Protection Act 1994*. However, there is opportunity under this legislation to make an objection to the grant of the mining lease and/or submission about the application for an environmental authority.

The following areas of concern have been raised and it is recommended they be included in an objection against the proposed mining lease:

1. The land is a habitat for endangered species, protected under the Environment Protection and Biodiversity Conservation Act 1999. The mining lease application should be referred to the Federal Government under the Environment Protection and Biodiversity Conservation Act 1999.
2. Impacts of truck movements on Council's roads and the need for annual contributions toward maintenance of the road.
3. Sealing of Keoghs Road to be used for access to the proposed mine, so as to reduce road maintenance of the unconstructed road and to reduce dust impacts on the 22 lots that form part of the Cherrabah Development that are located in close proximity to this road.

Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Southern Downs Regional Council, as the relevant local government, has been notified of the application for a mining lease, as required under the *Mineral Resources Act 1989*. The applicant is also required under the *Mineral Resources Act 1989* to notify an owner of the relevant land or any other land necessary for access to the relevant land; the owner of adjoining land; and an entity that provides infrastructure wholly or partially on the subject land. In addition, a notice was published in the Toowoomba Chronicle on the 6 June 2017.

Legislation/Local Law

Mineral Resources Act 1989
Environmental Protection Act 1994

Options

Council:

1. Make an objection against the proposed mineral mining operation, Cherrabah Granite Mine, to be located at 365 Keoghs Road, Elbow Valley, described as Lot 1000 SP 268215, Parish of Wildash, County of Merivale.
2. Does not make an objection against the mineral mining operation, Cherrabah Granite Mine, to be located at 365 Keoghs Road, Elbow Valley, described as Lot 1000 SP 268215, Parish of Wildash, County of Merivale.

Attachments

1. Mining Lease Notice and associated documents [View](#)

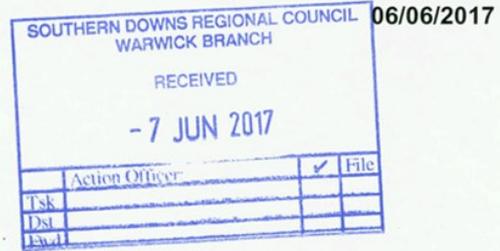


Office:
 Unit 3/344 Bilsen Rd,
 Geebung Q 4034
 Telephone (07) 3265 3399
 www.ausrocks.com.au

Ausrocks Pty Ltd
 ABN 64 056 939 014

All Correspondence to:
 Post: PO Box 359,
 Virginia BC 4014

The Chief Executive Officer
 Southern Downs Reginal Council
 PO Box 26
 WARWICK QLD 4370
 Australia.



Dear Chief Executive Officer /Town Planning Officer,

RE: ML100128 Public Notice Application

With reference to above subject matter (Joyful View Garden Real Estate Development Resort Co. Pty Limited **MINING LEASE** application), I am writing to inform you about the public notification period for the application.

As required by legislation, a **copy** of the Mining Lease Notice, Mining Lease Notice and Combined Public Notice of Environmental Authority and the application for the mining lease (excluding the applicant's Financial and Technical Resources but including any additional document about the application given to the Assessment Hub) to:

- an owner of the relevant land or any other land necessary for access to the relevant land;
- **the relevant local government;**
- an owner of adjoining land;
- an entity that provides infrastructure wholly or partially on the subject land.

The ML100128 application area is within the Southern Downs Reginal Council area and therefore, it is required for us to notify you about the notice of application.

A Certificate Public Notice and Combined Public Notice for the mining lease application has been issued, and this has subsequently advertised in the Toowoomba Chronicle News on 06th of June 2017. A copy of the advertisement and relevant document are attached for your attention. Also, an electronic copy of this document has been email through your general email (mail@sdrc.qld.gov.au).

Thanks for your support, and please do not hesitate to contact me or my office for any clarification or information regarding this application.

Yours sincerely,

Adebayo Bayooke
 Principal Mining Engineer



Alan Robertson Director 0402 445 418 alan.robertson@ausrocks.com.au	Adebayo Bayooke Principal Mining Engineer 0450 320 600 adebayo.bayooke@ausrocks.com.au	Carl Morandy Senior Mining Engineer 0404 778 394 carl.morandy@ausrocks.com.au	Nick Virisheff Technical Officer 0430 125 801 nick.virisheff@ausrocks.com.au	Wendy Wood Senior Town Planner 0418 405 006 wendy.wood@ausrocks.com.au
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**MINING LEASE NOTICE
AND ENVIRONMENTAL AUTHORITY**
*Mineral Resources Act 1989 – Section 252
Environmental Protection Act 1994 – Section 152*

**Proposed mineral mining operation Cherrabah Granite Mine – Mining Lease Application Number 100128
for a term of 20 years – Brisbane Mining District**

It is advised that application has been made for a mining lease and environmental authority **EPSX04093716** under the provisions of the above mentioned Acts, for the mining/purpose of **building stone-granite, clearing vegetation, environmental dam, road/access/right of way and stockpile ore/overburden** on the following land parcels within the **Southern Downs Regional Council: Lot 1000 on SP268215 Freehold (Mining & Access)**.

The application is located at approximately 25 kilometres south of Warwick.

The applicant(s) are: **Joyful View Garden Real Estate Development Resort Co. Pty Limited (100%)**
Date and time Applications Lodged: **20 February 2017 8:30 am**
Mining activities to be carried out includes: **open cut mining activities**

Mining lease application documents

The application documents consist of the Application for Mining Lease and copies of or extracts from the application documents, and the endorsed Mining Lease Notice detailing the location and description of the land applied for (including surface area and access), may be downloaded from the Departments website www.business.qld.gov.au/industry/mining or may be inspected at the Department of Natural Resources and Mines office – **Verde Tower, Level 9, 445 Flinders Street, Townsville Qld 4810** or may be obtained by contacting the local mines assessment hub on **(07) 4447 9230** or mineralhub@dnrm.qld.gov.au

Environmental authority documents

The application documents for the proposal consist of the following: **Application form**. Copies of, or extracts from, the application documents may be inspected at the Department of Environment and Heritage Protection **5b Sheridan Street "William McCormack Place" Cairns Qld 4870** or may be obtained by contacting Permit and Licence Management by phone on **1300 130 372** or by email on palm@ehp.qld.gov.au.

Making a properly made objection/submission

It is advised that any person/entity may make an objection to the grant of the mining lease, and/or a submission about the application for the environmental authority. The **objection/submission period**, during which objections/submissions can be given, concludes on **Monday 3 July 2017 at 4.30pm (AEST)**.

A properly made objection and/or submission must be received on or before 4.30pm (AEST) on the last day of the objection/submission period. It must also be made in writing, addressed to:

**Mineral Assessment Hub
Department of Natural Resources and Mines
PO Box 1752
Townsville Qld 4810
mineralhub@dnrm.qld.gov.au**

Objection for the mining lease application:

A properly made objection in respect to the grant of the mining lease is one that: states the grounds of the objection and the facts and circumstances relied on in support of the grounds; is signed and dated by each person/entity (i.e. signatory) making the objection; states the name and address of each signatory. Intending objectors should contact the local mines assessment hub on **(07) 4447 9230** and obtain the approved objection form (MRA-20) or obtain the approved objection form from the department's website. www.business.qld.gov.au/industry/mining.

A copy of the objection must also be served upon the applicant/s on or before the last day of the objection period at the following address:

**Joyful View Garden Real Estate Development Resort Co. Pty Limited
c/- Adebayo Bayooke
3/344 Bilsen Road
Geebung Qld 4034**

Submissions for the Environmental Authority application:

A properly made submission must meet all of the following requirements:

- be written or made electronically
- state the name and address of each submitter
- be made to the administering authority stated above
- be received on or before the last day of the submission period
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Intending submitters may contact the Project Officer of Department of Environment and Heritage Protection on **07 4222 5334** to obtain a submission form (EM972) or obtain a copy from the departments website. www.business.qld.gov.au/business/running/environment/licences-permits/forms-fees-environmental-authority



Mineral Resource Act 1989

(Section 252)

NOTICE FOR MINING LEASE NO. 100128

This is to certify that the undermentioned made application on the day and at the time indicated hereunder for a mining lease under the provisions of the abovementioned Act.

<u>Mining Lease No.</u>	100128	<u>Mining District</u>	Brisbane
<u>Locality</u>	25 km South of Warwick		
<u>Local Government</u>	Southern Downs Regional Council		
<u>Date marked out</u>	23/01/2017		
<u>Date and Time Application Lodged</u>	20/02/2017 08:30 AM		
<u>Mining For/Purpose</u>	Building Stone--Granite Clearing vegetation Environmental dam Road / access / right of way Stock pile ore / overburden		

The application and additional documents given to the Department about this application may be inspected at the Assessment hub who issued this notice. The office details can be found online at www.dnrm.qld.gov.au/our-department/contact-us/mines-lodgement-offices.

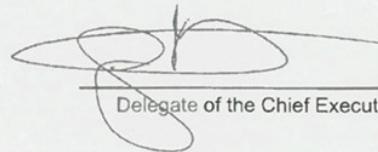
Term of Lease Applied For 20 years

<u>Full Name of Applicant/s</u>	<u>Share %</u>
JOYFUL VIEW GARDEN REAL ESTATE DEVELOPMENT RESORT CO. PTY LIMITED	100.000000000000

Any objection to this mining lease application must be lodged with an assessment hub on or before 3 July 2017. A copy of such objection is required to be served upon the applicant(s) on or before that date at the following address:-

3/344 Bilsen Road
GEEBUNG QLD 4034

Issued by the Mineral Assessment Hub on 5 June 2017.



Delegate of the Chief Executive

Tributes

Death Notices

BISHOP, Dorothy Maude "Dot"
Late of Toowoomba and formerly of Clifton, passed away peacefully on 31st May 2017, aged 79 years.

Beloved Wife of Mervyn (dec'd). Dearly loved Mother, Grandmother and Great Grandmother.

Dorothy was laid to rest with Mervyn on 5th June, 2017.

Ph 4636 9600 **BURSTOWS**
Since 1900

MURPHY, Francis "Frank"
QX36241

Late of Toowoomba and formerly of "Glen Erin" Moonie, passed away peacefully on 4th June 2017, 1 day before his 94th birthday.

Dearly lived Husband of Reta (dec'd).

Full funeral details to appear in Thursday's edition of the Toowoomba Chronicle.

Ph 4679 8200 **BURSTOWS**
Since 1900

VAN COOTEN, Enid Clara

Late of Brassall, and formerly of Toowoomba, passed away peacefully on 3rd June 2017, aged 85 years.

Beloved Wife of Eric. Dearly loved Mother and Mother-in-law of Anthony and Maw; Don and Di; Stuart and Roxann. Loving Granny to their families.

Full funeral details to appear in Wednesday's edition of the Toowoomba Chronicle.

Ph 5468 2900 **BURSTOWS**
Since 1900

Notices

Legal Notices

NOTICE OF INTENTION TO APPLY FOR GRANT

After 14 days from today an application for a grant of probate of the will dated 11 February 1986 and the first codicil dated 5 May 1999 of **MARIE JUNE RUHLE** late of 13 Short Street, Pittsworth, Queensland, deceased, will be made by **Anita June Ruhle** and **Daryl Keith Ruhle** to the Supreme Court at Brisbane.

You may object to the grant by lodging a caveat in that registry.

Any creditor or other person who has a claim on the estate of the deceased is required to send particulars of that claim to the applicant's solicitors named below within 6 weeks of the date of this notice. At the end of that period, the applicants will distribute the assets of the deceased among the persons entitled to those assets. In doing so, and relying on Section 67 of the Trusts Act 1973, the applicants will have regard only to the claims which have been notified to them.

Lodged by: **ADEN LAWYERS PTY LTD**
1/297 Margaret Street
TOOWOOMBA QLD 4350

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Notices

Public Notices

**MINING LEASE NOTICE
AND ENVIRONMENTAL AUTHORITY**
Mineral Resources Act 1989 – Section 252
Environmental Protection Act 1994 – Section 152

Proposed mineral mining operation Cherrabah Granite Mine – Mining Lease
Application Number 100128 for a term of 20 years – Brisbane Mining District

It is advised that application has been made for a mining lease and environmental authority EPSX04093716 under the provisions of the above mentioned Acts, for the mining/purpose of building stone-granite, clearing vegetation, environmental dam, road/access/right of way and stockpile ore/overburden on the following land parcels within the Southern Downs Regional Council: Lot 1000 on SP268215 Freehold (Mining & Access).

The application is located at approximately 25 kilometres south of Warwick.

The applicant(s) are: **Joyful View Garden Real Estate Development Resort Co. Pty Limited (100%)**

Date and time Applications Lodged: **20 February 2017 08:30AM**

Mining activities to be carried out include: **open cut mining activities**

Mining lease application documents

The application documents consist of the Application for Mining Lease and copies of or extracts from the application documents, and the endorsed Mining Lease Notice detailing the location and description of the land applied for (including surface area and access), may be downloaded from the Departments website www.business.qld.gov.au/industry/mining or may be inspected at the Department of Natural Resources and Mines office – Verde Tower, Level 9, 445 Flinders Street, Townsville Qld 4810 or may be obtained by contacting the local mines assessment hub on (07) 4447 9230 or mineralhub@dnrm.qld.gov.au

Environmental authority documents

The application documents for the proposal consist of the following: **Application form**. Copies of, or extracts from, the application documents may be inspected at the Department of Environment and Heritage Protection **5b Sheridan Street "William McCormack Place" Cairns Qld 4870** or may be obtained by contacting Permit and Licence Management by phone on 1300 130 372 or by email on palm@ehp.qld.gov.au.

Making a properly made objection/ submission

It is advised that any person/entity may make an objection to the grant of the mining lease, and/or a submission about the application for the environmental authority. The **objection/ submission period**, during which objections/submissions can be given, concludes on **Monday 3 July 2017** at 4.30pm (AEST).

A properly made objection and/or submission must be received on or before 4.30pm (AEST) on the last day of the objection/ submission period. It must also be made in writing, addressed to:

**Mineral Assessment Hub
Department of Natural Resources and Mines
PO Box 1752
Townsville Qld 4810
mineralhub@dnrm.qld.gov.au**

Objection for the mining lease application:

A properly made objection in respect to the grant of the mining lease is one that: states the grounds of the objection and the facts and circumstances relied on in support of the grounds; is signed and dated by each person/entity (i.e. signatory) making the objection; states the name and address of each signatory. Intending objectors should contact the local mines assessment hub on (07) 4447 9230 and obtain the approved objection form (MRA-20) or obtain the approved objection form from the department's website, www.business.qld.gov.au/industry/mining.

A copy of the objection must also be served upon the applicant/s on or before the last day of the objection period at the following address:

**Joyful View Garden Real Estate Development Resort Co. Pty Limited
c/- Adebayo Bayoake
3/344 Bilsen Road
Geebung Qld 4034**

Submissions for the Environmental Authority application:

A properly made submission must meet all of the following requirements:

- be written or made electronically
- state the name and address of each submitter
- be made to the administering authority stated above
- be received on or before the last day of the submission period
- state the grounds of the submission and the facts and circumstances relied on in support of the grounds.

Intending submitters may contact the Project Officer of Department of Environment and Heritage Protection on 07 4222 5334 to obtain a submission form (EM972) or obtain a copy from the departments website, www.business.qld.gov.au/business/running/environment/licences-permits/forms-fees-environmental-authority

VISITING HOURS

BAILLIE HENDERSON HOSPITAL:
Phone 4616 6000

ST ANDREW'S:

Phone 4646 3000

General Visiting Hours

11am - 8pm

Intensive Care Unit

11:30am-1:30pm; 3:30pm-8pm

Cardiac Medical Unit

11:30am-1:30pm; 3:30pm-8pm

North Ward:

11am - 8pm

West Ward:

3pm-8pm Mon-Fri; 11am-8pm Sat & Sun

ST VINCENT'S:

St Vincent's Hospital

8am - 8pm

General Enquiries - 07 46904000

Maternity Unit

8am - 8pm

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Farm / General Machinery

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ML 100128 Resource authority public report

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ML 100128 Resource authority public report

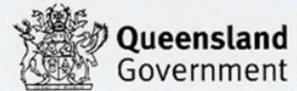


Table of Contents

Table of Contents	2
Permit details	3
Holdings	3
Area	4
Term history	4
Native title	4
Purpose and minerals	4
Related permits	4
Financial	5
Activities	5

ML 100128 Resource authority public report



Permit details	
Permit ID:	ML 100128
Permit name:	Cherrabah Granite Mine
Status:	Application
Lodged date:	20/02/2017
Grant date:	
Commencement date:	
Expiry date:	
Term sought:	20 years
Mining notice issued:	05/06/2017
Conditions:	
Locality:	25 km South of Warwick
Remarks:	EPSX04093716
Act permit granted under:	
Act now administered under:	

Holders					
Authorised holder representative (AHR)					
BAYOOKE, ADEBAYO 3/344 Bilsen Road Geebung QLD 4034					
Holder name					
	Share %	Status	Held from	Held to	Authorised holder
JOYFUL VIEW GARDEN REAL ESTATE DEVELOPMENT RESORT CO. PTY LIMITED 1 Gladstone Road, Highgate Hill South Brisbane QLD 4101	100.000000000000	Current	20/02/2017		Yes
Tenancy type: Sole Holder					

ML 100128 Resource authority public report



▼ Area

Location: [View Map](#)

Mining district: Brisbane

Local authority: Southern Downs Regional Council

Area: 17.4200 Hectares

Surface area: 17.4200

Exclusions:

Marked out date: 23/01/2017

Sub-blocks
No data available

Background land

Land identifier	Land usage	Compensation required	Finalised
LOT 1000 ON SP268215	Access	N	
LOT 1000 ON SP268215	Permit	N	

Survey plans
No data available

Relinquishment details
No data available

Sub-blocks retained
No data available

▼ Term history

Term	Date notice issued	Date lodged	Date approved	Date commenced	Date term ends	Term	Act granted under
		20/02/2017					

▼ Native title

Current process	Description
Exclusive Land (100%)	

▼ Purpose and minerals

Purpose
Clearing vegetation, Environmental dam, Road / access / right of way, Stock pile ore / overburden

Minerals
Building Stone—Granite

▼ Related permits

Pre-requisite permits: EPM26250

ML 100128 Resource authority public report



Financial	
Rent details	
Area units:	18
Rate/unit area:	

Activities	
No data available	



Department of **Natural Resources and Mines**

Issue of Mining Lease Notice

5 June 2017

Reference: ML 100128

Joyful View Garden Real Estate Development Resort Co. Pty Limited
c/- Adebayo Bayooke
3/344 Bilsen Road
GEEBUNG QLD 4034

Dear Sir/Madam

I refer to your application for a Mining Lease lodged on 20 February 2017

We are pleased to advise that the Mining Lease Notice (the Notice) under section 252 of the *Mineral Resources Act 1989* (the MRA) for Mining Lease 100128 has been issued. The Notice is **attached** to this letter. Please check that the details on the notice are accurate. The last day of the objection period is 3 July 2017

The Department of Environment and Heritage Protection has also been given a copy of the notice and a copy of the notice will be posted at this office where it will remain until the last objection day.

What do I need to do now (within five (5) business days after notice is given to you)?

Give a **copy** of the Mining Lease Notice, Mining Lease Notice and Environmental Authority and the application for the mining lease (excluding the applicant's Financial and Technical Resources but including any additional document about the application given to the Assessment Hub) to:

- an owner of the relevant land or any other land necessary for access to the relevant land;
- the relevant local government;
- an owner of adjoining land;
- an entity that provides infrastructure wholly or partially on the subject land.

Am I required to advertise?

You must publish the Mining Lease Notice and Environmental Authority (Mining Lease) under the *Mineral Resources Act 1989* and the *Environmental Protection Act 1994* in the Toowoomba Chronicle.

The publication must take place—

- (a) at least 15 business days before the last objection day prior to the last date for objections 12 June 2017; or
- (b) at an approved shorter period before the last objection day.

What happens next?

Department of Natural Resources and Mines
Mineral Assessment Hub
PO Box 1752
Townsville Qld 4810
www.business.qld.gov.au/industry/mining
Email: mineralhub@dnrm.qld.gov.au
ABN 59 020 847 551

- **Overlapping mining permits (s248 MRA)** – If a mining lease application is over land covered by an existing exploration permit including geothermal, a mineral development licence or a mining lease for the same mineral or purpose but held by someone else, then the existing authority holder's written consent is required to the mining lease application. The consent must be lodged with the Department before the last objection day.
- **Written views – different minerals (s248 MRA)** – If the lease is for different minerals to those covered by the existing authority or the existing authority is a geothermal exploration permit and the lease applied for is over land covered by, or in the area of the existing authority, then the applicant must obtain the existing authority holder's written views and lodge these views with the mining registrar before the last objection day.
- **Reserve Land (s271A MRA)** - A mining lease may only be granted for land that is the surface of a reserve (as defined in the schedule of the MRA) if the owner of the land has given written consent to the grant over the surface area and that applicant has lodged the consent with the chief executive.
- **Restricted Land (s238 MRA)** - If a mining lease application is over the surface of land that is restricted land (as defined in the schedule of the MRA) then the applicant must obtain the landowner and occupiers written consent before the last objection day ends.
- **Objections** - Section 260(1) of the MRA allows on or before the last objection day ends, an entity may lodge a written objection in the approved form to the application for a mining lease and/or a submission to the Environmental Authority pursuant to section 160 and 161 of the *Environmental Protection Act 1994*. This might be extended if a conference is held with an owner of the relevant land, less than five (5) business days before the end of the objection period, to a period five (5) business days after the end of the conference.

What do I need to do after last day of the objection period?

- **Declaration of Compliance** - within **five (5) business days** after the objection/submission period ends, you must:
 - give the Department a Statutory Declaration declaring whether or not the applicant has complied with the notice requirements under sections 252B of the MRA. If you do not provide the Declaration within five (5) business days you will be required to seek the Mining Registrar's consent to a late lodgement.
 - give to the Department a Statutory Declaration of Compliance with the Public Notice Requirements declaring compliance with the notice requirements under sections 152 and 153 and 158.
 - Provide a completed 'Additional Mining Lease Applicant Information and Statutory Declaration for the Land Court' form.

Please Note: No mining activities are permitted on the area of this application prior to grant.

Key dates:

LAST DAY FOR POSTING/ENGRAVING/SERVING:- 12/06/2017
LAST DAY FOR OBJECTIONS/SUBMISSIONS:- 3/07/2017
LAST DAY FOR LODGING DECLARATIONS:- 10/07/2017

Where do I find more information?

There are a range of useful resources, assistance on how to pay rental and support materials available to assist you in learning more about land access and building relationships with landholders from our website www.business.qld.gov.au/industry/mining . You can also download guidelines and policies on your resource permit obligations, land access and native title as it applies to mining and exploration activities.

If you have questions about specific detail relating to the above permit contact the Mineral Assessment Hub on MineralHub@dnrm.qld.gov.au or +61 (07) 4447 9230.

If you would like to receive future reminders via email, or need help desk services, please register with MyMinesOnline via the website or email: mines_online@dnrm.qld.gov.au.

Regards,

Mining and Petroleum Operations
Department of Natural Resources and Mines

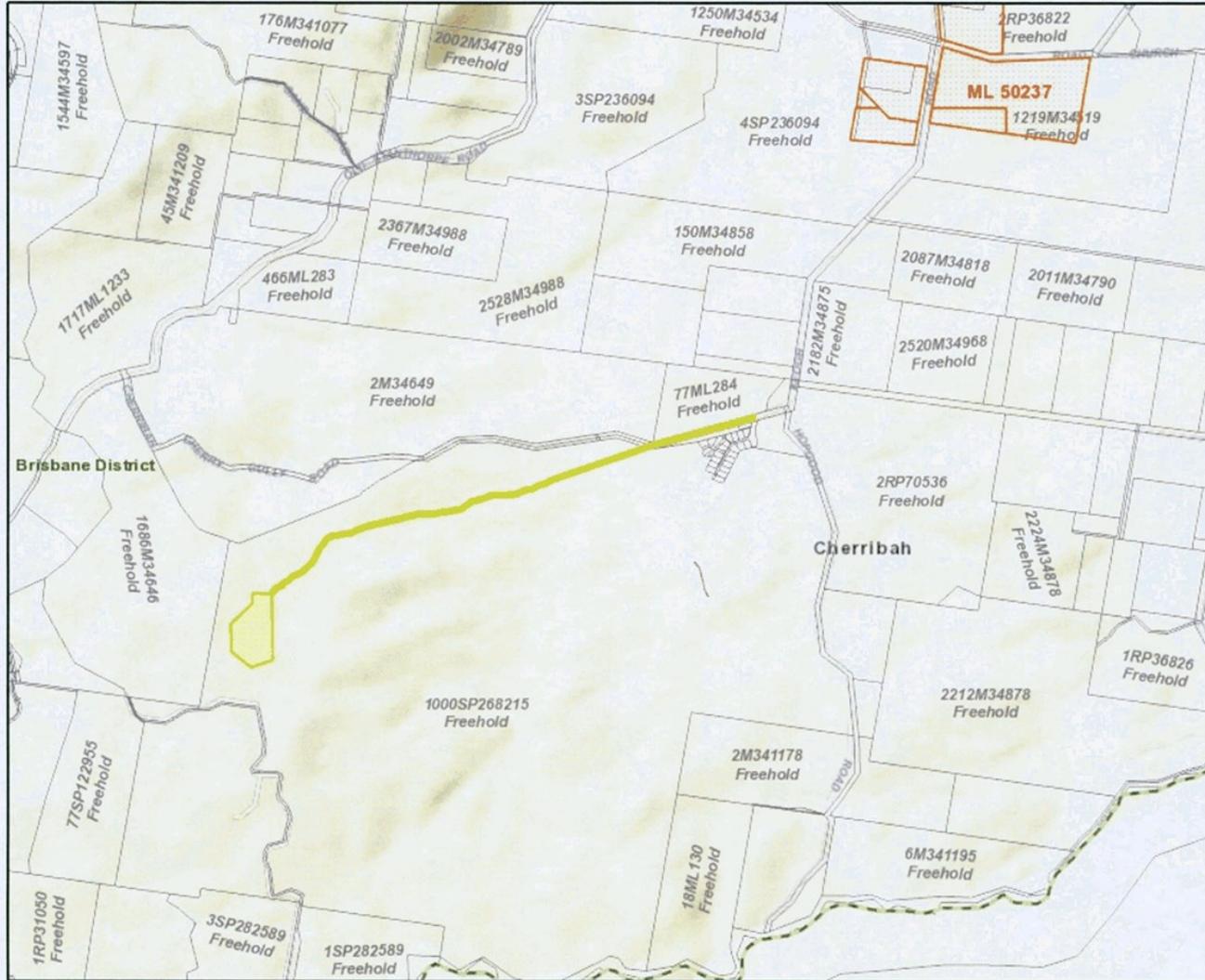
Enclosures:

1. Mining Lease Notice
2. Mining Lease Notice and Environmental Authority advertisement
3. MRA statutory declaration
4. EHP statutory declaration
5. Land court statutory declaration
6. Sketch Map
7. Public Resource Authority Report
8. Application documents

c/c: palm@ehp.qld.gov.au
escairns@ehp.qld.gov.au

ML100128 MLN map

MinesOnlineMaps



All enquiries and feedback:
 email: MinesOnlineMaps@dnrm.qld.gov.au

Scale 1 : 44,017

0 0.4 0.9 1.3 1.8
 Kilometres

Geocentric Datum of Australia 1994 EPSG: 4283

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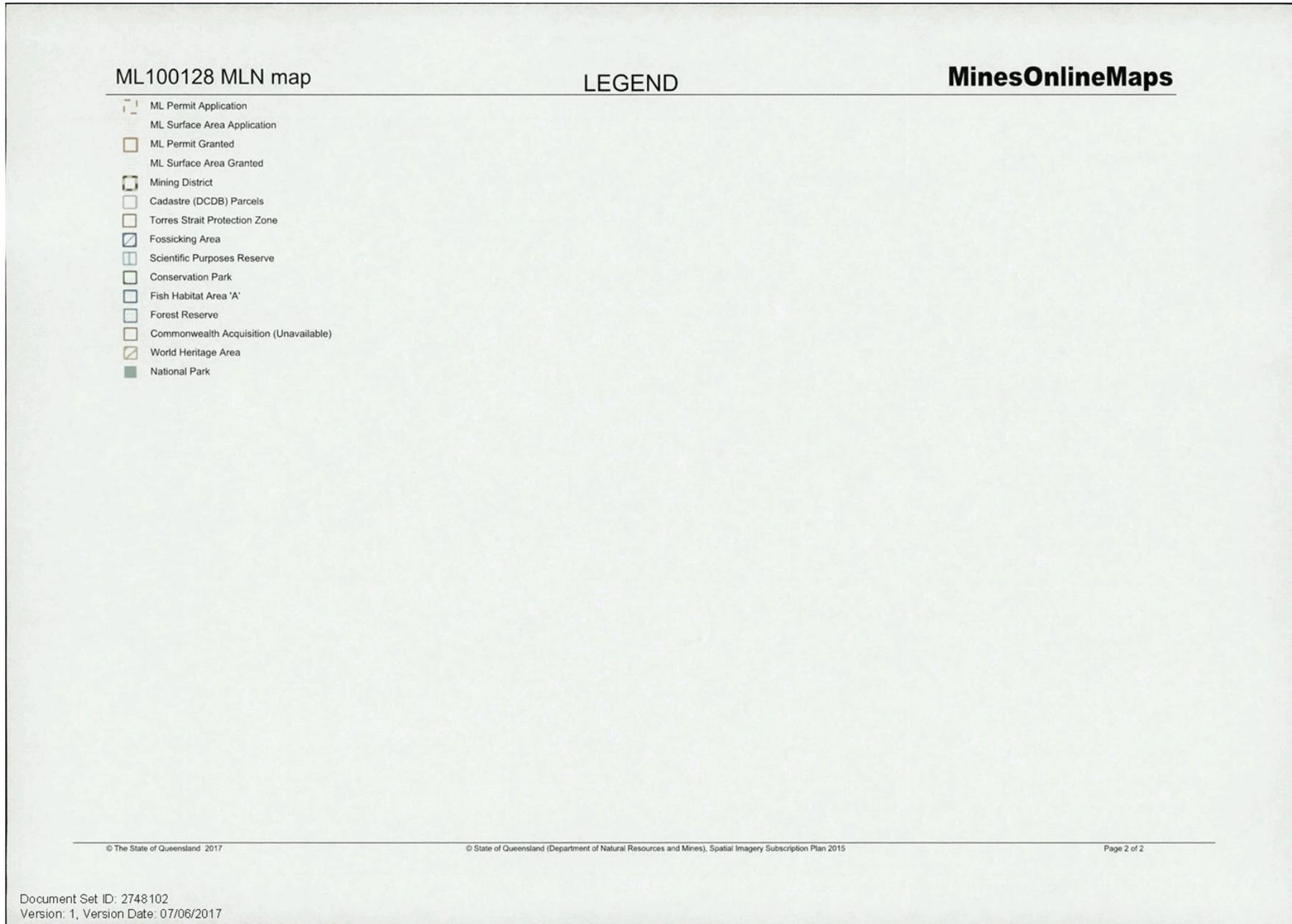
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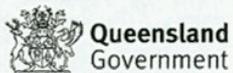
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Application for Mining Lease

Mineral Resources Act 1989

Form MMOL-14 Version 2

Permit Application (ID: 10003025) - COMPLETE

Lodged On: 17/02/2017 04:32 PM

PERMIT DETAILS

Permit name:	Cherrabah Granite Mine
Permit type:	Mining Lease - Minerals
Permit term:	20 Years
General locality of the application:	25 km South of Warwick
Specific minerals:	Building Stone--Granite
Specific infrastructures:	Road / access / right of way, Clearing vegetation, Environmental dam, Stock pile ore / overburden

PERMIT PRE-REQUISITE DETAILS

Pre-requisite permits			
Permit type	Permit number	Authorised holder	Expiry date
EPM	26250	JOYFUL VIEW GARDEN REAL ESTATE DEVELOPMENT RESORT CO. PTY LIMITED	28/08/2021

PERMIT HOLDER DETAILS

Client name	Percent holding	Authorised
JOYFUL VIEW GARDEN REAL ESTATE DEVELOPMENT RESORT CO. PTY LIMITED	100.000000000000	Yes

Holder address details:

Holder:	JOYFUL VIEW GARDEN REAL ESTATE DEVELOPMENT RESORT CO. PTY LIMITED	Address:	1 Gladstone Road, Highgate Hill
ACN:	110967023	Town/City:	South Brisbane
Email address:		State:	QLD
Business number:	(07)32550538	Postcode:	4101
Mobile number:		Country:	Australia

Authorised Holder Representative (AHR) address details:

Name:	ADEBAYO BAYOOKE	Address:	17/71 Jijaws Street
		Town/City:	Sumner Park
Email address:	adebayo.bayooke@ausrocks.com.au	State:	QLD
Business number:	0450320600	Postcode:	4074
Mobile number:		Country:	Australia

PERMIT AREA

Size of area applied for (ha):	17.4200
Size of surface area applied for (ha):	17.4200
Local government area(s):	Southern Downs Regional Council
Has a datum post been inserted?	Yes
Datum post standard used:	GDA94
Provide coordinates for the datum post:	-28.4383°S, 152.0567°E
When was the land marked out?	23/01/2017
Is surface area within the permit area required?	Whole.
Provide width of access (m):	8.00
Provide any relevant information about access including start and end points:	The starting point of the access is from Keogh's road, which then goes briefly through a road reserve and then onto the Cherrabah Property utilising an internal access road to the lease boundary.

LAND INFORMATION DETAILS

Does this application involve the surrender of a granted permit in favour of whole or part of this application?	No		
Is there any restricted land associated with this permit application?	No		
Is the lease area within the surface of reserve?	No		
Is the land applied for situated within an area of a greenhouse gas (GHG) permit?	No		
Overlapping permits			
Permit type	Permit number	Authorised holder	Expiry date
EPM	26250	JOYFUL VIEW GARDEN REAL ESTATE DEVELOPMENT RESORT CO. PTY LIMITED	28/08/2021
Land details			
Description	Proposed usage	Current usage	Compensation required?
Lot 1000 on plan SP268215 - Freehold	Access	Other	No
Lot 1000 on plan SP268215 - Freehold	Permit	Other	No

ENVIRONMENTAL AUTHORITY

The environmental authority application is: Application for amendment of an environmental authority

Suitable registered operator details

Holder	Suitable Operator Status	Registered No.
JOYFUL VIEW GARDEN REAL ESTATE DEVELOPMENT RESORT CO. PTY LIMITED	Registered	000737

NATIVE TITLE

Native title process: Exclusive Land (100%)

I confirm that when a full assessment is completed, if native title must be addressed, a native title process will be required and advertising fees will be requested by the department: Yes

OBLIGATIONS

As the authorised holder representative, I understand and agree to the obligations associated with the permit: Yes

PAYMENT DETAILS

Fee type	Details	Amount (\$)
EPAMAM	Application for amendment of an environmental authority	305.90
APPMLMIN	Mining Lease - Minerals	1,526.00
Total Fee:		1,831.90

UPLOADED DOCUMENTS

Section	File name	Uploaded by	Date uploaded
AHR	Letter of authority - AHR	adebayo.bayooke@ausrocks.com.au	25/01/2017 01:36 PM
Environmental authority	Amendment Application	adebayo.bayooke@ausrocks.com.au	17/02/2017 04:26 PM
Financial Capability	Financial capability statement	adebayo.bayooke@ausrocks.com.au	17/02/2017 03:39 PM
Financial Capability	Financial Commitment	adebayo.bayooke@ausrocks.com.au	17/02/2017 03:39 PM
Financial Capability	Supporting Evidence	adebayo.bayooke@ausrocks.com.au	17/02/2017 04:06 PM
Land availability	Adjoining land details	adebayo.bayooke@ausrocks.com.au	17/02/2017 09:18 AM

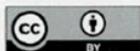
Land availability	Land details	adebayo.bayooke@ausrocks.com.au	17/02/2017 09:17 AM
Permit area	Access area file	adebayo.bayooke@ausrocks.com.au	16/02/2017 09:48 AM
Permit area	Statement dealing permit location	adebayo.bayooke@ausrocks.com.au	16/02/2017 09:48 AM
Permit area	Statement detailing adjoining resource authorities and land parcel details	adebayo.bayooke@ausrocks.com.au	16/02/2017 09:48 AM
Permit area	Map of boundaries and access	adebayo.bayooke@ausrocks.com.au	16/02/2017 09:48 AM
Permit area	Area file	adebayo.bayooke@ausrocks.com.au	16/02/2017 09:48 AM
Permit area	Statement justifying the area	adebayo.bayooke@ausrocks.com.au	16/02/2017 09:48 AM
Permit area	Surface area justification statement	adebayo.bayooke@ausrocks.com.au	16/02/2017 09:48 AM
Permit details	Permit term justification statement	adebayo.bayooke@ausrocks.com.au	03/02/2017 10:56 AM
Technical capability	Other resource commitment statement	adebayo.bayooke@ausrocks.com.au	17/02/2017 03:39 PM
Technical capability	Supporting Evidence	adebayo.bayooke@ausrocks.com.au	17/02/2017 04:06 PM
Technical capability	Technical capability statement	adebayo.bayooke@ausrocks.com.au	17/02/2017 03:39 PM
Technical capability	Third party declaration	adebayo.bayooke@ausrocks.com.au	17/02/2017 04:06 PM
Work program	Proposed mining program	adebayo.bayooke@ausrocks.com.au	17/02/2017 04:30 PM

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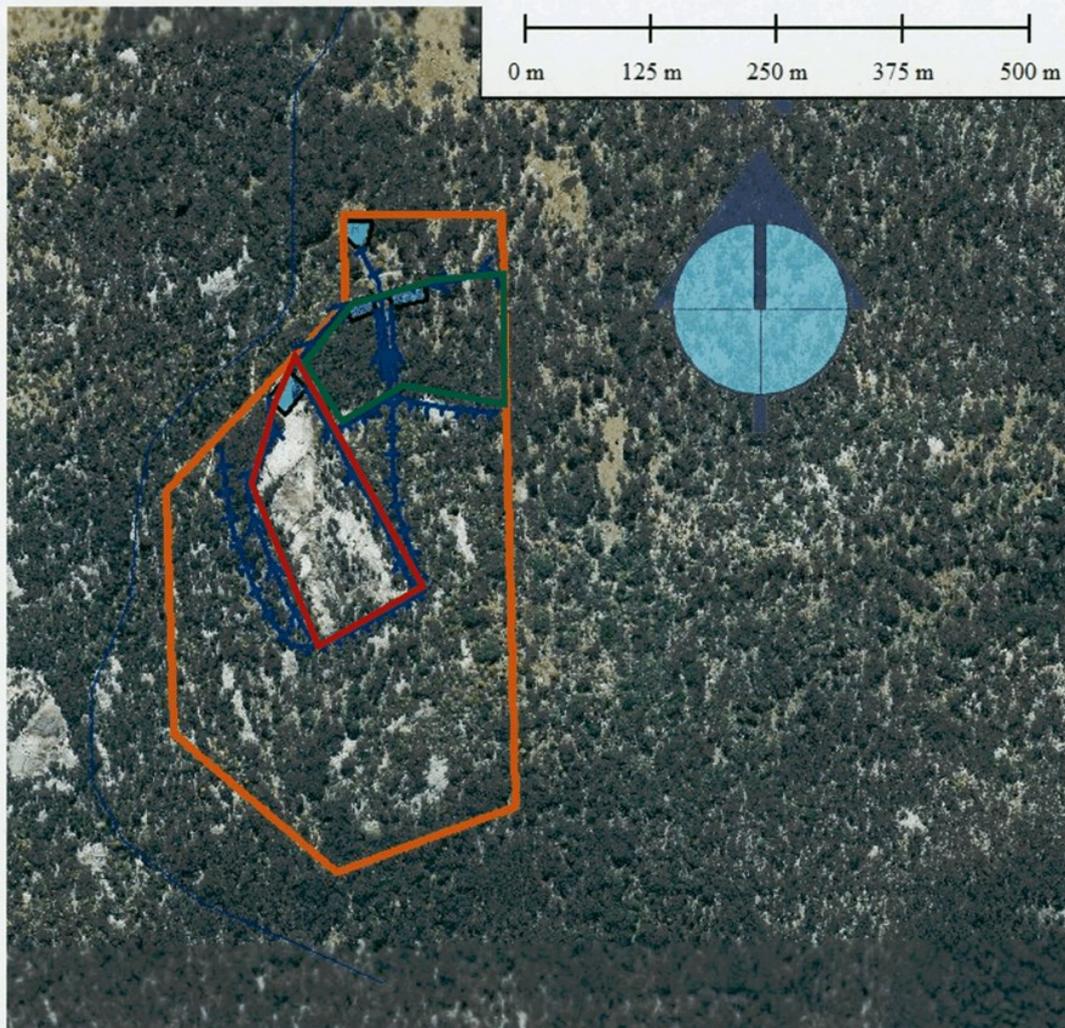
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STATEMENT JUSTIFYING THE AREA OF THE PERMIT AND ITS SHAPE

The area for the proposed Mining Lease at the Cherrabah Granite Mine Project, has 7 Mining Lease Boundary posts that cover 17.42 Ha. The lease has been created to surround the granite outcrop with sufficient room to conduct mining operations and minor processing within the area. To the north-western side the boundary has been created as a buffer off the water course. The south western, southern and eastern boundary have been formed as the rock outcrops (Red Polygon) to these boundaries. There is an area that has been included north of the Granite outcrop will be utilised as a stockpile and loading area for dimension stone (Green Polygon).



STATEMENT JUSTIFYING LENGTH OF THE TERM

It is requested that the Mining Lease for Cherrabah Granite Mine be granted for a term of 20 years as there is significant resource to sustain operations for this duration. Geological investigations have shown that in the northern resource area there is an Indicated resource of approximately 180,000 m³ (or using an assumed density of 2.6 t/m³, 468,000 t). From research conducted during the Pre-Feasibility Study the base case production for the proposed site is as follows:

- Year 1 – 1,750 t
- Year 2 – 3,000 t
- Year 3 – 6,000 t
- Year 7 – 6,750 t
- Year 12 – 7,500 t
- Year 17 – 7,150 t

Cumulatively the proposed production is 222,375 t. over the 20 year period is significantly less than the existing resource. There is an opportunity to increase the resource outside the initial area which would result in upgrading the resource assessment and applying for an additional lease extension at the initial term.

Additional excerpt from Pre-Feasibility report regarding the resource assessment.

From the geological exploration and project pre-feasibility the lower or northern investigated area has been classified as an In-situ Indicated Mineral Resource due to having enough holes (CH01 and CH02) which provides sufficient coverage of the Resource for intend purposes. Geological logging indicated that they all appeared to have a similar composition although there was variable mineralogy. Petrographic analysis and slab excavation sample test indicates that the resource has potential that suitable for dimension stone products and a range of quarry products subject to certain applications and its marketability. Estimated initial Resource within the indicated Resource area is estimated to be approx. 180,00cubic meters. This was based on Surpac surface to surface volume estimate.



Office:
Unit 17, 71 Jijaws Street
Sumner Park QLD 4074
Telephone (07) 3376 6839
www.ausrocks.com.au

Ausrocks Pty Ltd
ABN 64 056 939 014

All Correspondence to:
PO Box 1007,
Toowong BC QLD 4066

RE: Additional Attachments

Good Afternoon,

Ausrocks the AHR holders to Joyful View Garden Real Estate Development Resort Co. Pty Ltd have submitted the Mining Lease Application and Environmental Authority Amendment. We are aware that there are a large amount of attachments missing but this is due to the size of these documents and the ability to upload greater than 10 megabyte documents.

We encourage the relevant people to contact any of the below emails for the information that is required:

Carl Morandy – carl.morandy@ausrocks.com.au

Adebayo Bayooke – adebayo.bayooke@ausrocks.com.au

Dale Brown – dale.brown@ausrocks.com.au

Should you have any questions do not hesitate to contact Ausrocks.

Regards

Dale Brown
Mining Engineer
Ausrocks Pty Ltd

Alan Robertson
Director
0402 445 418
alan.robertson@ausrocks.com.au

Adebayo Bayooke
Principal Mining Engineer
0450 320 600
adebayo.bayooke@ausrocks.com.au

Carl Morandy
Senior Mining Engineer
0404 778 394
carl.morandy@ausrocks.com.au

Nick Virisheff
Technical Officer
0430 125 801
nick.virisheff@ausrocks.com.au

Wendy Wood
Senior Town Planner
0418 405 006
wendy.wood@ausrocks.com.au



Queensland
Government

Department of Natural Resources and Mines
Mining lease - mining program template

Description of mining operations – Mining Program

This template is intended as a guide to assist applicants/lease holders address the requirements for an application for the grant of or the renewal of a mining lease under the *Mineral Resources Act 1989*.

Section 245 of the *Mineral Resources Act 1989* requires a statement acceptable to the chief executive outlining the mining program proposed for a mining lease application.

The mining program for the renewal of a mining lease is required under section 286 of the *Mineral Resources Act 1989*.

The principal objectives of a mining program are to:

- provide a better understanding of the nature and extent of the proposed development and production of mineral resources from the lease;
- allow an assessment of the proposed development and whether it is appropriate (this is particularly important with respect to resources that are not currently being mined or have been not developed for some time);
- assess the prospective resource utilisation and identify any resource sterilisation issues; and
- allow appropriate resource management decisions to be made

Scope of mining programs

The scope of mining programs will vary depending on the size and complexity of the proposed mining operations. The plan for an alluvial gold project or a small open cut operation, for instance, would require less detail than a multi-seam open cut and underground operation that also had coal seam gas extraction issues.

If the mining lease supports other permits or forms part of a project, the program described must describe the project and clearly show the relationship of this mining lease.

1. Mining program to support

New application Proposed mining lease name: Cherrabah Granite Mine
Renewal of mining lease Mining lease number:

2 Commencement of operations:

For new permits:

When are operations are expected to commence on this mining lease?
Operations are to commence when the Mining Lease is granted.

For renewals:

If operations have not commenced, when are operations expected to commence on this mining lease?
N/A

3. Supporting operations

<p>Is this mining lease being or to be operated in conjunction with other mining permits as part of a project?</p> <p>If yes, provide details of the project including a description of the relationship of this lease to the project and why this lease is required for the project or operation of other permits</p>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<p>- Include a map showing the extent of the project</p> <p>- provide clarification of the extent of the mining program described ie what leases and permits are covered by the program</p>		
<p>Currently Cherrabah has an existing EPM 26250 over the area where the proposed lease boundary is proposed. There are no adjoining lease boundaries.</p> <p>Attached is the "Cherrabah Granite Mine - Site Plan".</p>		

4 Method of operations

The mining program should:

- Cover every mineral that the lease holder or applicant has (or will have) the right to mine.
- If the lease was granted for a purpose other than mining, cover the use of the mining lease for the purpose it was granted for.
- Describe the method in enough detail to support the size, shape eg overburden dumps, pits, stockpiles, processing etc.
- Provide adequate graphic representations (i.e. maps, photos, diagrams) of the resource and mining information to support the proposed use.
- Include a description of infrastructure to constructed /maintained on the lease.
- Describe the methods proposed for rehabilitation works.
- Include a description of the workforce to establish/maintain this operation.

The mining lease is applied for Dimension Stone - Granite and no other purposes other than mining.

Mining Program: Attached is the Cherrabah Granite Mine Site Plan. The mining method will be using a wire saws and stitch drills to extract large blocks of dimension stone starting at the northern edge of the resource area. The processing area will be established in the section of the lease, and the operations will continue mining south utilising traditional bench mining methods. There is a large area to account for off-cuts which can be utilised as B-Grade products. There is minimal overburden to extract to reach the dimension stone product, however this will be stacked in the processing area and used for rehabilitation at the end of operations. Processing at the mine will be minimal with the intention to sell the granite in rough block format in China. All down the line processing that generally produces large amounts of dust and noise will not be completed onsite. It is also proposed that no blasting is to be undertaken.

Photos of the site and the resource area can be found in the attached Resource Report.

Infrastructure proposed to be onsite is the construction of 3 sedimentation ponds and water storage, storage shed, office and staff amenities. Which is also shown on the Infrastructure Plan.

All rehabilitation is to be undertaken as per the attached rehabilitation plan.

The proposed workforce to maintain the operations will be a Quarry Manager/Site Senior Executive to oversee the operations and two fulltime plant operators with the assistance of an office/sales manager. This should suffice for the proposed ramp up to 8,000 tonnes per annum production.

Provide a list of attached documents to support this mining program

Cherrabah Site Plan with Access
Cherrabah Site Mining Lease Boundary Plan
Cherrabah Infrastructure Plan.
Drilling Program Report
Rehabilitation Management Plan

5 Applicant's declaration

I confirm the following:

- I understand my obligations as a holder of a mining lease.
- I have truthfully declared all relevant details required on this form.
- If any part of this form has been completed with the assistance of another person, I declare that the information as set down is true and correct and has been included with my full knowledge, consent and understanding.

Name:

Position:

Signature:

Date:

Name:

Position:

Signature:

Date:

Name:

Position:

Signature:

Date:

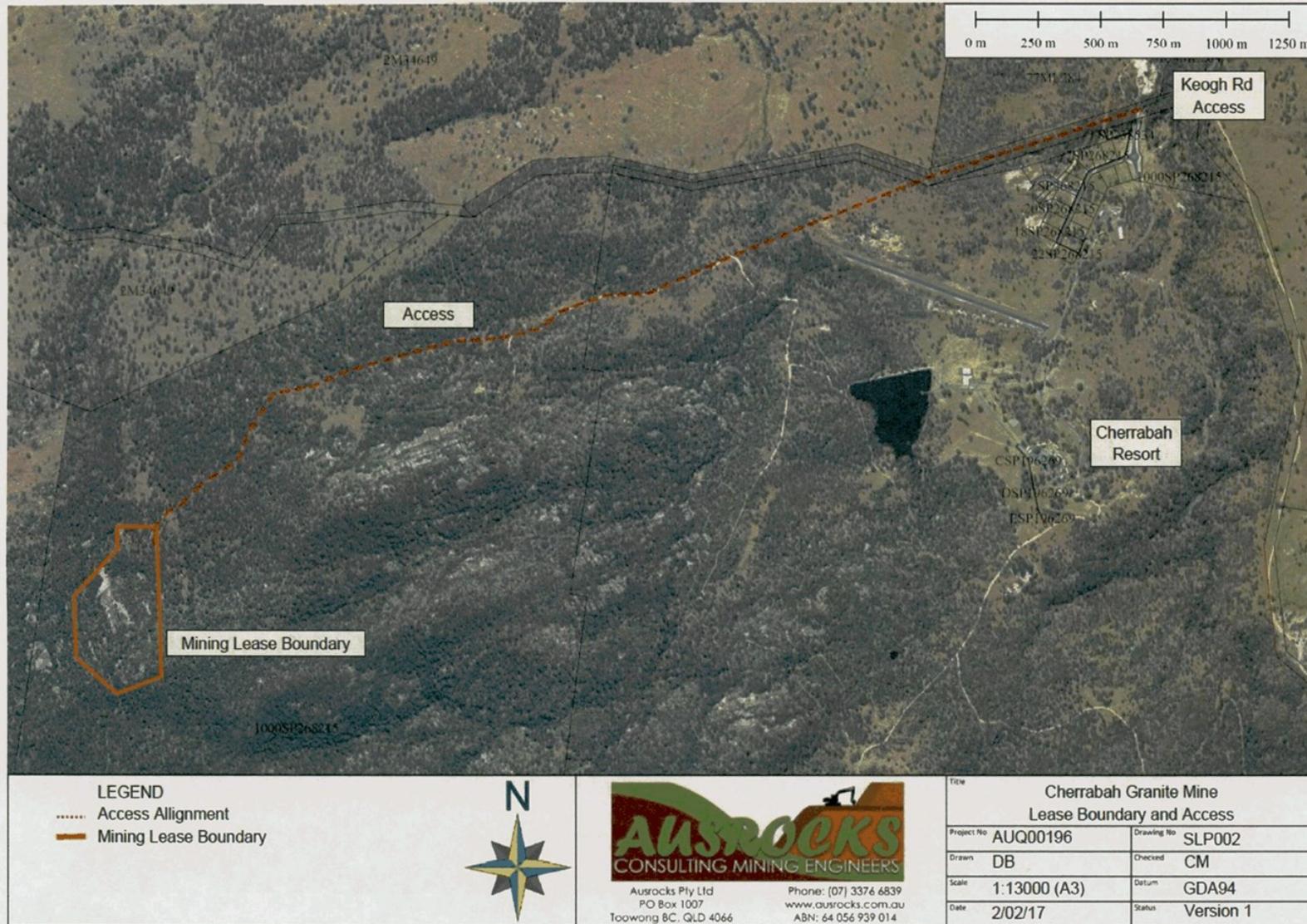
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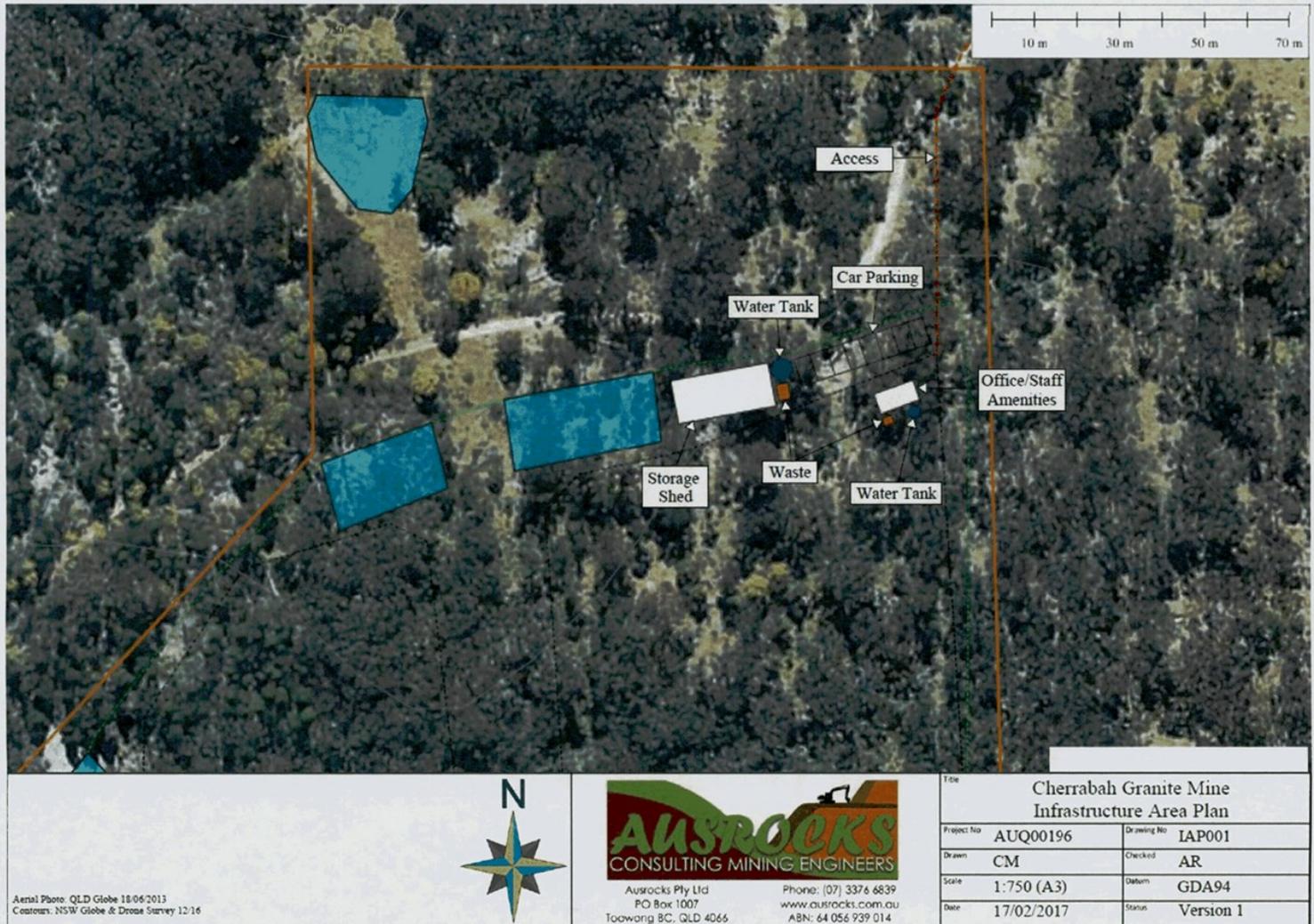
Signature:

Date:

if additional signatures, attach a separate piece of paper)



Document Set ID: 2748102
 Version: 1, Version Date: 07/06/2017



Aerial Photo: QLD Globe 18/06/2013
 Contours: NSW Globe & Drone Survey 12/16

AUSROCKS
 CONSULTING MINING ENGINEERS

Ausrocks Pty Ltd
 PO Box 1007
 Toowoong BC, QLD 4066

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Document Set ID: 2748102
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Rehabilitation Management **Cherrabah Granite Mine February 2017**

Introduction

This Rehabilitation Management Plan addresses the work required to remediate mine workings on Lot 1000 SP268215. The plan has been prepared on the following basis:

- Proposed disturbed areas on site will include the pit extraction, processing and stockpiling areas, which have been identified in the site layout plan. These areas will require progressive rehabilitation as the operation proceeds.
- Assessing each of the disturbed areas on site to determine the type of rehabilitation required and the likely timeline for rehabilitation.
- Scheduling the most appropriate time to complete rehabilitation in terms of seasonal conditions.
- Post-operation land use, most likely eco-tourism/natural bushland.
- Some areas including roads, water storage etc. will remain at the completion of the operation to facilitate property access and for bushfire management purposes.

Site Characteristics

The topography of the site is characterised by large granitic outcrops and immediately associated footslopes. The exposed section of the main granite outcrop is approximately 60m x 150m with extensions to the south. The western boundary of the outcrop contains an ephemeral watercourse (stream order 1) which flows north towards the Condamine River. Following site inspections, vegetation across the site is generally in high quality condition in areas where vegetation may grow. Small pockets of small trees (<2m) and shrubs populate the crevices in the granite outcrop where decomposed granite has been caught with years of weathering. The outcrops are however, predominantly void of vegetation. Within the proposed operational areas there exists Remnant Vegetation 'of concern'. A small section of this will need to be cleared so that the hardstand area can be constructed. Two vegetation communities were identified: RE 13.12.2 New England Blackbutt, Youman's Stringybark woodland on igneous rocks and RE 13.12.4 Broad-leaved White Mahogany, Queensland Blue Gum open forest on igneous rocks.

Soil cover comprises decomposed granite from the weathering of the granite outcrops with scattered cobbles and boulders within the topsoil. There is no topsoil within the extraction area and minimal topsoil with the processing and stockpiling area. It is envisaged up to 0.3m topsoil depth exists across this area. During the site developing construction works, topsoil will be removed, stockpiled and maintained until its use during rehabilitation, Figures 1 and 2 show the typical ground cover and conditions on the site. The current site is suitable for native bushland and due to its location and topography is likely to remain as a similar land use post-mine development.



Figure 1 - View of the top of the Extraction Area showing how the vegetation within the Extraction Area forms in the crevices of the outcrop



Figure 2 - View from the stockpile area showing typical vegetation communities adjacent to the Extraction Area outcrop

Erosion Management

Some areas on site are prone to mild erosion due to the steep land; however, with minimal soil cover and non-dispersive soils, erosion is limited to these areas of concentrated flow. Minimal mitigation measures are required where the erosion has reached the underlying rock. Where earthmoving is required appropriate erosion control measures will be implemented including diversion bunds, contour drains, table drains with rock bars and if required temporary erosion controls such as sediment fences. Erosion can significantly slow the rehabilitation process and therefore appropriate measures must be implemented. The operators will ensure that erosion is controlled by:

- Only disturbing areas that are required for operation of the mine;
- The installation of erosion controls such as diversion drains, contour drains, catch drains and sediment retention as required; and
- Encouraging natural regeneration of the final profiles by reducing access from site vehicles (no through access).

Weed Management

For the general mine operation, the spread of weeds to and from the site will be controlled using an integrated weed management approach. Guidelines will be set so that any vehicles/plant that have presumed to have come in contact with contaminated soil or noxious weeds will be washed down prior to leaving site. Any listed noxious weeds identified on site will be actively eradicated in an on-going site rehabilitation program. The weed management strategy for rehabilitated areas will incorporate the following steps;

- Monitoring in the form of monthly observations by site personnel for weeds of management concern (groundsel and fireweed etc.);
- Eradication of weeds identified during the monitoring program in accordance with the 'Weed Control Methods' issued by the Department of Primary Industries & Fisheries (DPI).
- Eradication of weeds of concern in accordance with the Queensland Biodiversity Act 2014;
- Promotion of weed management and identification in site induction.

Methods of weed control that may be required include the following;

- Chemical control;
- Mechanical control;
- Biological control; and
- Manual control.

Herbicides, if used, will be stored and used as per the MSDS with the appropriate approvals. Generally due to the limited access and relatively small area, weeds within rehabilitation areas will be selectively removed manually or chemically.

Rehabilitation Methodology

The rehabilitation methodology on site is primarily driven by the designated final land use, which will return the land to native bushland in the processing and stockpiling area, whilst the outcrop will remain as open pit water storage but will be fenced. The on-site dams will also remain for firefighting purposes, but the land around it will be returned to native bushland.

Rehabilitation of the mine operation will be carried out in stages, as some areas will be operational for more than 10 years. Separate rehabilitation methodologies are used for the extraction areas and the processing and stockpiling areas. Final slope profile for the extraction areas is currently designed with a 90° face angle, 5m bench height and 5m bench width. This design is based on assumed geotechnical specifications; however ongoing analysis is required of the face stability as the mine progresses. At various places around the pit overburden may be placed as a 'bridge' between the benches to allow wildlife passage however each bench will be integrated into the surrounding topography at the edge of the pit. The base of the pit will be left as water storage with a ramp for egress.

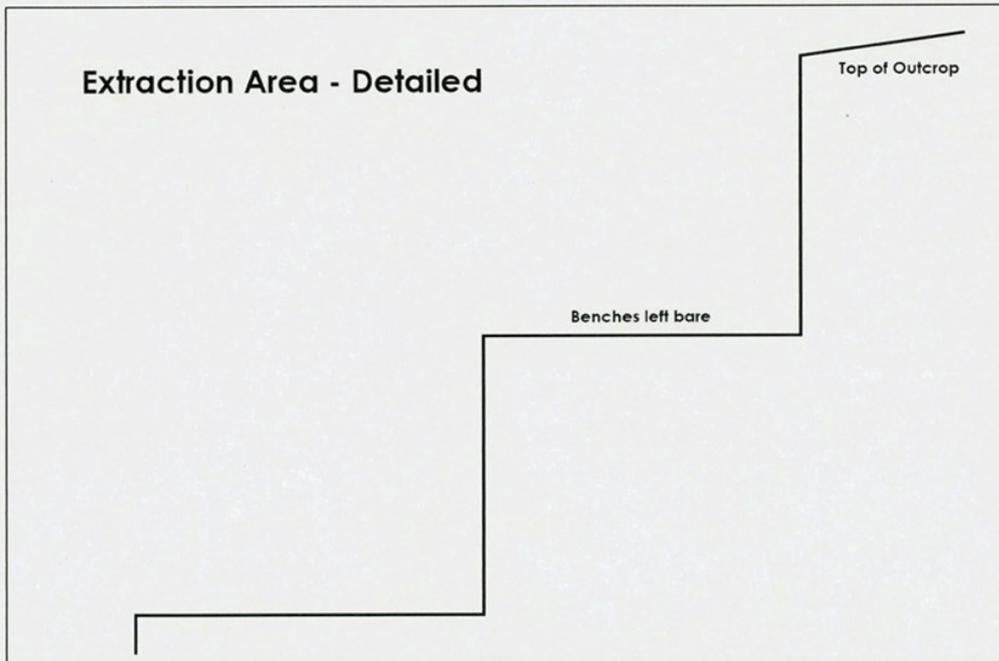


Figure 3 - bench profile

The processing and stockpiling areas are generally flatter and contain compacted roads and laydown areas. These areas will be contoured to suit the final rehabilitation profile (with appropriate drainage) and compacted areas will be deep ripped followed by topsoil placement.

Rehabilitation Plan_V1.1 attached details the rehabilitation required in each area of the mine.

Rehabilitation Watering

A watering regime may be required if adverse weather conditions are encountered during the initial stages of rehabilitation (the first 6-12 months). Care should be taken to ensure that the selected watering regime is suitable for the area, considering daily evaporation and soil erosion susceptibility. The use of water from the in-pit sump shall be sufficient for ongoing watering requirements.

Topsoil Management

Topsoil management is an integral part to the rehabilitation of the mine. Best Practice Management of topsoil will ensure minimal seed bank sterilisation and will reduce supplementary planting in the long run. Best Practice Management can be achieved by the following steps;

1. Develop a plan for handling and storing topsoil prior to stripping in the first place, this will assist the alignment of earthworks clearing and rehabilitation activities and result in minimal time for topsoil to be stockpiled.
2. If topsoil is stockpiled, ensure stockpiles are kept to a maximum of 1.5m high for duration of less than 12 months. Stockpiles should be seeded with a fast growing 'cover crop' to protect the surface from raindrop erosion. Stockpile location should be away from concentrated overland flow and ensure erosion control measures (sediment barrier/fence) are implemented for all topsoil stockpiles to prevent soil loss.
3. Spread topsoil evenly and minimise compaction by restricting heavy vehicle traffic.
4. Once placed, ensure appropriate erosion controls are in place to prevent topsoil loss through concentrated flows.

Rehabilitation Timing

Rehabilitation is generally undertaken as soon as feasible, due to the significant life of the mine most of the processing and stockpiling areas will remain active for the life of the project and will be rehabilitated upon completion of the operation.

As no rehabilitation is needed on terminal faces as extraction in each stage is completed, a progressive rehabilitation plan is not required for the extraction area.

Monitoring

Monitoring of rehabilitation activities and performance should be carried out monthly until a self-sustaining stage is reached. During the monitoring process emphasis on the following checklist should be made;

1. Clearly identify and delineate rehabilitation areas to ensure areas are visible and site traffic is restricted;
2. Check monthly rainfall and plant condition to determine if additional watering is required;
3. Monitor soil erosion during the initial stage until soil is stabilised, implement additional erosion control measures if required;
4. Identify areas where natural revegetation is lacking and prepare for supplementary planting by contacting local nurseries;
5. Identify and record weed locations and species to assist in nuisance weed eradication;

Reporting

Once rehabilitation commences, an annual Rehabilitation Report shall be completed as per the requirement in the Site Based Management Plan. A copy of this annual report shall be kept on site for the life of the mine. Regular review of yearly rehabilitation performance should be made to ensure Best Practice Management is achieved for site rehabilitation.

Table 3 shows the key issues in relation to the Rehabilitation Management Plan.

TABLE 3: Key Issues – Rehabilitation Management Plan

Key Issue	Methodology	Comments
Overall disturbed area	Monitor disturbance on an annual basis and report as required. Project future disturbance and correlate with actuals.	Survey disturbed area on a regular basis using aerial survey methods or via ground surveys.
Managing topsoil	Ensure that double handling is kept to minimum, where possible stockpile topsoil for a maximum of 12 months.	Develop an extraction and rehabilitation schedule for each operating stage to best utilise topsoil.
Ensuring successful native vegetation regeneration	Monitor the progress of ongoing rehabilitation sites, minimise disturbance from livestock and site vehicles.	Requires ongoing monitoring to ensure rehabilitation is suited to the final land use.
Weed Management	Monitor weeds growth on newly rehabilitated areas, remove and dispose of nuisance weeds.	Early intervention is an effective method of controlling weeds.



<p>LEGEND</p> <ul style="list-style-type: none"> ML Boundary Mine Access Road Site Disturbed Area Basins/Dams Internal Roads Native Bushland Rehabilitation Long Term Water Storage Benched Pit 			 <p>Ausrocks Pty Ltd PO Box 1007 Toowoong BC, QLD 4066</p> <p>Phone: (07) 3376 6839 www.ausrocks.com.au ABN: 64 056 939 014</p>	<p>Title Cherrabah Granite Mine Rehabilitation Plan</p> <table border="1"> <tr> <td>Project No</td> <td>AUQ00196</td> <td>Drawing No</td> <td>RP001_1</td> </tr> <tr> <td>Drawn</td> <td>CM</td> <td>Checked</td> <td>AR</td> </tr> <tr> <td>Scale</td> <td>1:2,500</td> <td>Datum</td> <td>GDA94</td> </tr> <tr> <td>Date</td> <td>15/02/2017</td> <td>Status</td> <td>Version 1</td> </tr> </table>	Project No	AUQ00196	Drawing No	RP001_1	Drawn	CM	Checked	AR	Scale	1:2,500	Datum	GDA94	Date	15/02/2017	Status	Version 1
Project No	AUQ00196	Drawing No	RP001_1																	
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Aerial Photo: QLD Globe 18/06/2013
 Contours: NSW Globe & Drainage Survey 12.16

Document Set ID: 2748102
 Version: 1, Version Date: 07/06/2017



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ABN 64 056 939 014

All Correspondence to:
PO Box 1007,
Toowong BC QLD 4066

RE: Additional Attachments

Good Afternoon,

Ausrocks the AHR holders to Joyful View Garden Real Estate Development Resort Co. Pty Ltd have submitted the Mining Lease Application and Environmental Authority Amendment. We are aware that there are a large amount of attachments missing but this is due to the size of these documents and the ability to upload greater than 10 megabyte documents.

We encourage the relevant people to contact any of the below emails for the information that is required:

Carl Morandy – carl.morandy@ausrocks.com.au

Adebayo Bayooke – adebayo.bayooke@ausrocks.com.au

Dale Brown – dale.brown@ausrocks.com.au

Should you have any questions do not hesitate to contact Ausrocks.

Regards

Dale Brown
Mining Engineer
Ausrocks Pty Ltd

Alan Robertson
Director
0402 445 418
alanrobertson@ausrocks.com.au

Adebayo Bayooke
Principal Mining Engineer
0450 320 600
adebayo.bayooke@ausrocks.com.au

Carl Morandy
Senior Mining Engineer
0404 778 394
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Nick Virisheff
Technical Officer
0430 125 801
nick.virisheff@ausrocks.com.au

Wendy Wood
Senior Town Planner
0418 405 006
wendy.wood@ausrocks.com.au

Application form

Environmental authority

Application to amend an environmental authority

This approved form is to be used when applying to amend an environmental authority under sections 222 to 227 of the Environmental Protection Act 1994 (EP Act) for an environmentally relevant activity (ERA).

An application to amend an environmental authority is not appropriate in all circumstances. If you answer **YES** to any of the questions in the checklist below, you cannot use this application form. If you answer **NO** to all of the questions in the checklist, you may continue to use this application form.

It is recommended that you read the information on what to provide with an application, prior to making an amendment application. This information is located on the Queensland Government's Business and Industry Portal at www.business.qld.gov.au (use the search term "environmental licences"). This website also has a diagnostic tool called a "Forms and fees finder" which will take you through a series of questions and provide a customised result which will identify any forms, fees and supporting information you need to make an application.

You are encouraged to have a pre-lodgement meeting before applying to amend your environmental authority. If you would like to have a pre-lodgement meeting:

- for prescribed ERAs 2, 3 and 4—contact the Department of Agriculture and Fisheries by email at livestockregulator@daf.qld.gov.au.
- for any other ERA—please fill out and lodge the form "Application for pre-lodgement services" (ESR/2015/1664¹), prior to lodging this application form.

Checklist for making an amendment application

You must complete the checklist below and overleaf before you continue with the application form. If your application is for:

- a prescribed ERA → you must fill in Section 1 and Section 2 of the checklist below.
- a resource activity → you must fill in Section 1 and Section 3 of the checklist below.
- both a prescribed ERA and a resource activity → you must fill in sections 1, 2 and 3 of the checklist below.

¹ This is the publication number. The publication number can be used as a search term to find the latest version of a publication at www.qld.gov.au.



Application form
Application to amend an environmental authority

If you have answered yes to any of the below questions, you cannot use this application form. If you have answered no to all of the below questions, you may continue to use this application form.

Checklist questions	YES NO	Guidance
Section 1 – all applications		
Is the amendment to correct a clerical or formal error?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot use this form. This request should be made in writing directly to the administering authority (no fees apply).
Is the amendment to amalgamate two or more environmental authorities?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot use this form. Please use either the form Application to amalgamate two or more environmental authorities into an amalgamated corporate authority (ESR/2015/1734), or Application to amalgamate two or more environmental authorities into an amalgamated project or local government authority (ESR/2015/1735).
Is the amendment to add an ERA to an amalgamated local government authority and there is not an appropriate degree of integration between the proposed activity and the existing activities on the authority?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot use this form. You will need to apply for a new environmental authority. For a standard application use the form Standard environmental authority application (prescribed activity) (ESR/2015/1793) or Standard environmental authority application (resource activity) (ESR/2015/1755). For a variation application, use the form Variation environmental authority (prescribed activity) (ESR/2015/1796) or Variation environmental authority (resource activity) (ESR/2015/1756). For a site-specific application use the form Site-specific environmental authority application (prescribed ERA) (ESR/2015/1792) or Site -specific environmental authority application (resource activity) (ESR/2015/1757).
Is the amendment to add an ERA to an amalgamated project authority and the proposed activity does not form part of the single integrated operation conducted under the authority?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot use this form. You will need to apply for a new environmental authority. See form details above.
Is the amendment to amend financial assurance only?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot use this form. Please use the form Application to amend or discharge financial assurance (ESR/2015/1752).
Is the amendment to remove or amend a condition requiring compliance with the eligibility criteria, and is a result of changes to the activity?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot use this form. Please make a site-specific application for a new environmental authority using the form Site-specific environmental authority application (prescribed ERA) (ESR/2015/1792) or Site-

Application form
Application to amend an environmental authority

		<p>specific environmental authority application (resource activity) (ESR/2015/1757).</p> <p>Note: If the required amendment to the eligibility criteria condition is a result of factors beyond your control such as residential encroachment, rather than a change to the activity, you can use this form. The amendment will be a major amendment.</p>
Section 2 – prescribed ERAs		
Is the amendment for the holder of the environmental authority to transfer all or part of the environmental authority to a person?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, you cannot use this form. Please use the form Request to transfer all or part of an environmental authority for a prescribed environmentally relevant activity (ESR/2015/1718).
Does the proposed amendment involve changes to the relevant activity that require a new development application to be lodged under the <i>Sustainable Planning Act 2009</i> (SPA) and the application for the amendment has not been lodged.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<p>If yes, the development application must be lodged before an environmental authority amendment application can be made.</p> <p>Under EP Act, a development application for a material change of use of premises for an environmentally relevant activity is deemed to be also an application for an environmental authority. In this case, an environmental authority amendment application should not be lodged.</p>
Is the proposed amendment solely to add or remove vehicles for ERA 57 (Regulated waste transport) within the approved threshold?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, you do not need to submit this application form. Use the form Details of regulated waste vehicles (ESR/2015/1851).
Is the proposed amendment to add a prescribed ERA, other than an ancillary activity, to an environmental authority for a resource project?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, you cannot use this form to add the prescribed ERA to the environmental authority. You will need to apply for a new environmental authority. Refer Section 1 above for appropriate form.
Section 3 – resource activities (mining, petroleum, geothermal or GHG storage activities)		
Is the amendment for a partial surrender of an environmental authority for a mining, geothermal or petroleum resource activity?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot use this form. Please use the form Application for surrender of an environmental authority (prescribed ERA) (ESR/2015/1719) or Application for surrender or partial surrender of an environmental authority (resource activity) (ESR/2015/1751).
Is the proposed amendment to add a resource activity to an environmental authority for a prescribed ERA project?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, you cannot add the resource activity to the environmental authority. You will need to apply for a new

Application form
Application to amend an environmental authority

		environmental authority. Refer Section 1 above for appropriate form.
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Definitions of terms used in this form

Where there is inconsistency between the definition of terms used here and the terms used in the EP Act, the terms in the EP Act apply.

Condition conversion	For an environmental authority, means an amendment replacing all the conditions of the authority with the standard conditions for the environmentally relevant activity which the authority relates. The relevant eligibility criteria and standard conditions must be able to be met.
Eligibility criteria	For an environmentally relevant activity, means eligibility criteria that are in effect for the activity under – (a) an ERA standard; or (b) a code of environmental compliance; or (c) a regulation in respect of a mining activity.
Environmentally relevant activity (ERA)	A resource activity or a prescribed ERA
ERA project	A prescribed ERA project or a resource project.
ERA standard	For an environmentally relevant activity, means the eligibility criteria and/ or the standard conditions set by the administering authority.
Major amendment	For an environmental authority, means an amendment that is not a minor amendment.
Material change of use of premises for an environmentally relevant activity	A category of assessable development requiring a development permit under SPA. Refer Schedule 3, Table 2, Item 1 of the Sustainable Planning Regulation 2009.
Minor amendment	For an environmental authority, means an amendment that is— (a) a condition conversion; or (b) a minor amendment (threshold).
Minor amendment (threshold)	For an environmental authority, means an amendment that the administering authority is satisfied— (a) is not a change to a condition identified in the authority as a standard condition, other than— (i) a change that is a condition conversion; or

Application form
Application to amend an environmental authority

- (ii) a change that is not a condition conversion but that replaces a standard condition of the authority with a standard condition for the environmentally relevant activity to which the authority relates; and
- (b) does not significantly increase the level of environmental harm caused by the relevant activity; and
- (c) does not change any rehabilitation objectives stated in the authority in a way likely to result in significantly different impacts on environmental values than the impacts previously permitted under the authority; and
- (d) does not significantly increase the scale or intensity of the relevant activity; and
- (e) does not relate to a new relevant resource tenure for the authority that is—
 - (i) a new mining lease; or
 - (ii) a new petroleum lease; or
 - (iii) a new geothermal lease under the Geothermal Energy Act; or
 - (iv) a new GHG injection and storage lease under the GHG storage Act; and
- (f) involves an addition to the surface area for the relevant activity of no more than 10% of the existing area; and
- (g) for an environmental authority for a petroleum activity—
 - (i) if the amendment involves constructing a new pipeline—the new pipeline does not exceed 150km; and
 - (ii) if the amendment involves extending an existing pipeline—the extension does not exceed 10% of the existing length of the pipeline; and
- (h) if the amendment relates to a new relevant resource tenure for the authority that is an exploration permit or GHG permit—the amendment application under section 224 seeks an amended environmental authority that is subject to the standard conditions for the relevant activity or authority, to the extent it relates to the permit.

- Mobile and temporary ERA A prescribed ERA, other than an activity that is dredging material, extracting rock or other material, or the incinerating of waste:
- (a) carried out at various locations using transportable plant or equipment, including a vehicle
 - (b) that does not result in the building of any permanent structures or any physical change of the landform at the locations (other than minor alterations solely necessary for access and setup including, for example, access ways, footings and temporary storage areas)
 - (c) carried out at any 1 of the locations:
 - (i) for less than 28 days in a calendar year, or

Application form
Application to amend an environmental authority

(ii) for 28 or more days in a calendar year only if the activity is necessarily associated with, and is exclusively used in, the construction or demolition phase of a project.

Prescribed ERA	An environmentally relevant activity that is not a resource activity and is prescribed under section 19 of the EP Act.
Prescribed ERA project	All prescribed ERAs carried out, or proposed to be carried out, as a single integrated operation.
Registered suitable operator	A person who, or a corporation which, under section 318I of the EP Act has been assessed as being suitable to carry out an ERA and has been listed on the suitable operator register.
Resource activity	An activity that is any of the following: (a) a geothermal activity (b) a greenhouse gas (GHG) storage activity (c) a mining activity (d) a petroleum activity.
Resource project	Resource activities carried out, or proposed to be carried out, under 1 or more resource tenures, in any combination, as a single integrated operation.
Single integrated operation	Occurs when all the below criteria are met: (a) the activities are carried out under the day-to-day management of a single responsible individual, for example, a site or operations manager (b) the activities are operationally interrelated (c) the activities are, or will be, carried out at one or more places (d) the places where the activities are carried out are separated by distances short enough to make feasible the integrated day-to-day management of the activities.
Underground water rights	Means any of the following: (a) underground water rights within the meaning of the <i>Mineral Resources Act 1989</i> ; (b) underground water rights within the meaning of the <i>Petroleum and Gas (Production and Safety) Act 2004</i> ; (c) underground water rights within the meaning of the <i>Petroleum Act 1923</i> , section 87(3).

Application form

Application to amend an environmental authority

The fields marked with an asterisk * are mandatory, if they are not completed then your application may be considered not properly made under section 128 of the *Environmental Protection Act 1994*.

GUIDE

If you require assistance in answering any part of this form, or have any questions about your application please contact the relevant department. Contact details are at the end of this form

The environmental authority number and details may be found on the existing environmental authority or quoted in other correspondence received from the administering authority.

If more space is required for any responses, please attach additional information as a separate page.

If there is an agent acting on behalf of the environmental authority holder, provide details in this section. An agent could be a consultant or a contact for the environmental authority holder.

As statutory documents need to be sent to all applicants, this section can also be used when there are multiple environmental authority holders to nominate an address for statutory documentation to be sent 'care of to.'

Application details

1. Environmental authority number

ENVIRONMENTAL AUTHORITY NUMBER*

EPSX04093716

Agent details / address for service

The address supplied here will also be used as a service address for sending statutory documents. If blank, statutory documents will be sent to the address previously supplied for the holder or principal applicant for the environmental authority.

NAME OF AGENT - INDIVIDUAL OR CONTACT PERSON IF AGENT IS AN ORGANISATION

Adebayo Bayooke

ORGANISATION NAME, INCLUDING TRADING NAME

Ausrocks Pty Ltd

ABN / ACN (IF AN ORGANISATION)

63 942 912 684

POSTAL ADDRESS (WHERE DIFFERENT FROM ABOVE)

P.O Box 1007, Toowong BC, 4066Q

PHONE

0450 320 600

FACSIMILE

EMAIL

adebayo.bayooke@ausrocks.com.au

INDICATE IF YOU WANT TO RECEIVE CORRESPONDENCE VIA EMAIL

Application form
Application to amend an environmental authority

Criteria for a major or minor amendment and guidance on the difference between the two can be found in the guideline: 'Major and minor amendments' ESR/2015/1684 and s. 223 of the EP Act. The guideline can be found on the business and industry website:
www.business.qld.gov.au.
Use 'amend an environmental authority' as a search term.

If you have questions regarding whether your amendment will be minor or major you are encouraged to arrange a pre-lodgment meeting with the administering authority.

For information about whether your activity is eligible for standard conditions, please refer to the business & industry website:
www.business.qld.gov.au
Use "activities suitable for standard applications" as a search term.

If your activity operates under a code of environmental compliance, this is now considered to be an ERA Standard. You can apply for a condition conversion to obtain the latest standard conditions for that activity.

For further information about which activities have codes of environmental compliance, use the search term "meeting environmental authority conditions".

2. Describe in detail the proposed amendment and the reason the amendment is being sought*

The decision of whether the amendment is major or minor is made by the administering authority. However, less information is required where the application is minor amendment (condition conversion).

Please indicate below whether you think the proposed amendment will constitute a major or minor amendment.

- Minor amendment – select minor amendment type.
- Minor amendment (condition conversion) – you wish to convert all conditions of your EA to the standard conditions for the ERAs to which the EA relates – Go to question 19

By selecting this amendment type you are certifying that you have a complete and thorough understanding of, and can comply with the ERA Standard (eligibility criteria and standard conditions).

- Minor amendment (threshold) – Please complete the detailed description below.
- Major amendment – please complete the detailed description below.

For a **minor amendment (threshold)** or **major amendment**, provide a detailed description of your proposed amendment.

Include a justification of how your proposed amendment meets the criteria for a major or minor amendment and attach any supporting information to this application.

If the amendment is to add or delete a location, tenure or activity, or to change the threshold of an activity, provide details.

Background information

PROVIDE DETAILS OF THE CIRCUMSTANCES GIVING RISE TO THE PROPOSED AMENDMENT (IF INSUFFICIENT ROOM, ATTACH A SEPARATE DOCUMENT)*.

Application form

Application to amend an environmental authority

Description of the land where the proposed amended activities will be carried out*

- The activity will be carried out within the existing designated areas of the environmental authority.
- The activity is mobile and temporary and will be carried out in a new area:

AREA OF OPERATION E.G. PARTICULAR LOCAL GOVERNMENTS
 THE PROPOSED OPERATION IS APPROXIMATELY 25KM SOUTH OF WARWICK, WITHIN THE SOUTHERN DOWNS REGIONAL COUNCIL

 ATTACHMENT FILE TO LARGE, EMAIL
 ADEBAYO.BAYOOKE@AUSROCKS.COM.AU

- An additional site(s) will be added to the environmental authority as follows:

Location(s) (*if applicable)

STREET NUMBER	STREET NAME	SUBURB/TOWN
POSTCODE	LOT/PLAN	SURFACE AREA (M ²)
PORT (IF APPLICABLE)		
TENURE DETAILS (IF APPLICABLE)		
GENERAL DESCRIPTION OF LAND E.G. ENVIRONMENTAL VALUES, BIOREGIONS AND REGIONAL ECOSYSTEMS, TERRAIN, SHALLOW GROUND WATER SYSTEMS, FLOODPLAINS, SPRINGS AND SOIL DESCRIPTIONS. A SITE MAP OR SATELLITE IMAGERY SHOWING THESE FEATURES AND THE DESIGNATED AREA FOR THE ACTIVITY SHOULD BE ATTACHED.		

Application form
Application to amend an environmental authority

If you are adding a new location/s to the EA please provide details of what ERA's you are planning to undertake on that location/s.

If you are amending the EA to request additional ERAs on locations already authorised by the EA please identify the location the activities are being undertaken

Details of new ERAs or new location(s) (*if applicable)

ERA NUMBER AND THRESHOLD	LOCATION
ERA 20 a) >5,000t <100.000t	

If the activities were assessed as part of a coordinated project declared under the *State Development and Public Works Organisation Act 1971* (SDPWO Act), you are only able to amend Coordinator General conditions if the Coordinator General's evaluation report for the project has lapsed. If you are unsure if the Coordinator General's evaluation report has lapsed, contact the Department of State Development for more information.

Details of proposed condition amendments (*if applicable)

ENVIRONMENTAL AUTHORITY CONDITION(S)	PROPOSED CHANGE & JUSTIFICATION
All conditions subject to change as move from EPM to operating mine.	All conditions subject to change as move from EPM to operating mine.

Application form

Application to amend an environmental authority

If you cannot comply with the eligibility criteria as a result of the proposed amendment, then an amendment to the relevant eligibility criteria condition will also be required. The department will only approve an amendment to the eligibility criteria condition if it is a result of factors beyond your control such as residential encroachment, rather than a change to the activity.

3. Do you currently operate under an ERA standard?*

- No → Go to question 4
- Yes
 - In making the proposed amendment, I can comply with the eligibility criteria and do not need to vary any of the standard conditions.
 - In making the proposed amendment, I can comply with the eligibility criteria but am seeking to vary one or more of the standard conditions. Details of the proposed variation have been included under Question 2.
 - In making the proposed amendment, I cannot comply with the relevant eligibility criteria for all relevant activities. This is due to factors beyond my control. Further details have been provided below.

DETAILS INCLUDING THE RELEVANT ELIGIBILITY CRITERIA, ERA NUMBER AND THRESHOLD, AND FACTORS AFFECTING COMPLIANCE.

This question is only relevant to prescribed ERAs as resource activities will not trigger assessable development under the Sustainable Planning Act 2009.

4. Are there any development permits in effect or have any development applications been made under the Sustainable Planning Act 2009 to carry out the proposed amendment?*

- No → Go to question 5
- Yes → provide a list of applicable development permits or applications below

DEVELOPMENT PERMIT/ APPLICATION NUMBER*	DEVELOPMENT PERMIT/ APPLICATION NAME*	ASSESSMENT MANAGER*	DATE OF APPLICATION OR APPROVAL*	EXPIRY DATE*

Provide a list of all the prescribed ERAs that are to be removed from the environmental authority and identify whether the ERA has commenced.

5. Is this application to remove a prescribed ERA from your environmental authority for prescribed ERAs?*

- No → Go to Question 8
- Yes → indicate which ERAs are to be removed, then go to question 6

Application form
Application to amend an environmental authority

ERA NUMBER AND NAME*	THRESHOLD*	HAS THE ERA COMMENCED? (YES/NO)*	LOCATION (INCLUDING ALL LOT ON PLAN/TENURE DETAILS)*

If you have identified above that any of the ERAs have not commenced, please complete the below:

I declare that where identified, the ERAs above have not commenced.

For guidance on what a rehabilitation report should contain you may use the final rehabilitation report template available at www.qld.gov.au using the publication number (ESR/2015/1616) as a search term.

6. Does your environmental authority contain any rehabilitation conditions that are applicable to the ERAs that you are requesting be removed from the environmental authority?*

- Yes → please attach a rehabilitation report outlining how you have met the conditions
- No

7. Compliance with conditions

Please complete a statement addressing compliance with environmental authority conditions by, or on behalf of the environmental authority holder.

Attach a separate document to this application form which states the extent to which:

- the ERAs being removed from the environmental authority have complied with each relevant condition of approval.
- the rehabilitation report is accurate (include the date of the rehabilitation report). Note: The compliance statement only needs to be made for the rehabilitation report if the answer to question 6 is 'Yes'.

Describe the qualifications and experience of the person signing the statement.*

Only a person with appropriate environmental expertise and/or experience in planning and executing site operations should sign this statement. This person may be the environmental authority holder, a full time employee of the environmental authority holder or a consultant to the environmental authority holder.

Methods to verify compliance may include a desktop assessment of documentation, an interview with the landowner/holder or a site inspection. Evidence used may include photographs, statements and other documentation (maps, plans, approvals, monitoring results etc.).

Application form
Application to amend an environmental authority

Provide details of the date, method and evidence used to verify compliance and accuracy.*

Provide the contact number of the person signing the statement*

I

(insert name and position of person making the compliance statement)

- make the statement by or for the holder of the environmental authority
- confirm that, to the best of my knowledge, all information provided as part of this statement, including attachments, is true, correct and complete. I am aware that it is an offence under section 480 of the *Environmental Protection Act 1994*, to give the administering authority information that I know is false, misleading or incomplete
- confirm that, to the best of my knowledge, this statement, including attachments, does not include false, misleading or incomplete information
- confirm that, to the best of my knowledge, I have not knowingly failed to reveal any relevant information or document to the administering authority
- confirm that, to the best of my knowledge, all information provided in this statement, including attachments, address the relevant matters and are factually correct
- confirm that the opinions expressed in this statement, including attachments, are honestly and reasonably held
- I understand that all information supplied as part of this statement, including attachments, can be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

SIGNATURE*	DATE*
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Application to amend an environmental authority

Offset delivery can be staged, however for this to occur, the condition of any approved environmental authority needs to state that both the activity and the offset may be staged. As part of your notice of election for each stage under the *Environmental Offsets Act 2014* you are required to provide a detailed assessment of the quantum of impact of that stage and the offset obligation requirement to be delivered for that stage.

8. Environmental offsets

An environmental offset may be required for an ERA where despite all reasonable measures to avoid and minimise impacts on certain environmental matters, there is still likely to be a significant residual impact on one or more of those matters.

You must verify the presence, whether temporary or permanent, of those environmental matters. For more information refer to the State Significant Impact Guideline at the Queensland Government website at:

www.qld.gov.au/environment/pollution/management/offsets/index.html

Will the proposed amendment result in a significant residual impact to a matter of State environmental significance (MSES)?*	
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, please attach supporting information that: <ul style="list-style-type: none"> • details the magnitude and duration of the likely significant residual impact on each prescribed environmental matter (other than matters of local environmental significance) for the entire activity; • demonstrates that all reasonable measures to avoid and minimise impacts on each of those matters will be undertaken; • includes a notice of election, if it has not already been submitted; and • if the activity is to be staged, details of how the activity is proposed to be staged 	

I have attached the supporting information.

If your amendment application also involves resource activities, go to question 9. Otherwise, go to question 14.

A regional interests development approval (RIDA) is required when a resource activity is proposed in an area of regional interest under the *Regional Planning Interests Act 2014*. Further information, including application forms, can be found on the Department of Infrastructure, Local Government and Planning (DILGP) website, www.dilgp.qld.gov.au.

9. Is the resource activity located anywhere within an area of regional interest?*

<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes →	Which area of regional interest, has or will require a regional interests development approval (RIDA)?* <ul style="list-style-type: none"> <input type="checkbox"/> Priority agricultural areas (PAAs) <input type="checkbox"/> Priority living areas (PLAs) <input type="checkbox"/> Strategic environmental areas (SEAs) <input type="checkbox"/> Strategic cropping area (SCA) <input type="checkbox"/> No RIDA required, I am an exempt activity. If you have applied or been approved for a RIDA, provide the application reference below:*.

Application form

Application to amend an environmental authority

An ineligible ERA is an activity that either does not comply with the eligibility criteria or does not have any eligibility criteria in place.

10. Does the application relate to an environmental authority for a coal seam gas activity that is an ineligible ERA?*

- No → go to question 11
- Yes →
 - I have determined that the amendment will not change the way that CSG water and brine is managed.
 - I have determined that the amendment will change the way that CSG water is managed and have provided the mandatory information set out below.

MANDATORY INFORMATION	
<input type="checkbox"/>	The quantity of CSG water the applicant reasonably expects will be generated in connection with carrying out each relevant CSG activity.
<input type="checkbox"/>	The flow rate at which the applicant reasonably expects the water will be generated.
<input type="checkbox"/>	The quality of the water, including changes in the water quality the applicant reasonably expects will happen while each relevant CSG activity is carried out.
<input type="checkbox"/>	The proposed management of water including, for example, the use, treatment, storage or disposal of the water.
<input type="checkbox"/>	The measurable criteria ('management criteria') against which the applicant will monitor and assess the effectiveness of the management of the water, including, for example, criteria for each of the following: <ul style="list-style-type: none"> (i) the quantity and quality of the water used, treated, stored or disposed of (ii) protection of the environmental values affected by each relevant CSG activity (iii) the disposal of waste, including, for example, salt, generated for the management of the water.
<input type="checkbox"/>	The action proposed to be taken if any of the management criteria are not complied with, to ensure that the criteria will be able to be complied with in the future.
<input type="checkbox"/>	If the application includes a CSG evaporation dam, an evaluation of the following must be provided: <ul style="list-style-type: none"> (i) best practice environmental management for managing CSG water (ii) alternative ways for managing CSG water (iii) whether there is a feasible alternative to a CSG evaporation dam for managing the water. Note if the evaluation shows that there is a feasible alternative option, the CSG evaporation dam cannot form part of the water management for this amendment application.

Application form
Application to amend an environmental authority

This question is only required to be completed for amendment applications for resource activities lodged on or after **6 December 2016** when the provisions in the *Environmental Protection (Underground Water Management) and Other Legislation Amendment Act 2016* commence.

For more information about exercising underground water rights or the associated application requirements please refer to the Guideline: Requirements for site-specific and amendment applications – underground water rights (ESR/2016/3275). This guideline will be available on the Queensland Government website at www.qld.gov.au, using the publication number 'ESR/2016/3275' as a search term.

11. Exercising underground water rights

Underground water rights provide the tenure holder with a statutory right to take or interfere with underground water in the area of the tenure if the taking or interference with that water is necessarily and unavoidably obtained in the process of extracting the resource.

If the activity/activities are proposed to be undertaken on a mineral development licence (MDL), mining lease (ML) or petroleum lease (PL), does the proposed amendment involve **changes to the exercise of underground water rights?***

N/A → The proposed activity/activities are not on a MDL, ML or PL.

No

Yes →

You **must** attach documentation detailing:

- the areas in which underground water rights are proposed to be exercised;
- for each aquifer affected, or likely to be affected, by the exercise of underground water rights:
 - (i) a description of the aquifer;
 - (ii) an analysis of the movement of underground water to and from the aquifer, including how the aquifer interacts with other aquifers and surface water; and
 - (iii) a description of the area of the aquifer where the water level is predicted to decline because of the exercise of underground water rights; and
 - (iv) the predicted quantities of water to be taken or interfered with because of the exercise of underground water rights during the period in which resource activities are carried out.
- the environmental values that will, or may, be affected by the exercise of underground water rights and the nature and extent of the impacts on the environmental values;
- any impacts on the quality of groundwater that will, or may, happen because of the exercise of underground water rights during or after the period in which resource activities are carried out; and
- strategies for avoiding, mitigating or managing the predicted impacts on the environmental values or the impacts on the quality of groundwater.

I have attached the supporting documentation.

Completion of an EIS process is defined in section 60 of the EP Act.

12. Has an environmental impact statement (EIS) process under Chapter 3 of the EP Act that includes the proposed amendment, been completed?*

No

Yes → I have assessed the environmental risks of the proposed amendment and consider them to be the same as was assessed in the EIS. A copy of the assessment is attached. Go to question 15.

Application form

Application to amend an environmental authority

- I have assessed the environmental risks of the proposed amendment and consider them to be different to what was assessed in the EIS. Go to question 13.

The information provided here will assist the administering authority in deciding whether an EIS is required

For further information refer to the guideline: Triggers for Environmental Impact Statements under the *Environmental Protection Act 1994* for mining, petroleum and gas activities. This guideline is available at www.qld.gov.au, using the search term 'triggers for environmental impact statements'.

13. EIS triggers

Where an EIS process under Chapter 3 of the EP Act has not been completed, or if the environmental risk has changed since the EIS was completed, please complete the table below. The information provided here will assist in determining whether an EIS is required. If your response to any question is yes, you must attach details of how the criterion is triggered including details of the impact.

Criteria—EIS triggers	Select
<p><i>Only answer this question if the current ERA project is for an existing mine extracting between 2–10 million tonnes per year of run of mine (ROM) ore or coal.</i></p> <p>Is the proposed ERA amendment for an increase in the annual extraction of more than 100% or 5 million tonnes per year (whichever is the lesser)?*</p>	<p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A</p>
<p><i>Only answer this question if the current ERA project is for an existing mine extracting over 10 million tonnes per year of ROM ore or coal.</i></p> <p>Is the proposed ERA amendment for an increase in annual extraction of more than 10% or 10 million tonnes per year (whichever is the lesser)?*</p>	<p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A</p>
<p><i>Only answer this question if the current ERA project is for an existing mine extracting over 20 million tonnes per year of ROM ore or coal extraction.</i></p> <p>Is the proposed ERA amendment for an increase in annual extraction of greater than 25%?*</p>	<p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A</p>
<p>Is the proposed ERA amendment for a mining activity that will extend into a Category A or B environmentally sensitive area, unless previously authorised by the state?*</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p>
<p>Is the proposed ERA amendment for a mining activity that would involve a substantial change in mining operations? For example: from underground to open cut, or (for underground mining) a change in operations that currently</p>	<p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A</p>

Application form
Application to amend an environmental authority

causes little subsidence but with the proposed ERA amendment, is likely to cause substantial subsidence?*	
Is the proposed ERA amendment for a mining activity and a novel or unproven resource extraction process, technology or activity, is being proposed?*	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
Is the proposed ERA amendment for a petroleum and gas activity that is likely to have a total disturbance area of greater than 2000 hectares at any 1 time during the life of the proposed project? This includes areas occupied by well pads (single or multi-directional), access tracks and roads, water storages, and process plants?*	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
Is the proposed ERA amendment for a petroleum and gas activity that is likely to involve the construction of a high pressure pipeline over a distance of 300 kilometres or greater?*	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A
Is the proposed ERA amendment for a petroleum and gas activity that is likely to involve the construction of a liquefied natural gas plant?*	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A

I have attached details of how the criterion is triggered including details of the impact.

This question is not applicable if an EIS process under either the Chapter 3 of the EP Act has been completed for all the activities that are the subject of this application and the environmental risks of the activities and the way they are proposed to be carried out has not changed since the EIS was completed

14. Assessment of the environmental impact and provision of specific supporting information

You must provide an assessment of the likely impact of the proposed amendment on the environmental values, including the following mandatory information in the table below, unless the not applicable check box is ticked.

You must provide an assessment of the likely impact of the proposed amendment on the environmental values, including the following mandatory information in the table below, unless the not applicable check box is ticked.

Only tick the 'Not Applicable' check box if the proposed amendment does not cause a change to the environmental values, aspects and impacts as approved under the current environmental authority.

Application form

Application to amend an environmental authority

Where the 'Not Applicable' option is selected, **sufficient information must be provided to support this determination**, as the determination forms part of the required assessment.

MANDATORY INFORMATION	
A description of the environmental values likely to be affected by the proposed amendment*	Provided <input checked="" type="checkbox"/>
Reason for N/A: Attachment file to large, email adebayo.bayooke@ausrocks.com.au	N/A <input type="checkbox"/>
Details of any emissions or releases likely to be generated by the proposed amendment*	Provided <input checked="" type="checkbox"/>
Reason for N/A: Attachment file to large, email adebayo.bayooke@ausrocks.com.au	N/A <input type="checkbox"/>
A description of the risk and likely magnitude of impacts on the environmental values*	Provided <input checked="" type="checkbox"/>
Reason for N/A: Attachment file to large, email adebayo.bayooke@ausrocks.com.au	N/A <input type="checkbox"/>
Details of the management practices proposed to be implemented to prevent or minimise adverse impacts*	Provided <input checked="" type="checkbox"/>
Reason for N/A: Attachment file to large, email adebayo.bayooke@ausrocks.com.au	N/A <input type="checkbox"/>
Details of how the land the subject of the application will be rehabilitated after each relevant activity ceases*	Provided <input checked="" type="checkbox"/>
Reason for N/A: Attachment file to large, email adebayo.bayooke@ausrocks.com.au	N/A <input type="checkbox"/>

To provide a response to the mandatory information, specific supporting information must be provided to the administering authority, the type and detail of which will depend on your particular ERA project. Supporting material for technical information requirements is located on the business and industry website www.business.qld.gov.au.

Application form
Application to amend an environmental authority

You must include a description of the proposed measures for minimising and managing waste generated by the proposed amendments.

For further information on technical information to provide with your application, please refer to the business and industry website www.business.qld.gov.au

15. Provide details of the proposed measures for minimising and managing waste generated by any amendments to the relevant activity*

WASTE MANAGEMENT DETAILS. IF WASTE IS TO BE MANAGED ACCORDING TO AN EXISTING WASTE MANAGEMENT PLAN, PROVIDE THE RELEVANT PAGE OR SECTION NUMBERS.

Attachment file to large, email adebayo.bayooke@ausrocks.com.aun

If you currently have a plan of operations in place and would like to change the amount of financial assurance held, please contact Permit and Licence Management. Details are provided at the end of this form.

16. Do you currently have financial assurance held as part of the approved environmental authority*

- No
- Yes → I will not need to change the financial assurance in relation to this amendment.
- I will be changing the financial assurance and have attached the form Application to amend or discharge financial assurance for an environmental authority (EM875)
- I will be changing the financial assurance and will be amending or replacing my Plan of Operations.

17. Is this land currently subject to an environmental protection order or a site management plan?*

- No
- Yes → I have an environmental protection order in place and the details are provided below.
- I have a site management plan in place and the details are provided below.

PROVIDE THE REFERENCE NUMBER AND BRIEF DETAILS

ATTACHMENT FILE TO LARGE, EMAIL
ADEBAYO.BAYOOKE@AUSROCKS.COM.AU

Application form
Application to amend an environmental authority

18. Is any part of the land currently recorded in, or previously been recorded in, the environmental management register?*

- No
 Yes, complete the below table and provide the additional details

PLEASE TICK RELEVANT BOXES	YES	NO	ADDITIONAL DETAILS
Has the land been removed from the environmental management register?	<input type="checkbox"/>	<input type="checkbox"/>	If yes is ticked, you must attach evidence (e.g. a notice) advising that details have been removed from the environmental management register.

Application fee

An application fee is payable at the time the application is made. Information on the fee can be located in the information sheet "Fees for permits for environmentally relevant activities (ERAs)" (ESR/2015/1721).

To pay by credit card you will need to provide contact details so you can be contacted for your credit card payment to be made over the phone.

Assessment fee for major amendment

For further information refer to the information sheet "Changes to the Environmental Protection Regulation 2008", available at www.qld.gov.au, using 'ESR/2015/1810' as a search term.

Supplementary annual fee for certain major amendments

The supplementary annual fee can be calculated using the fee calculator, available at www.qld.gov.au, using 'ESR/2015/1731' as a search term.

19. Payment of fees

Application fee*:	\$ 7241.52
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You may pay your fee via cheque, money order or credit card.

Select the payment method below:

- Payment by cheque or money order made payable to the Department of Environment and Heritage Protection (attached).
 Payment by cheque or money order made payable to the Department of Agriculture and Fisheries (attached).
 Please contact me (the applicant) for credit card payment:

Phone number: 0425967799

Note: Additional fees will be payable for a major amendment.

Assessment fee for all major amendments

Where the proposed amendment is determined by the administering authority to be a major amendment, an assessment fee of 30% of the annual fee for the authority at the time of application, is also payable. The assessment fee is payable once notification of the assessment level decision is issued. The assessment fee must be paid before the assessment of the amendment application can proceed.

Supplementary annual fee for certain major amendments

The supplementary annual fee is payable where the amendment is approved and results in the aggregate environmental score (and hence the annual fee) for the EA increasing. The supplementary annual fee is a pro-rata adjustment to the annual fee for the period from when the amended EA takes effect to the next anniversary day for the EA. This is payable within 20 business days after the approval date.

Application form

Application to amend an environmental authority

Where there is more than one holder of the environmental authority, this declaration is to be signed by all holders, unless there is an agreement between all holders that one can sign on behalf of the other.

Note: If only one holder is signing this application form, they are committing all holders to the content of the application and the declaration.

Where the environmental authority holder is a company, this form must be signed by an authorised person for that company.

Privacy statement

The Departments of Environment and Heritage Protection (EHP) and Agriculture and Fisheries (DAF) are collecting the information on this form to process your amendment application for an environmental authority. This collection is authorised under Chapter 5 of the *Environmental Protection Act 1994*. Some information may be given to the Department of Natural Resources and Mines (DNRM) for the purposes of processing this application. Your personal information will only be accessed by authorised employees within these departments and will not be disclosed to any other parties unless authorised or required by law. For queries about privacy matters please email privacy@ehp.qld.gov.au or telephone: (07) 3330 5436.

20. Declaration

Note: If you have not told the truth in this application you may be prosecuted.

Where an agreement is in place between all holders of the environmental authority, that 1 holder can sign on behalf of the other joint holders, please tick the below checkbox.

I have the authority to sign this form on behalf of all the joint holders of the environmental authority.

I declare that:

- I am the holder of the environmental authority, or authorised signatory for the holder of the environmental authority.
- If the proposed amendment is made, the relevant activities will continue to comply with the ERA Standard (eligibility criteria and standard conditions) for all eligible ERAs, or where they cannot, I have indicated otherwise in my application and provided the required support information.
- If the proposed amendment is a minor amendment (condition conversion) that I can comply with the ERA Standard (eligibility criteria and standard conditions) for each of the ERAs authorised by the environmental authority.
- The information provided is true and correct to the best of my knowledge. I understand that it is an offence under section 480 of the *Environmental Protection Act 1994* to give to the administering authority or an authorised person a document containing information that I know is false, misleading or incomplete in a material particular.
- I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of management practices proposed or implemented.

APPLICANT'S NAME*	
Adebayo Bayooke	
APPLICANT'S SIGNATURE*	
POSITION OF SIGNATORY*	DATE*
PRINCIPAL MINING ENGINEER	17/2/2017
JOINT HOLDER'S NAME (*IF APPLICABLE)	JOINT HOLDER'S SIGNATURE (*IF APPLICABLE)

Application form
Application to amend an environmental authority

JOINT HOLDER'S NAME (IF APPLICABLE)	JOINT HOLDER'S SIGNATURE (IF APPLICABLE)
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Applicant checklist

- Application form has been signed and all questions completed.
- Question 8: Supporting information for environmental offsets attached (if applicable)
- Question 10: Mandatory information for the assessment of coal seam gas activities attached (if applicable)
- Question 11: Supporting information for exercising underground water rights (if applicable)
- Question 13: Mandatory information for the assessment of EIS triggers and details of the impact (if applicable).
- Question 14: Mandatory information for assessment of environmental impacts attached (if applicable)
- Question 16 Application to amend or discharge financial assurance for an environmental authority (ESR/2015/1752) is attached (if applicable).
- Fees paid or enclosed.

Please include a word searchable electronic PDF copy of the application documents when you lodge your application.

Application form
Application to amend an environmental authority

Further information

The latest version of this publication and other publications referenced in this document can be found at www.qld.gov.au using the relevant publication number (ESR/2015/1733 for this form) or title as a search term.

Please submit your completed application to:

For a mining ERA where the proposed amendment impacts upon the resource tenure:

Mining Registrar
Department of Natural Resources and Mines
DNRM have a list of office locations for mining registrars on their website www.dnrm.qld.gov.au

For ERA 2, ERA 3 or ERA 4

Post:

Senior Environmental Scientist
Animal Industries
Department of Agriculture and Fisheries
PO Box 102
TOOWOOMBA QLD 4350

Enquiries:

Phone: (07) 4688 1374
Fax: (07) 4688 1192
Email: livestockregulator@daf.qld.gov.au

For all other ERAs

Post:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001

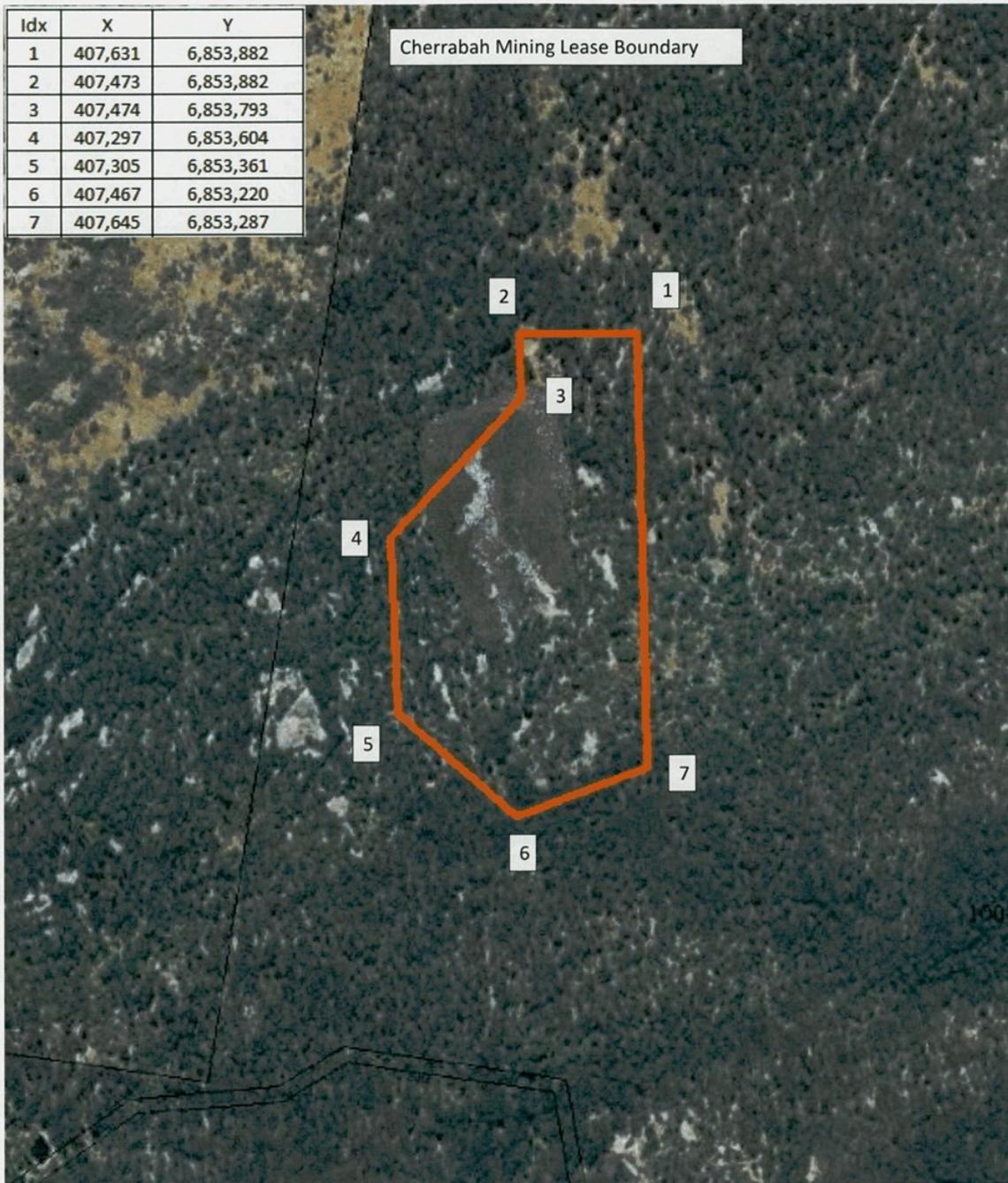
Courier or hand delivery:

Permit and Licence Management
Department of Environment and Heritage Protection
Level 3, 400 George Street
BRISBANE QLD 4000
Business hours: 8:30am–4:30pm

Enquiries:

Website: www.business.qld.gov.au
Email: palm@ehp.qld.gov.au
Phone: 13 QGOV (13 74 68)

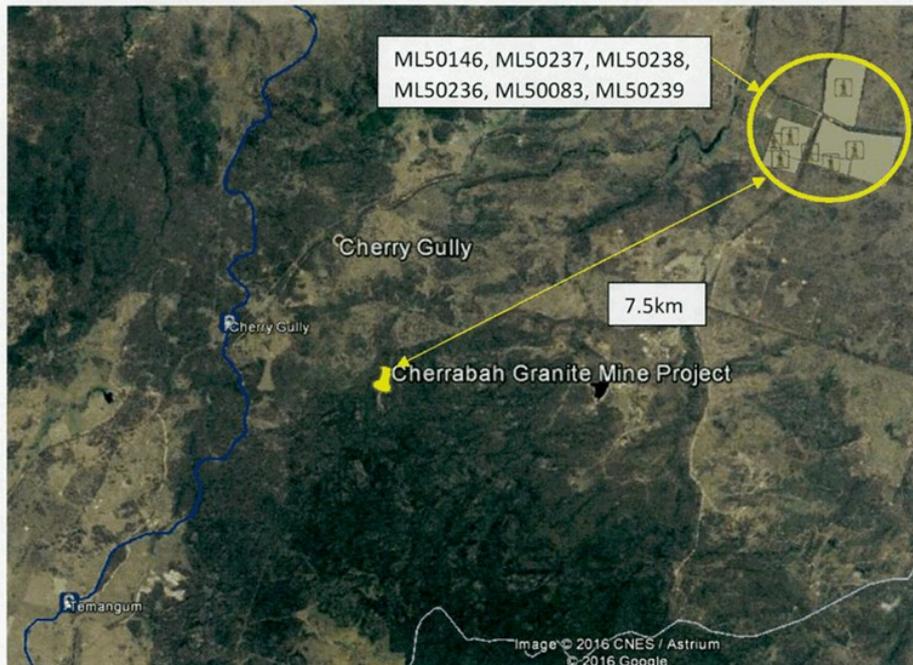
Idx	X	Y
1	407,631	6,853,882
2	407,473	6,853,882
3	407,474	6,853,793
4	407,297	6,853,604
5	407,305	6,853,361
6	407,467	6,853,220
7	407,645	6,853,287



Document Set ID: 2748102
Version: 1, Version Date: 07/06/2017

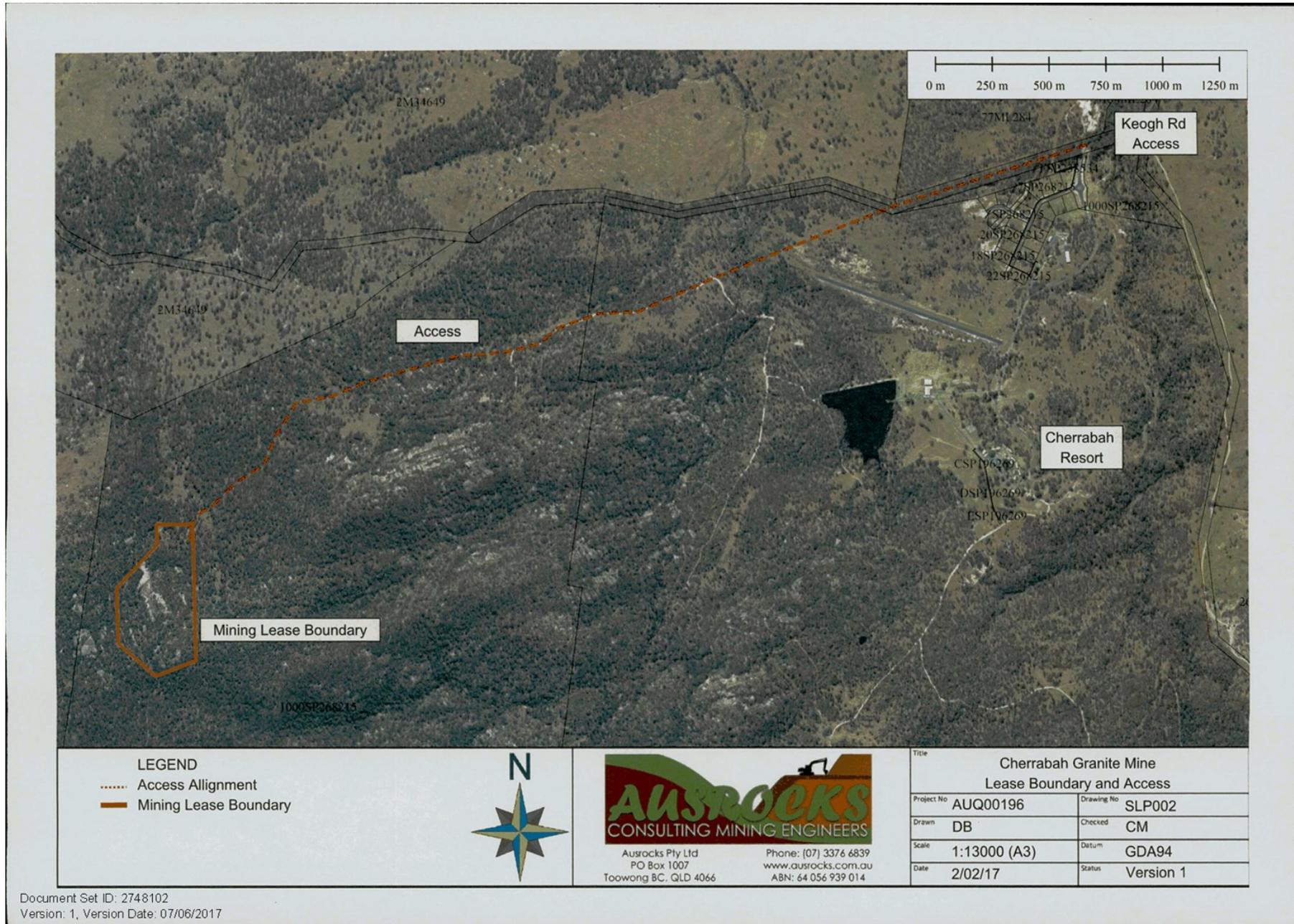
STATEMENT DETAILING ANY ADJOINING RESOURCE AUTHORITIES AND LAND PARCEL DETAILS TO ASSIST WITH
CORRECT LOCATION OF THE APPLICATION BOUNDARY

A map with the land parcel details surrounding the proposed Mining Lease (ML) has been attached to this document. In regards to adjoining resource authorities there are none on the property surrounding the proposed Cherrabah Granite Mine. However there is a nearby Limestone Mine ran by Sibelco, also attached is a map showing the proposed Granite Mine at Cherrabah location relative to the Sibelco leases.



Item 12.8 Proposed Mineral Mining Operation, Cherrabah Granite Mine
 Attachment 1: Mining Lease Notice and associated documents





Notice

Environmental Protection Act 1994

Assessment level decision

This notice is issued by the administering authority pursuant to section 229 of the Environmental Protection Act 1994 to advise whether a proposed amendment to an environmental authority is a major or minor amendment.

To: Joyful View Garden Real Estate
Development Resort Co. Pty Ltd
1 Gladstone Road
HIGHGATE HILL QLD 4101

Cc: Department of Natural Resources and Mines
Mineral Assessment Hub
MineralHub@dnrm.qld.gov.au

Cc: Ausrocks Pty Ltd
Unit 17, 71 Jijaws Street
SUMNER PARK QLD 4074

Email: Adebayo.bayooke@ausrocks.com.au

ATTN: Mr Adebayo Bayooke

Our reference: EPSX04093716; 442312; 101/0020972

Assessment level decision for an application to amend an environmental authority

1. Application details

The application to amend the environmental authority EPSX04093716 was received by the administering authority on 4 April 2017.

Land description: EPM26250, ML100128

2. Decision

The assessment level decision for this application is that the proposed amendment to the environmental authority is a major amendment.

3. Reasons for the decision

The proposed amendment is a major amendment because it does not meet the criteria for a minor amendment in accordance with section 223 of the *Environmental Protection Act 1994* for the following reasons:

- The amendment involves changing a standard condition;
- The amendment involves a significant increase in the level of environmental harm caused by the relevant activity;

Notice
Assessment level decision

- The amendment involves a change in the rehabilitation objectives stated in the environmental authority in a way that is likely to result in significantly different impacts previously permitted under the environmental authority;
- The amendment involves a significant increase in the scale or intensity of the relevant activity;
- The amendment relates to a new mining lease; and
- The amendment involves the addition to the surface area for the relevant activity of more than 10% of the existing disturbance area authorised under the environmental authority.

4. Public notification required

The administering authority has decided that the notification stage in Chapter 5, Part 4 of the *Environmental Protection Act 1994* (EP Act) will apply to this amendment application.

In making this decision under section 230 of the EP Act, the administering authority is satisfied that:

- There is likely to be a substantial increase in the risk of environmental harm under the amended environmental authority; and
- The risk is a result of a substantial change in the quantity or quality of contaminant permitted to be release into the environment.

Where a *substantial change* is taken to be:

- An increase of 10% or more in the quantity of a contaminant to be released into the environment; or
- if the amendment application is for an environmental authority for a resource project, an amendment to add an ineligible ERA for the authority.

5. Assessment fee

The administering authority has determined that the proposed amendment to the environmental authority is a major amendment. The major amendment assessment fee of \$189.00 was paid on 6 March 2017 (receipt number: 4239103).

6. Review and appeal rights

You may apply to the administering authority for a review of this decision within 10 business days after receiving this notice. You may also appeal against this decision to the relevant court. Information about your review and appeal rights is attached to this notice. This information is guidance only and you may have other legal rights and obligations.

Notice
Assessment level decision

Should you have any questions in relation to this notice, please contact the department using the contact details provided below.

T. Gibbs

Signature

08/05/2017

Date

Teale Gibbs
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Minerals Business Centre
PO Box 7230, Cairns QLD 4870
Phone: (07) 4222 5334
Email: ESCairns@ehp.qld.gov.au

Attachments

Information sheet: Internal review and appeals (ESR/2015/1742)

12.9 Waste Reduction and Recycling Amendment Bill 2017

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Environmental Coordinator	ECM Function No/s: N/A

Recommendation

THAT Council resolve to provide a written submission on the *Waste Reduction and Recycling Amendment Bill* supporting the introduction on a ban on lightweight plastic shopping bags and the introduction of a container refund scheme.

Report

Background

The *Waste Reduction and Recycling Amendment Bill 2017* has recently been introduced into the Queensland Parliament. The objectives of the Bill are:

- To introduce a lightweight plastic shopping bag ban;
- To commence a container refund scheme for Queensland.

The Bill also contains provisions to amend clauses in relation to 'End of Waste Codes' which would provide greater control on the use of 'end of product' resources and to streamline administrative arrangements for end of waste products.

As 'End of Waste Codes' is not directly relevant to Council operations, no further commentary will be provided on this aspect of the Bill.

Light Plastic Shopping Bag Ban

It's estimated that 900 million single-use plastic shopping bags are used in Queensland each year. The majority of these bags end up in landfill, with approximately 2% of the bags being littered, which means up to 16 million bags enter the environment each year in Queensland.

A 'banned' plastic shopping bag is defined as a carry bag with handles that is made in whole or part from plastic, whether or not the plastic is degradable. The bag will need to have a thickness that is less than 35 microns.

By introducing the ban, Queensland will join South Australia, the Northern Territory, the ACT and Tasmania who have as introduced such a ban.

Based on current information, the ban on the supply and use of lightweight single use supermarket style plastic shopping bags will come into force from 1 July 2018.

Container Refund Scheme

The main objective of this Scheme is to:

- Increase the recovery and recycling of empty beverage containers;
- Reduce the number of empty beverage containers that are littered or disposed of to landfill;
- Ensure that manufacturers of beverage products take a product stewardship responsibility for the 'waste' that they generate;
- Provide opportunities for community organisations by making funds available through the payment of refund amounts.

In Australia, container refund schemes currently operate in South Australia and the Northern Territory with schemes for New South Wales and Western Australia due to commence in mid 2017 and mid 2018 respectively.

Key features of the scheme include:

- A 10 cent refund on eligible drink containers;
- Most drink containers between 150ml and 3 litres will be eligible for a refund;
- Some drink containers will be exempt, such as containers for plain milk (or milk substitute), glass containers that have contained wine or spirits, cordial and vegetable juice containers;
- Container collection points will include refund points, where containers can be returned for a direct refund; and return points; where containers can be returned but the refund is collected by the entity running the return point (e.g. school or community organisation such as Scouts, Girl Guides, Lions etc);
- The supplier of beverages will be responsible for covering the costs of the scheme, including the refund, payments of certain fees and transport costs.

Further information is required prior to determining how the scheme will be implemented on the ground across the Southern Downs. There would appear to be some opportunities for various organisations that are prepared to act as a receiving centre. The cost to Council is unclear at this point in time as this is somewhat dependent upon the take up of the scheme by others within the region.

Both the ban on lightweight plastic shopping bags and the introduction a container refund scheme will assist Council in achieving some of the goals contained within the *Southern Downs Region Waste Reduction and Recycling Plan*. As such both of these initiatives should be supported by Council.

Budget Implications

Nil at this time.

Policy Consideration

Waste Reduction and Recycling Plan 2017-2027.

Community Engagement

Nil at this time.

Legislation/Local Law

Waste Reduction and Recycling Act 2011
Waste Reduction and Recycling Plan 2017-2027

Options

1. Council lodge a submission on the Bill by 3 July 2017;
2. Council does not lodge a submission.

Attachments

Nil

12.10 Lapsing of Approval - Cattle Feedlot, 192 North Branch Road, Goomburra

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Planning and Compliance Coordinator	ECM Function No/s: MCU\00767

Recommendation

THAT, in relation to the Court Order issued on 9 May 2008 for a 499 SCU cattle feedlot on land at 192 North Branch Road, Goomburra, Council advises the landowners to commence declaratory proceedings in the Planning and Environment Court seeking a ruling on whether the approval has lapsed.

Report

On 9 May 2008 an order was issued by the Planning and Environment Court for a 499 SCU cattle feedlot at 192 North Branch Road, Goomburra. This application had been subject to an appeal by submitters.

The development application was processed under the *Integrated Planning Act 1997*. In accordance with section 3.5.21(1)(a) of the Act, the approval lapsed if the first change of use under the approval did not happen within 4 years starting the day the approval took effect. The Court Order approving the feedlot was issued on 9 May 2008 and the approval took effect on that date. Therefore, the relevant period for the approval expired on 9 May 2012, unless the use of the land had commenced.

In the past five months, Council has received complaints from residents of the Goomburra area regarding activities being undertaken on the land which suggested that feedlot was about to commence operating. The complaints regarded commencement of the feedlot when the approval had lapsed, and also that the feedlot was commencing without compliance with the conditions of the Court Order.

Aerial photography shows that construction of the feedlot pens commenced in 2011, and the feedlot remained uncompleted for some years. In recent months, troughs have been installed, railings have been erected, and further earthworks have been undertaken.

Due to the information received from complainants, and investigation of satellite and aerial photographs and discussions with the land owner, a letter was sent to the landowners advising that as the feedlot had not commenced operating before 9 May 2012, the approval had lapsed.

The landowners and their consultant met with the Mayor and a number of Councillors on 15 May 2017, and correspondence has now been received from the consultant arguing that the feedlot had commenced operating prior to 9 May 2012. A copy of that correspondence is attached.

The letter states that the Google Earth photograph shown below and dated 6 February 2011 shows a self-feeder, water trough and cattle in the southern pen of the feedlot.



The following photographs, including two photographs taken during an inspection on 16 May 2017 and an aerial photograph taken on 31 July 2016, show works recently done.





It remains unclear whether the feedlot commenced operating before 9 May 2012. It is therefore recommended that the landowners seek a declaration in the Planning and Environment Court seeking a ruling on whether the approval has lapsed.

Budget Implications

There will be costs associated with the legal proceedings.

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Integrated Planning Act 1997
Sustainable Planning Act 2009

Options

Council:

1. Advises the landowners to commence declaratory proceedings in the Planning and Environment Court seeking a ruling on whether the use commenced within the relevant period;
or
2. Decides the use did not commence within the relevant period; or
3. Decides the use did commence within the relevant period.

Attachments

1. Letter from FSA Consulting [View](#)



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Our ref: 17TOO-1147/1701262

31 May 2017

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

Attention: Mr Ken Harris

Dear Ken,

RE: LAPSING OF DEVELOPMENT APPROVAL FOR FEEDLOT, 192 NORTH BRANCH ROAD, GOOMBURRA

Thank you for allowing us to meet with Mayor Dobie, and Councillors Rod Kelly, Cheryl Windle, Yves Stock, Joanne McNally and Neil Meiklejohn and yourself on Monday 15 May 2017. As discussed, the purpose of this letter is to follow up on the outcome of that meeting and present, on behalf of the Nolan Family, justification that the feedlot located on Lot 4 RP75466 and Lot 2 RP41235, 192 North Branch Road, Goomburra had commenced operation prior to 9 May 2012, when the court ordered approval lapsed under Section 341 of the *Sustainable Planning Act 2009 (SPA)*. It is noted that the feedlot development application was made under the *Integrated Planning Act 1997* and *Warwick Shire Council Planning Scheme 1999*. These documents have been superseded by SPA and the *Southern Downs Regional Council (SDRC) Planning Scheme 2012* respectively. Relevant sections of the current legislation and planning scheme have been referred to throughout this letter.

Background

A court ordered development approval was issued on 9 May 2008 for a 499 Standard Cattle Unit (SCU) feedlot. The feedlot development application supporting information, prepared by FSA Consulting, stated that the activity would be operated as an opportunity feedlot to finish cattle bred on the Nolan's properties with grain sourced from the Nolan's properties. It was also stated that the feedlot would not necessarily be occupied at all times. As such, the feedlot would only operate when circumstances such as market conditions, climatic conditions and/or availability of harvested grain offered an appropriate opportunity to lot feed cattle.



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As a result of complaints regarding the transport of gravel from the property, SDRC sent a letter to Nicholas and Mary Nolan dated 9 February 2017. This letter stated that Council was of the understanding that the development had not proceeded. In a follow-up phone call between Mr Nolan and Annette Doherty, Planning and Compliance Coordinator SDRC, Ms Doherty asked Mr Nolan if cattle were currently in the feedlot. Mr Nolan confirmed that, at that point, cattle were not in the feedlot. SDRC then issued a letter on 21 April 2017 stating that the development approval had lapsed. The Nolan family did not receive any correspondence from council regarding the relevant period prior to 2017 and there were no conditions referring to the requirement to commence the use within four years. As such, the Nolan family were not aware of this requirement.

In addition to the 499 SCU feedlot, the Nolan family also operate a 49 SCU feedlot on a separate property. The smaller feedlot is Grainfed Accredited through the National Feedlot Assurance Scheme. Due to the small numbers of cattle fed by the Nolans, it was beneficial for them to prioritise the smaller feedlot over the 499 SCU feedlot. Only cattle bred on the Nolan properties are fed at their feedlots.

An Environmental Authority (EA) for Environmentally Relevant Activity 2(1)(a) – Intensive Animal Feedlotting was issued by the Department of Agriculture and Fisheries in 2015. As the minimum threshold for ERA 2 is 150 SCU, there was no requirement to obtain an EA prior to this time.

Justification for Commencement of Use

Under the planning scheme, Intensive Animal Industry, which includes feedlots, is defined as:

“Premises used for the intensive production of animals or animal products in an enclosure that requires the provision of food and water either mechanically or by hand. The use includes the ancillary storage and packing of feed and produce.”

There is no reference to a minimum threshold for this use.

As there were only a small number of cattle fed at the 499 SCU feedlot prior to 2012, there was no requirement to provide extensive infrastructure for these animals. Google Earth aerial imagery from 2011 (Figure 1) shows the construction of four pens within a controlled drainage area, a sedimentation basin and an effluent holding pond. The fenceposts are visible in the aerial imagery but the fences for Pens 2-4 were not constructed at this point. Electrical fencing was used to secure Pen 1 (southern-most pen).



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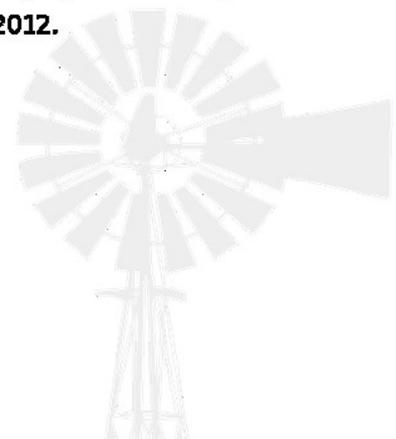
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Figure 1 – Google Earth aerial imagery dated 2 June 2011



The aerial imagery shows two small structures within Pen 1 (Figure 2). The larger structure, which is square in appearance is a small double-sided self-feeder. This type of feeder is manually loaded with feed. The smaller structure is a portable concrete water trough. A photograph of this type of self-feeder and water trough, owned by Mr and Mrs Nolan, is provided in Figure 3. Water plumbing works were undertaken in 2011 to connect a water supply to the feedlot area. Receipts from these works can be provided on request. Cattle can also be seen around the feeder and trough. It is noted that aerial imagery is taken at specific times and dates and feeding occurred over several months prior to 2012.





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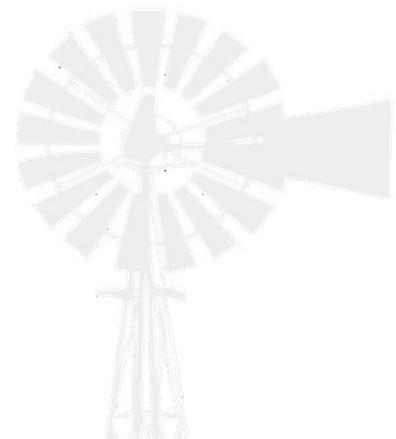
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Figure 2 – Google Earth Imagery of Pen 1, dated 2 June 2011



Figure 3 – Photograph of self-feeder and water trough owned by Mr and Mrs Nolan





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In addition to various market (e.g. low breeder numbers, availability/price of cattle) and seasonal conditions (e.g. hail wiped out all crops in 2009 resulting in no grain availability) that restricted the number of cattle being fed in the feedlot since the approval in 2008, there have been several major flood events, particularly in 2010-11 and 2013.

These flood events resulted in substantial damage to infrastructure including kilometres of fencing, underground irrigation piping, access to properties, severe degradation of paddocks and massive erosion of topsoil across the Nolan properties, all of which required immediate and ongoing repairs and restoration work. In November 2011, the Nolans qualified for a Natural Disaster Relief and Recovery loan of \$205,000 and, again, after the Australia Day 2013 flood event, the scale of the damage forced them to access an Exceptional Disaster Assistance Loan of \$120,000. Unforeseen extra financial commitments, property losses and costs required for repairs limited all farm production including cattle production in the years following these events. As predicted by Agforce experts at the time, it has taken 5 years to recover production levels and flood loan commitments are ongoing. During this period progressive upgrades to fencing, feeders and water troughs were made to the feedlot. Currently, cattle are being fed in Pen 1.

It is clear that the first material change of use to a feedlot had occurred on the site before May 2012. This is supported by aerial imagery of a self-feeder, water trough and cattle in a pen in 2011 and invoices for construction, water supply and plumbing to feedlot prior to 2012. It should be noted that there is no minimum threshold for lot feeding as, following the commencement of the use, the Nolans could have anywhere between nought and 499 SCU.

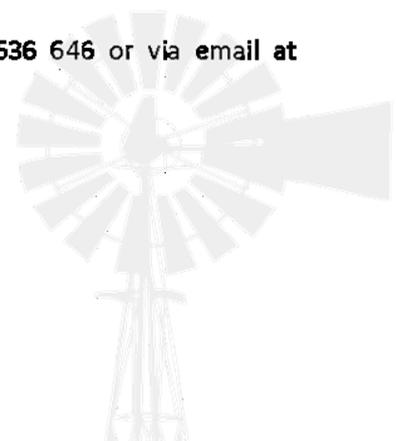
In view of the information contained in this report it is clear that the material change of use had occurred and the feedlot was operational and, therefore, the suggestion by SDRC planning department that the approval was not acted upon is not correct and therefore the planning department is requested to reconsider its correspondence as forwarded to the Nolans on 21 April 2017.

If you have any further questions please contact me on 0439 536 646 or via email at matt.norton@o2group.com.au.

Regards

A handwritten signature in black ink that reads 'M. Norton'.

Matt Norton
Senior Agricultural Scientist



12.11 Material Change of Use - 229 Granite Belt Drive, Thulimbah

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Development Assessment Coordinator	ECM Function No/s: MCU\01674

APPLICANT:	Kemglade Pty Ltd KHA Development Managers
OWNER:	Kemglade Pty Ltd
ADDRESS:	229 Granite Belt Drive, Thulimbah
RPD:	Lot 2 on RP 31712, Parish of Stanthorpe, County of Bentinck
ZONE:	Rural – Granite Belt Precinct
LAND AREA:	149,030m ²
PROPOSAL:	Function facility, Medium impact industry, Short-term accommodation, Tourist park
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	(1) Not properly made submission - Objection
REFERRALS:	Department of Infrastructure, Local Government and Planning

Recommendation Summary

THAT the application for a Material Change of Use for the purpose of Function facility, Medium impact industry, Short-term accommodation and Tourist Park on land at 229 Granite Belt Road, Thulimbah, described as Lot 2 RP31712, Parish of Stanthorpe, County of Bentinck, be approved subject to conditions.

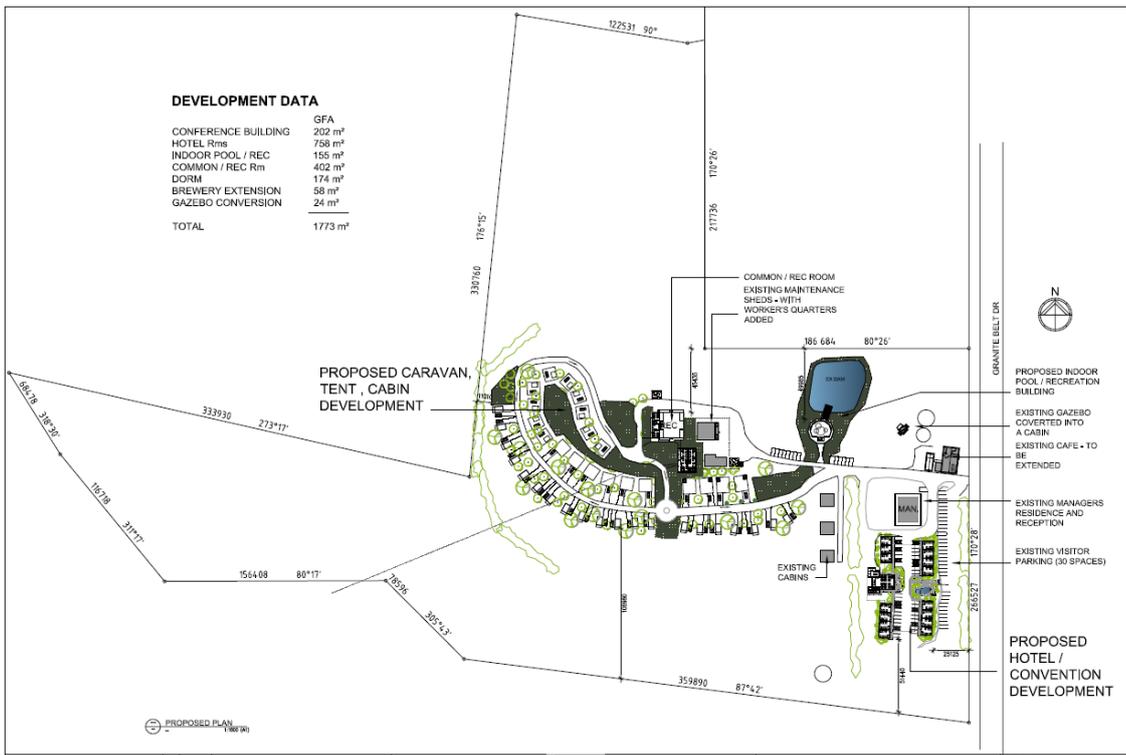
Report



The subject property has a frontage to Granite Belt Drive (266m) and a frontage to Tennant Road (186m), with a site area of 14.9 hectares. All access is to be via Granite Belt drive with one access point located on the northern end and one access point on the southern end of the frontage. The application was lodged with the following proposed uses over 6 stages:

- Tourist Park (10 caravan sites, 10 tent sites, 21 cabin sites, 2 x 10 bed dormitories with communal kitchen, storage, laundry, amenities, indoor pool, recreation room and BBQ areas)
- Short Term Accommodation (Accommodation Hotel – 15 x 6 bedrooms each with Kitchenette and bathroom, managers residents, reception and in-ground pool)
- Function Facility (Conference Facility, Kitchen and amenities)
- Medium Impact Industry (Brewery – 60m² GFA)

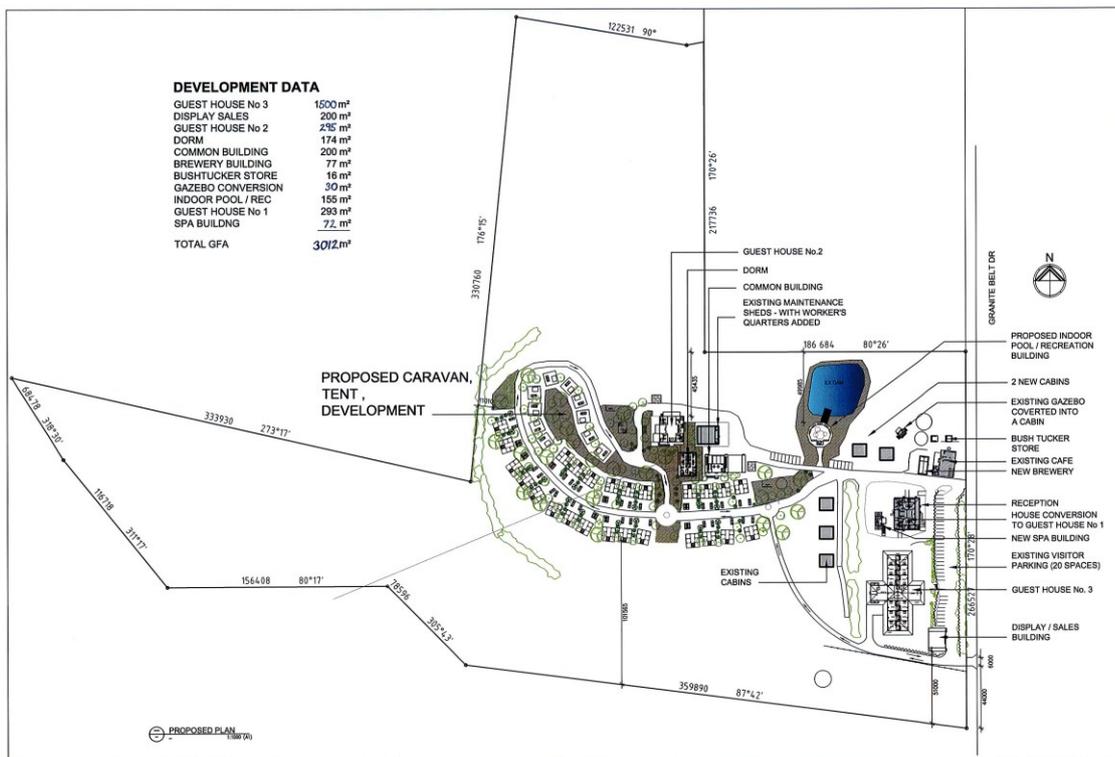
Total Gross floor area = 1773m²



In response to Council's Information Request, the applicant changed the proposal plans to the following uses over 10 stages:

- Tourist Park (24 ensuite sites, 10 tent sites, 6 cabin sites, workers accommodation and 20 bed dormitory) plus ancillary communal/recreation/leisure facilities
- Short Term Accommodation (3 guest houses with 34 rooms and 3 cottages) plus ancillary facilities (including café, managers residents, shop, reception, spa, natural therapies, pool and recreational areas)
- Function Facility
- Medium Impact Industry (Brewery – 77m2 GFA)

Total Gross Floor Area = 3012m2



The following uses were not proposed in the lodgement of the application:

- Shop
- Food and Drink Outlet (Café)
- Natural Therapies (Health Care Service)
- Workers Accommodation
- Display and Sales Building (Aboriginal Artwork)

The Shop, Food and Drink Outlet, Natural Therapies and Workers Accommodation uses were not applied for in the initial lodgement of the application and the applicant did not do a formal change to the application under section 351 of the *Sustainable Planning Act 2009* when responding to Council's Information Request. Therefore, these uses are only being considered as ancillary uses and will not be assessed as being available to the general public. The Display and Sales building is not considered an ancillary use and as a shop has not been applied for, the Display and Sales component should not be supported and a condition should be imposed to ensure the building is not constructed.

It should also be noted that the Function Facility is no longer within its own building and the applicant is now proposing to locate it collectively within the Food and Drink Outlet building (Café), Bush Tucker area and Brewery area.

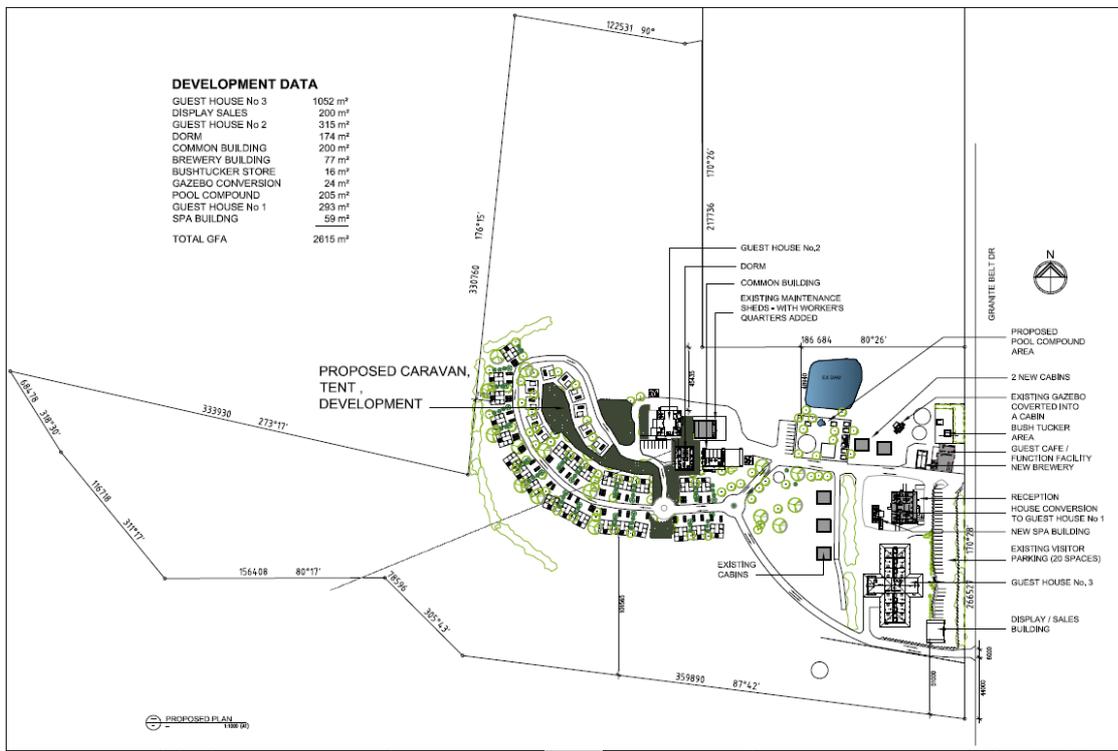
The food and drink outlet identified on the plans has not been applied for as a separate use and it is being argued that the food and drink outlet is an ancillary use to the Tourist Park and Short Term Accommodation. The definition of food and drink outlet is as follows:

“Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site”.

Initial thoughts were that reasonable conditions could be imposed for the food and drink outlet to be ancillary to the main use on-site and not available to the general public. However, by imposing conditions of this nature would result in conflict with the definition and therefore the food and drink outlet does not form part of the application and is not being considered as an ancillary use. As it has been indicated by the applicant the function facility will collectively be within the Food and

Drink Outlet building (Café), Bush Tucker area and Brewery area, therefore the café building is now considered the function facility building.

On the 5th June 2017 the applicant provided the following plan which is a slightly different layout to the plans received in response to the information request above:



Although not clear with the information provided, the twenty-five (25) ensuite sites will allow for two (2) caravans at any one time and therefore the site can cater for fifty (50) caravans sites at any one time but has been labelled on the plans and within the information provided as twenty-five (25) ensuite sites.

The difference between the accommodation components of the development at lodgement stage and in response to the information request etc. is as follows:

	At Lodgement	In response to the Information Request	Difference in Site Numbers.
Caravan Sites	10	50 (25 ensuite sites)	+ 40 (caravans)
Tent Sites	10	10	0
Cabin sites	24 (20 new cabins and 3 existing cabins and 1 gazebo conversion)	6 (3 existing, 2 new cabins and 1 gazebo conversion)	- 18
Total sites	44	66	+ 22 additional Sites

It is acknowledged that the proposed development increases the caravan sites but decreased the number of cabins etc. but overall there is collectively an increase in the total number of sites. As the applicant has not requested a change to the application prior to a decision being made, the ensuite sites identified on the plans are only going to be considered as 1 caravan site. When only allowing one caravan at each ensuite site, there is not a major change in the number of sites overall to what was submitted at lodgement.

Referral

The application was referred to the Department of Infrastructure, Local Government and Planning who approved the development subject to conditions on 27 March 2017.

It should be noted that the Department of Infrastructure, Local Government and Planning only approved the following uses:

- Tourist Park (10 Caravan Sites, 10 Tent sites, 21 Cabin Site, 2 x 10 bedroom Dormitories with communal kitchen, storage, laundry, amenities, indoor pool, creation room and BBQ areas),
- Short Term Accommodation (Accommodation Hotel – 15 x 6 bed room each with kitchenette and bathroom, managers residence, reception and in-ground pool),
- Function Facility (conference facility, kitchen and amenities) and
- Medium Impact Industry (brewery – 60m² GFA).

Submissions

The application was publicly advertised for fifteen (15) business days from the 27 February 2017 to 20 March 2017. During this time there were no submissions received.

On 30 May 2017 a submission was received objecting to the development. As the submission was received outside of the public notification period stated above, the submission cannot be considered a properly made submission.

There concerns are outlined below:

- *Devalue nearby properties and impact on amenities of residents*

Response: 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.

- *Create incidences of crime*

Response: It is acknowledged that this development will increase the number of patrons to the area, but this does not mean that crime will increase. The development does incorporate an on-site manager to supervise patrons at the facility and as a whole, natural surveillance from people will help deter criminal activity.

- There are already 2 backpackers behind us on Granite belt drive Thulimbah that have all-night parties with very loud music and talking and disturb the peace many weekends in a row. This already disturbs our peace and to suggest another one almost next door in such a quiet and peaceful street is very distressing.

Response: It is acknowledged that there are existing back packer's accommodations within the locality. Council cannot stop a person requesting this type of development regardless of the exiting uses in the area. As part of this application a Noise Report was provided by the applicant to demonstrate the potential noise generated by the site. The recommended noise mitigation measures outlined within the noise report will need to implemented on-site to further ensure nearby properties maintain an appropriate level of amenity. The development will be providing an on-site manager who will assist in ensure patrons of the facility are mindful of nearby properties. In regards to the other pack backers in the locality, it is acknowledged that they may create noise but this is a compliance matter and does not form part of the assessment for this application.

- It is difficult to understand this, but it seems there are some double standards going on. I had asked to sub-divide part of our land into housing blocks and was told that this area is a rural area and no such thing could occur, and now you are proposing to allow a backpackers and caravan site 'on a rural area'

Response: This application is for Material Change of Use and not a Reconfiguration of Lot where there are different assessment provisions within the Southern Downs Regional Planning Scheme. While this development does increase the number of people on-site, the balance of the lot could be used for rural activities or the land could, at some point revert back to a rural property and allow for the conduct of rural activity on the land. The difference with a Reconfiguration of Lot is that once smaller lots sizes are created the rural use ceases and this is why different assessment provisions apply. In addition the primary use of the land is for backpackers who primarily work in farms within the Region.

Assessment against the Planning Scheme

This application required assessment against the following:

- Short Term Accommodation Code
- Rural Zone Code
- Industrial Uses Code
- Retail and Commercial Uses Code
- Carparking and loading code
- Landscaping code
- Outdoor lighting code,
- Physical infrastructure code
- Healthy waters code
- Bushfire Hazards Overlay Code.

Short Term Accommodation Code

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

The proposed development can accommodate more than 10 guests and the subject property is below the prescribed 15 hectares and therefore a performance outcome is sought after. The development has been designed to cluster the uses on-site. The subject property is an irregular shaped block and the closest structure to the boundaries is an ensuited site for a caravan which is located approximately 11m from the western boundary (not the western road frontage located to the west) which is located approximately 240m from the adjoining dwelling house (Lot 1 RP31711). The closest structure to the northern boundary is located approximately 45.5m away and 180m from the adjoining dwelling house (Lot 2 RP31813). Appropriate documentation has been provided to demonstrate that the development will have all the necessary services, but conditions should be imposed to ensure the appropriate services are available on site prior to the use commencing. As the development is clustered in the centre of the site, there is ample amount of space where at a minimum a 10m vegetated buffer could be provided on all boundaries. Therefore with appropriate landscaping conditions, the development can be considered to comply with the performance outcome.

PO2 - The physical characteristics of the land are suitable for the use.

The subject property has areas that have been identified within the Bushfire Hazard Overlay and therefore a performance outcome is sought. The structures that have been identified within this area are as follows:

- Display and Sales building (not being considered for approval)
- Guest House 1 and 3
- Natural Therapies (Day Spa)
- Café
- Brewery
- Bush Tucker Store
- 2 cabins (1 new cabin and conversion of the gazebo)

The Bushfire Overlay area where the above structures are located is already cleared of vegetation and in the case of an emergency the subject property does have a separate frontage to Tennant Road which is outside a hazard area. The development will have an on-site manager and there are 4 dams that could be used for firefighting purposes. Overall with mitigation measures, the physical characteristics of the land are suitable for the use and therefore compliance with the performance outcome is achieved.

PO4- The built form and size and scale of the short term accommodation is complementary to the locality in which it is located.

There is no prescribed acceptable outcome and therefore justification against the performance outcome is required. The proposed development is considered complementary to the locality which contains an number of different uses along Granite Belt Drive such as, backpackers accommodation (approximately 400m further north), a winery with workers accommodation (approximately 500m further north), fruit packing/distribution facility (approximately 60m to the south), a Township Zone (approximately 620m to the south and 900m to the north), a corner store (approximately 1km to the south) and a café (approximately 1200m to the north) with all other surrounding uses primarily being rural residential. Overall the development is considered to achieve the performance outcome.

PO6 - Buildings conform to the general character and building style of the area and are generally domestic in scale and style.

There is no prescribed acceptable outcome and therefore justification against the performance outcome is required. The subject property has previously been approved for short term accommodation and some of these existing structures are being re-used for this development proposal. It is clear that a development for Tourist Park, Short Term Accommodation, Function Facility and Medium Impact Industry are not domestic uses but the design of the structures are considered to be of a rural domestic scale and size. Rather than having few building but large in size, the development has multiple small buildings throughout the site which ensures compliance with the performance outcome is achieved.

PO8 - The short term accommodation is protected from fire hazard.

The acceptable outcome requires at least a 20m cleared buffer for bush fire prevention. The applicant did not provide details around bushfire as compliance can be achieved through conditions and therefore a performance outcome is sought. The structures that are identified within a bush fire hazard area are within an area that is already cleared of significant vegetation, with only minor landscape planting along the frontage. A car park is to be located within this area between the frontage and majority of the structures that will act as a buffer and there are 4 dams that will ensure there is sufficient water on-site during a bushfire event, therefore the development is considered to be protected from a fire hazard.

PO9 - Uses are located and designed that

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

The acceptable outcome requires for all buildings, car parking areas and other infrastructure to be setback at least 100m from all boundaries which has not been provided and therefore a performance outcome is sought after. The following uses are within 100m of the boundaries:

- Display and Sales Building (not being considered for approval)
- Main Car Park area
- The Brewery
- The Café
- The Bush Tucker Store
- Natural Therapies Building/spa

- Guest House 1, 2 and 3
- 3 cabins with the other 3 cabins setback 100m
- Part of the common Building
- 20 Bed Dormitory
- Maintenance Shed and Workers Accommodation
- Ensuite Sites 1 to 3 and 11 to 17
- All ten (10) Tent Sites

The subject property is relatively flat and therefore with the appropriate buffering around the property boundaries and majority of structures will not be seen and therefore the visual impacts of the development will be minimised. The shortest setback to a boundary is 11m which is the Ensuite Caravan Site No. 23 and 24 but this setback will still allow for a vegetation/landscape buffer of 10m to reduce impacts on adjoining sites from lights, noise, dust and odour therefore complying with the performance outcome of the Code.

PO14 - *The use is designed and managed to minimise the requirement to supplement on site water storages from the urban water supply.*

There is no prescribed acceptable outcome and therefore justification against the performance outcome is required. The proposed development is required to provide potable drinking water for the occupants. The applicant has indicated that town water will be purchased and stored on-site. In addition, the subject property also has bore water, dam water and a number of rain water tanks that can be used subject to the appropriate treatment. Overall it has been demonstrated that there will be adequate provisions for water and compliance with the performance outcome of the Code is achieved.

Industrial Uses Code

PO1 - *The physical characteristics of the land are suitable for industrial use.*

The Brewery is identified within a bushfire hazard overlay area and therefore does not comply with the acceptable outcome. The area identified as bushfire hazard already contains existing structures. A previous building on-site has burnt down in recent years but it was not due to a bushfire and was the only building affected. The area where the proposed Medium Impact Industry (brewery) building is to be located is already cleared of significant vegetation and is located within close proximity to one of the dams already located on-site. The proposed brewery is relatively small in scale and with the appropriate mitigation measures conditioned, such as a Bushfire Management Plan and an Evacuation Plan the proposed physical characteristics of the land are considered suitable for the industrial use. The development also includes an on-site manager who will be available 24 hours to assist in any emergency situations and therefore overall the development is considered to achieve the performance outcome of the Code.

PO3 - *Buildings and other structures are designed and constructed in a manner that complements the existing built form in the immediate area.*

The acceptable outcome requires a 6m vegetation buffer along the primary frontage and a 4m vegetation buffer along the secondary frontage. The applicant has indicated that a 6m buffer along Granite Belt Drive is not required because the Industrial building is located behind an existing building and is therefore screened from the road. The industrial building is 77m² in size which is relatively small. Two (2) properties to the south of the subject site, contain a fruit packing and distribution centre which contains 4 industrial buildings with the largest building being approximately 1150m² in size and therefore given the small nature of the proposed brewery being 77m², the proposed development is considered to be consistent with other existing built forms within the immediate area. Therefore compliance with the performance outcome of the Code is achieved.

PO4 - Buildings conform to the general character and building style of the area.

There is no prescribed acceptable outcome and therefore justification against the performance outcome is required. As previously mentioned, there are a number of different uses within the locality such as a winery, backpackers and café to the north and fruit packing, shops and township zone to the south. The proposed development is considered to be consistent with the area as the area contains a mixture of rural, commercial, industrial and residential buildings and the development on-site contains a mixture of commercial, industrial and residential buildings. Overall the proposed development is compliant with the performance outcome of the Code.

PO7 - Uses are located and designed that the visual impact of the use is minimised.

The acceptable outcome requires for the industrial building to be screened, but as the applicant did not provide any information on the screening of the building a performance outcome is sought after. The industrial building is located behind an existing building and will not be dominate along the street frontage. As a way to achieve the performance outcome, a condition should be imposed for vegetation buffers. Vegetation buffers are required in order to fulfil other assessment criteria and therefore the performance outcome can be achieved.

PO11 - The use is serviced with appropriate infrastructure. The use is connected to all services including reticulated water, sewerage, stormwater, electricity and communications available in the locality.

There is no prescribed acceptable outcome and therefore justification against the performance outcome is required. The subject property does not have access to Council's reticulated water and sewerage system. It is not considered reasonable to require the development to connect to Council's reticulated water and sewerage infrastructure because the nearest sewerage connection is approximately 5km away to the south (crn of Ellwood Road and the New England Highway) and the nearest water connection is within the township of Dalveen or at Aerodrome Road in Applethorpe. The development will be required to provide an appropriate water supply on-site and have appropriate on-site effluent disposal systems to cater for the number of patrons that will use the facility. It should be noted that due to the number of equitant people residing on-site, an Environmental Authority from the Department of Environmental and Heritage is required prior to the commencement of use. While the development can't be connected to reticulated water and sewerage as per the performance outcome, the development is considered to comply with the purpose of the Code as the development will have adequate infrastructure in accordance with overall outcome point (f): *Have adequate infrastructure for the use including water supply, waste water disposal, stormwater control, telecommunications and electricity.* Therefore, compliance with the Code is achieved.

Retail and Commercial Uses Code

PO3 - The physical characteristics of the land are suitable for the use.

There are sections of the proposed development that are located within the Bushfire Overlay area and therefore justification against the performance outcome is required due to non-compliance with the acceptable outcome. The function facility building (identified as Café on plans), bush tucker store and the brewery are all within the bushfire overlay area. As mentioned in response to performance outcome P1 of the Industrial uses code, appropriate mitigation measures can be conditioned such as a Bushfire Management Plan and an Evacuation Plan to reduce potential risk to people and property. The development also includes an on-site manager who will be available 24 hours to assist in any emergency situations and therefore overall the development is considered to achieve the performance outcome of the Code is achieved.

PO5 - Retail and commercial buildings and other structures are designed and constructed in a manner that complements the existing built form in the immediate area.

The acceptable outcome requires a landscape buffer of 20m along the primary frontage where within a rural zone, 2m along the secondary frontage and 10m along the side boundaries. The development does not achieve these landscape buffers and therefore justification against the performance outcome is required. The development provides a 6m landscape buffer along the Granite Belt Drive frontage and proposes no vegetation along the Tennant Road frontage and does not maintain a 10m vegetation buffer along the side boundaries. The subject property is irregular in shape and therefore it is not necessary to provide a 10m buffer along the entire length of side boundaries. The closest structure to a side boundary is approximately 11m which will still allow for a 10m vegetation buffer. Conditions can be imposed for buffers to be provided at relevant sections of the side boundary to ensure the amenities of the adjoining sites are not compromised by the proposed development. As previously mentioned there is no consistent built form in the locality and therefore as this development comprises of multiple small buildings rather than one large building, is considered to complement the existing built form. The development is considered to comply with the performance outcome of the Code.

PO11- The use is serviced with appropriate infrastructure. The use is connected to all urban services including reticulated water, sewerage, stormwater, electricity and communications services available in the locality.

There is no prescribed acceptable outcome and therefore justification against the performance outcome is required. As mentioned in response to performance outcome P11 of the Industrial Uses Code, there are no nearby connections to Council's reticulated water and sewerage system from the subject property. The development will be required to provide appropriate portable drinking water and provide an appropriate on-site effluent disposal system prior to the commencement of the use. Although the development cannot comply with the performance outcome for water and sewer, it is considered to comply with the purpose of the Code, in particular point (g) in that the development will 'Have adequate infrastructure for the use including water supply, waste water disposal, stormwater control, telecommunications and electricity" and therefore compliance with the Code is achieved.

Carparking and loading code

There are a number of uses on site that are considered ancillary uses and therefore for the purpose of calculating car parking numbers, the accommodation components (Tourist Park and Short Term Accommodation) is considered the primary use on-site. Each caravan/ensuite site and tent sites are provided with a car space each. There are 22 rooms available as part of the short term accommodation component which will require a minimum of 22 spaces. There are 44 spaces available on-site to cater for the short term accommodation, the brewery and the ancillary uses. Given the size of the subject property, there is sufficient space available for overflow car parks if required and as a number of uses are ancillary uses to the Tourist Park and Short term accommodation, additional traffic from outside the subject property is not expected to generate additional car parking space. Overall the car parking arrangement on-site is considered appropriate for the proposed development and therefore compliance with the Code is achieved.

Landscaping code

No landscaping plan has been provided in the assessment of the application. The proposed development has been designed in a cluster formation to ensure there is sufficient amount of space available on-site for appropriate landscaping to be provided in accordance with the Code. With a condition imposed for a landscape plan to be provided and approved by Council prior to the commencement of use, the development can comply with the requirements of the Landscape Code.

Outdoor lighting code

It is anticipated that outdoor lighting will be required for the development. The locations of outdoor light are not known at this point in time and therefore a condition should be imposed for all lighting to be in accordance with the Outdoor Lighting Code. With a condition imposed, the development can achieve the requirements of the Outdoor Lighting Code.

Physical infrastructure code

The subject property is currently serviced by telecommunications and electricity. All access is via Granite Belt Drive which is bitumen sealed with no kerb and channelling. The subject property is not connected to Council's reticulated water or sewer and there are no nearby connection options to Council's Infrastructure. Therefore, appropriate conditions relating to water and sewerage must be imposed on the development to demonstrate compliance with the Physical Infrastructure Code.

Infrastructure Charges

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Accommodation short term	All	\$1000/tent or caravan site	35 x Caravan/tents (25% of \$35,000)		\$8,750.00
	All	\$5000/cabin of dwelling	6 x cabins (25% of \$15,000)	3	\$3,750.00
	All	\$2500/suite	2 x Dorms (25% of \$5000)		\$1,250.00
Commercial Entertainment Indoor sport and rec Essential services					
	Other	\$70/m ² GFA	Function Facility 303m ² (30% of \$21,210)		\$6,363.00
Industry					
	Other	\$50/m ² GFA	Brewery 77m ² (30% of \$3,850)		\$1,155
TOTAL:					\$21,268.00

Office use only			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Roads	20%	\$	RC241
Parks	5% 10%	\$	RC243
Water	30% 35%	\$ or NA	RC244
Sewerage	35%	\$ or NA	RC245
Stormwater	10% \$/m ²	\$ or 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 has provided sufficient information to demonstrate compliance with the Southern Downs Regional Council Planning Scheme.

A number of uses (Spa Building, food and drink outlet, Bush Tucker Store) within the development are considered ancillary uses to the Tourist Park use and the Short term accommodation use, therefore conditions should be imposed on the development to ensure the uses remain ancillary.

The Display and Sales building should not form part of the application as a shop has not been applied for and it is not considered to be an ancillary use to the Tourist Accommodation or the Short Term Accommodation.

The request for Hours of Operation from 10am to 10pm on Fridays and Saturdays for the Function Facility is only supported with conditions imposed otherwise should be refused.

Due to the number of changes that have occurred to the development proposal in response to the information request and to ensure that the development is not substantially increasing in intensive, the twenty-five (25) ensuite sites that can cater for two (2) caravans at one time should have a condition imposed for only one (1) tent or caravan can occupy an ensuite site at any one time. The reason for this is because there was no formal request to change the application made by the applicant.

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 Function Facility, Medium Impact Industry, Short Term Accommodation and Tourist Park on land at 229 Granite Belt Drive, Thulimbah, described as Lot 2 RP31712, Parish of Stanthorpe, County of Bentinck, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal 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
Proposed Plan	DA100 Issue B	12/5/2017
Proposed Staging Plan	DA110 Issue B	12/05/2017
Caravan Park Plan	DA200 Issue B	12/05/2017
Common Building Plan, Dorm Plan and Guest House 2 Plan	DA210 Issue B	12/05/2017
Common building, Dorm and Guest House 2 Elevations	DA211 Issue B	12/05/2017
Guest House No. 3, Display/Sales Plan	DA220 Issue B	12/05/2017
Guest House No. 3, Display/Sales Elevations	DA221 Issue A	30/11/2016
Guest House No. 1 Existing House Conversion, Spa Building	DA230 Issue A	22/12/2016
Guest Café/Function Facility, Gazebo Conversion to a Cabin, Bush Tucker Store	DA240 Issue B	12/5/2017
Pool Compound Plan	DA250 Issue B	12/05/2017
Noise Assessment Report		

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.

Staging

3. 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. Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
4. The stages are approved as follows:
 - Stage 1 consists of constructing a Car Park, Gazebo Conversion (Cabin), Guest House No. 1 conversion and the Function Facility. Ancillary uses such as the Spa Building (Health Care Service) will be constructed as part of this stage but these uses are not to be made available to the general public.
 - Stage 2 consists of a canopy and storage area and a roof to the common building
 - Stage 3 consists of the Brewery (Medium Impact Industry)
 - Stage 4 consists of the 20 Bed Dormitory and common building fitout (Tourist Park)
 - Stage 5 consists of Bush Tucker Area which is an ancillary use not to be made available to the general public
 - Stage 6 consists of Guest House No. 2 (Short Term Accommodation)
 - Stage 7 consists of two (2) new Cabins (Short Term Accommodation)
 - Stage 8 consists of ten (10) Tent Sites and twenty-four (24) Caravan Sites
 - Stage 9 consists of Guest House No. 3 (Short Term Accommodation)

- Stage 10 consists of Indoor Pool – Recreational Building – Indoor Pool

Stage 1 must be completed prior to any other Stage. All other Stages are not required to be undertaken in any chronological order.

5. The material change of use the subject of this development permit must be completed within a period of 4 years starting the day this development permit takes effect. The development permit will lapse in respect of each aspect of the material change of use that has not been completed within this period.

Land Use and Planning Controls

6. This approval allows for the use of the building/site for the following uses only:
 - Short Term Accommodation (Guest House No. 1 = 6 rooms, Guest House No. 2 = 4 rooms and Guest House No. 3 = 12 rooms)
 - Tourist Park (10 Tent Sites, 25 Caravan Sites, 6 Cabins and 20 bed Dormitory)
 - Medium Impact Industry (Brewery 77m2)
 - Function Facility
7. The Function Facility is to be located within the structures identified as guest café and Bush Tucker Area on the approved plans.
8. There is to be no Food and Drink Outlet (Café) on-site unless the appropriate material change of use permit is granted.
9. Only 1 caravan can reside at an ensuite site at any one time.
10. This approval allows for the use of Natural Therapies - Spa (Health Care Service) and the Bush Tucker Area as **ancillary uses only and are only to be used by guests residing at the premises** (within the Tourist Park or Short Term Accommodation Buildings). **These uses are not to be made available to the general public at any time.**
11. The function Facility shall generally operate only between the hours of 10.00am to 10.00pm on Fridays and Saturdays, and not at all on Sundays to Monday and public holidays.
12. There is to be no camping outside of the approved camping ground areas shown on the approved plans as tent sites or ensuite sites or caravan sites.
13. The maximum number of guests accommodated at the Function Facility at any one time must not exceed 50 persons.
14. No person is to reside in any building identified for short term accommodation for more than 45 days consecutively, or more than 90 days in any 12 month period.
The approved accommodation must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises.
15. The Bush Tucker area and the Natural Therapies (Health Care Service) are to have a sign placed at the entrance stating the following:
'Only available for patrons of the facility and not the general public'
16. All access to the subject property is to be via Granite Belt Drive only.
17. A Bushfire Management Plan and an Evacuation Plan is to be submitted to and approved by the Director of Planning, Environment and Corporate Services. Recommendations of the approved Bushfire Management Plan are to be implemented and the Evacuation Plan is to be made available on-site at all times.

Building and Site Design

18. The building is to be set back at least 11 metres from Lot 1 RP31711, at least 51 metres from Lot 1 RP31712 and at least 45 metres from Lot 2 RP31813 from the property boundary.

19. The design, colours and materials of the building and pavement are to be in accordance with the rural character of the area. The final design and construction of the buildings must provide for larger variation in appearance than that shown in the plans submitted with the application. Variation is to be achieved through the use of colours, materials, architectural treatments, and changes to roof lines. **Details of the design, colours and materials of the building and pavement are to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the issue of any Development Permit for Building Work.** The building is to be constructed in the approved design, colours and materials.
20. Written advice from a qualified building certifier is to be submitting to Council stating that the wall between each of the existing units complies with the *Building Code of Australia* in relation to the fire regulations.
21. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
22. A copy of the Form 21 (Final Inspection Certificate)/ Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

23. During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at the Stanthorpe Waste Facility.
24. Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured at any boundary. The applicant is to note that this may include the need to use attenuating materials or barriers if required.
25. Amplified music shall not be permitted in the Function Facility.
26. Install an acoustic barrier adjacent to the entrance along the southern boundary of the site, as indicated in Figure 4 of the Noise Assessment Report prepared by RoadPro Acoustics.
27. Any fixed noise emitting device (eg air conditioning unit, refrigeration unit, compressor, generator etc) located outside the workshop/facility must be placed within an appropriate acoustic enclosure
28. When requested by Council, monitoring and/or sampling must be undertaken by a suitably qualified person(s) to investigate any complaint of environmental nuisance (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days of receipt to Council. This must be undertaken in accordance with any direction given by Council at the time.

If monitoring and/or sampling results indicate or where it is determined by an authorised person that environmental nuisance is being caused, you must:

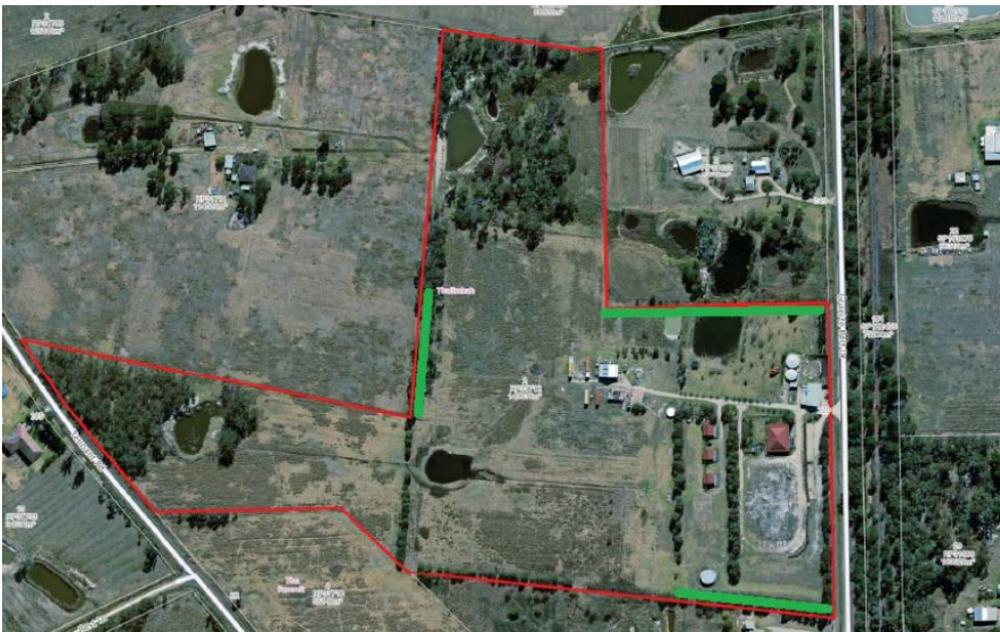
- (a) address the complaint, including the use of appropriate dispute resolution if required; and
 - (b) immediately implement abatement or control measures so that emissions from site activities do not result in further environmental nuisance.
29. Any pools and spas must be maintained in compliance with Queensland Health's Swimming and Spa Water Quality and Operational Guideline.
 30. The loading and/or unloading of delivery and other service vehicles (excluding general waste collection vehicles) is limited between the hours of 7.00am and 7.00pm, Monday to Saturday, and between the hours of 8.00am and 3.00pm on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
 31. A sufficient number of suitable waste receptacles must be provided on site at all times.

Waste receptacles must be regularly serviced to prevent unsightly accumulations of waste or environmental harm being caused.

32. 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.
33. The cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
34. Advertising Devices relating to the Tourist Park and Short Term Accommodation may **only** be erected on the subject land, i.e. Lot 2 RP31712. 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.
35. All equipment, goods and materials must be located in a building or screened from view from all roads, other public places and adjoining land by fencing and/or dense landscaping.
36. Install and maintain the lighting fixtures so that they do not emit glare or light above the levels stated in *Australian Standard AS:4282-1997 Control of Obtrusive Effects of Outdoor Lighting*.
37. Lighting is to be provided within the development including adjacent to the internal driveways. Any lighting is to be located such that there is no interference with any residences. Details of the proposed lighting are to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the issuing of any Development Permit for Building Works. Lighting is to be provided in accordance with the approved plan.
38. All cleared or lopped timber and vegetation must be processed on site by wood chipping, mulching or similar method. Any processing of trees or vegetation must be carried out in a safe manner and without any adverse environmental impacts from noise or dust emissions, and in accordance with any requirements under the *Environmental Protection Act 1994*.

Fencing, Landscaping and Buffers

39. All earthworks, including batters must be fully contained within the site.
40. Advanced tree plantings (i.e. minimum height of 1.5 metres at the time of planting) to create buffer strips of 10 metres in width are to be provided adjacent to the side boundaries of the subject land to minimise the visual impact of the development from adjoining properties in the areas identified in green below:



41. A 6 metre wide landscaped buffer is to be provided along the Granite Belt Drive frontage and a 2 metre wide landscape buffer along Tennant Road of the site so as to provide a visual buffer. This area is to be densely planted with trees and shrubs suitable to grow to heights of between 1.5 to 3 metres at maturity.

The trees and shrubs must be of species that are fast growing, frost resistant and drought hardy. The buffer is to have a mature tree height of at least 3.0 metres. The vegetated buffers are to be maintained so they form an effective buffer.

42. **A Landscaping Plan is to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the issue of any Development Permit for Building Work/ commencement of the use/planting of the treed buffers.** The Landscaping Plan is to be prepared by an appropriately qualified person, and 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

43. Vehicle access is to be constructed to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.) The access must be constructed along Granite Belt Drive at a location which provides adequate sight distance in either direction. Such entrance roadworks are to be sealed and are to include appropriate drainage works. If necessary, the property access gateway must be located within a setback such that all vehicles proposed to enter and/or exit the land are able to stand clear of the carriageway whilst the property gateway is being opened and/or closed.
44. A concrete industrial crossing is to be constructed at the Granite Built Drive entrances to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
45. All vehicular access to and from the site must be via Granite Belt Drive only.
46. The internal driveways are to be designed and constructed to allow an 8.8 metre service vehicle to enter and leave the site in forward gear.
47. At least one (1) car parking space is provided for each tent/caravan site and cabin.
48. A minimum of forty-four (44) car parking spaces are to be provided for the Short-Term Accommodation, brewery and ancillary uses.
49. The car park area is to be set back 6 metres from the front property boundary.
50. The car park area is to be defined by a low physical barrier along the edge of the car parking area and driveways.
51. Car parking shall be provided on site in accordance Plan No DA100 issue B dated 12/05/2017 prepared by Leon Burton Architects. All car parking, internal driveways/roads and loading areas shall be constructed in bitumen or similar materials, sealed, line marked, drained, laid out and regularly maintained.
52. Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
53. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted.
- 54.

Roadworks

55. Signage must be provided along the internal driveway so that it can be easily read when exiting the property via motor vehicle whether day or night. This signage is to clearly demonstrate, via images and text, the correct side of the road to drive on in Australia. (Council's Planning Department can provide details regarding Council's standard).

Stormwater Drainage

56. The design, construction and operation of the stormwater drainage system must comply with the water quality objectives stated in Appendix 3 of the State Planning Policy.
57. 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).

Site stormwater runoff must 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. Where necessary, suitable easements to lawful points of discharge, which may include surrounding properties, shall be provided to Council, at the developer's cost.

Water Supply and Waste water

58. 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*.
59. Prior to the commencement of the use, a report demonstrating that adequate provision has been made for the supply of water, including a drinking water supply, is to be submitted to and approved by the Director Planning, Environment and Corporate Services. If water is to be supplied for the development from a spring/bore/dam on the site, written advice must be supplied from the Department of Natural Resources and Mines that water may be lawfully supplied from that source. A water supply is to be provided in accordance with the approved report.
60. 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.
61. The site must be provided with a water storage reservoir having a minimum of 10000 litres of water for emergency fire fighting purposes for each of the Short Term Accommodation buildings, the Brewery, the Function Facility, the Spa Building, the Dormitories, Common Building and Workers Accommodations of the Tourist Park. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:
 - (a) the domestic take off from the tank is at or above the 10000 litre point; and
 - (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

Electricity, Street Lighting and Telecommunications

62. Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

Infrastructure Charges Notice

63. Payment of \$21,268.00 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. If payment is made more than two years after the date of the Infrastructure Charges Notice, the charge will increase in line with the Road and Bridge Construction Index for Queensland.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning, Environment and Corporate Services, 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) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (iv) 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*.
- (v) The General Environmental Duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke, beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.
- (vi) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.
- (vii) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of the fit-out of the kitchen in the function facility on-site. Applications for Design Approval and Approval to Operate (including applications for licence under the *Food Act 2006*) are to be submitted to and approved by Council for the food premise, prior to the issue of a Development Permit for Building Work.
- (viii) An application must be submitted and approved by Council for an approval to operate under Council's Local Law No. 1. (Administration) 2011. In accordance with Council's Subordinate Local Law No. 1.8 (Operation of Caravan Parks), the following is some of the information that must be submitted with an application for an approval to operate:

A site plan of the caravan park, drawn to scale, showing the following particulars:

- a) the location and real property description of the place at which the caravan park is to be operated; and
- b) the boundaries of the caravan park; and
- c) the location of each road and building situated within the caravan park; and
- d) details of the water supply system, including the position of all water points; and
- e) the position of all waste containers; and
- f) details of the sewerage system including the position of each sanitary convenience, ablution and laundry building; and
- g) details of the on-site sewerage facilities and the waste water disposal system; and
- h) the position of all fire places; and
- i) the nature and position of:
 - (i) all fire safety installations; and

- (ii) all electrical installations; and
 - (iii) all food preparation areas; and
 - (iv) all recreational facilities; and
 - (v) all car parking facilities.
- (ix) Written advice from the Queensland Fire and Rescue Service (QFRS) that suitable and appropriate fire fighting facilities are provided throughout the site.
- (x) A current certificate of testing and compliance issued under the *Electrical Safety Act 2002*.
- (xi) A copy of an evacuation plan, approved by a recognised authority, showing all necessary assembly areas.
- (xii) **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.
- (xiii) **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)/Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**
- (xiv) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for a Change of Classification of Building. The application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. **Building works and modification of the existing building may be required to be undertaken** as part of the approval so as to accord with the requirements of the *Building Act 1975*.
- (xv) The applicant is to permit Council officers access to the site in accordance with the powers of entry provisions of the *Local Government Act 2009*, subject to 48 hours notice and reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.
- (xvi) The disposal of waste classified as Trade Waste under the *Plumbing and Drainage Act 2002* is to be in accordance with Council's Trade Waste Policy.
- (xvii) 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*.
- (xviii) An Environmental Authority for Environmentally Relevant Activity No. 63 (Sewerage Treatment) is to be obtained in accordance with the *Environmental Protection Act 1994* prior to the commencement of any Environmentally Relevant Activity.
- (xix) No clearing of remnant vegetation or regulated regrowth vegetation is to occur under this approval. A Development Permit for Operational Works must be obtained from the Department of Infrastructure, Local Government and Planning for the clearing of any remnant vegetation, unless exempt under Schedule 24 of the *Sustainable Planning Regulation 2009*.
- (xx) 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;
 - Detailed design drawings, schedules and specifications for all Operational Works, certified

- by a Registered Professional Engineer in Queensland (RPEQ);
- A car parking plan showing the location and dimension of all parking areas, details of the proposed pavement treatment, and full engineering specifications of layout, construction, sealing, drainage and line marking;
- A plan showing ingress and egress wheel and swept turning paths;
- A Stormwater Management Plan;

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.

- (xxi) Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- (xxii) All Development Permits for Operational Works and Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (xxiii) All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

Aboriginal Cultural Heritage

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

Approval Times

- (xxv) In accordance with the *Sustainable Planning Act 2009*, this approval will lapse four years from the day the approval takes effect.

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

Our reference: SDA-1015-025304
 Your reference: MTL:MTL/MCUI01674

Attachment 1—Conditions to be Imposed

No.	Conditions	Condition timing
Development permit for material change of use		
Schedule 7, Table 3, Item 15A & Schedule 7, Table 3, Item 2—Pursuant to section 255D of the <i>Sustainable Planning Act 2000</i> , the chief executive administering the Act nominates the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development must be in accordance with:</p> <ul style="list-style-type: none"> • Stormwater Report for 229 Granite Belt Drive, prepared by Bob Lane Consultant Engineer, and dated 21 November 2016. 	At all times.

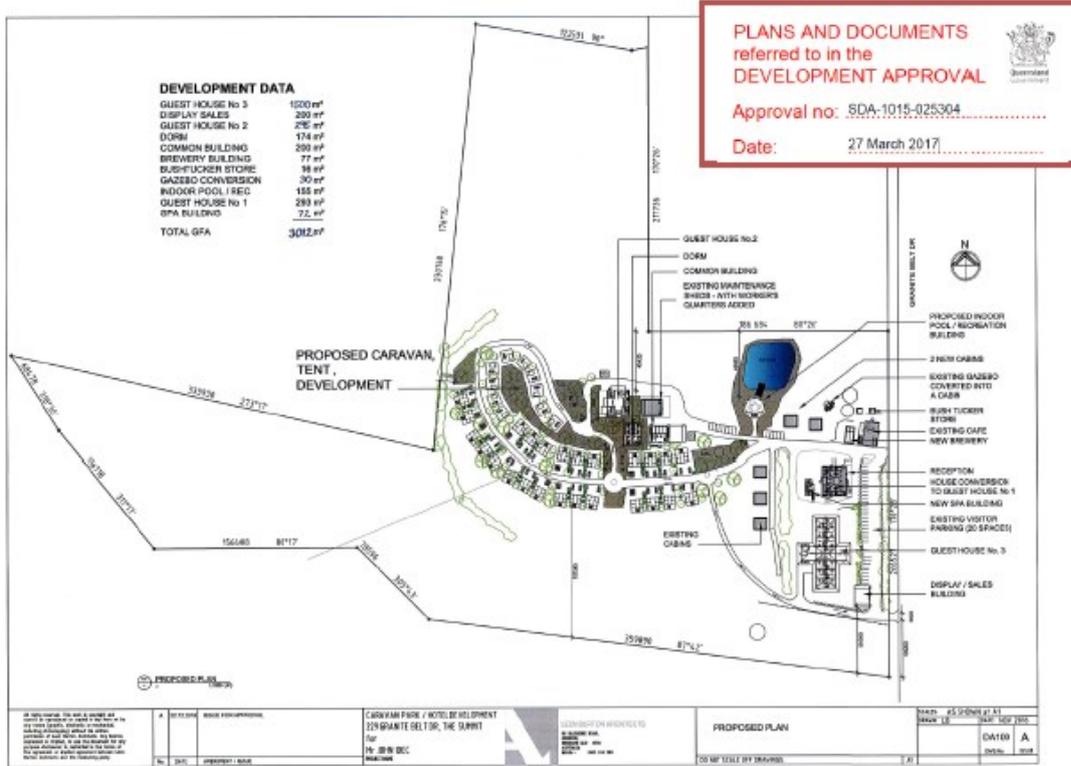
Our reference: SDA-1015-025304
 Your reference: MTL:MTL/MCU\01674

Attachment 3—Further advice

General advice	
Ref.	Further development permits, compliance permits or compliance certificates
1.	<p>Memorandum of Understanding for Railway Crossings</p> <p>As per the <i>Memorandum of Understanding between the Local Government Association of Queensland and Queensland Rail and the Department of Transport and Main Roads with respect to the Management and Funding Responsibility for Level Crossing Safety</i>, the local government is responsible for any safety upgrades to a level crossing if the change in risk to the level crossing is due to changes in nearby land uses which have been authorised by local government.</p> <p>The development is likely to impact on the safety of the Amiens Road crossing (ID2571) of the Southern Line. Southern Downs Regional Council should continue to monitor the level of safety risk and number of reported level crossing issues as further development in the area is approved. Consideration should also be given to implementing improved control and safety measures, as required.</p>
	Overdimensional Road Loads (Queensland Rail)
2.	<p>Under the <i>Transport Infrastructure (Rail) Regulation 2006</i> permission from the Railway Manager (Queensland Rail) is required to take over-dimensional road loads across Queensland Rail infrastructure (e.g. rail level crossings and rail bridges). Further information can be obtained from Queensland Rail's website at: http://www.queenslandrail.com.au/forbusiness/overdimensionalloads</p>

Our reference: SDA-1015-025304
 Your reference: MTL:MTL/MCU/01674

Attachment 4—Approved plans and specifications



Attachments

Nil

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

Nil

14. NOTICES OF MOTION

14.1 Notice of Motion: Mini Golf Facility

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 28 June 2017
	Chief Executive Officer	ECM Function No/s:

Notice of Motion – To Be Moved by Cr McNichol

THAT Council reconsider the report that was presented to the February General Council Meeting in relation to the installation of a mini golf facility at the Warwick Indoor Recreation and Aquatic Centre.

Attached is a Notice of Motion dated 25 May 2017 from Cr McNichol in accordance with Section 5.6.1 of Council's Code of Meeting Practice requesting Council reconsider the installation of a mini golf facility at the Warwick Indoor Recreation and Aquatic Centre.

At the General Meeting held on 16 February 2017 the following resolution was passed by Council:

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council:-

- 1. Agree in Principle with the concept of a Mini Golf Facility located at WIRAC.*
- 2. Incorporate the proposed Mini Golf Facility at WIRAC into the Community Consultation during the Sport and Recreation Master Plan in 2017/18 financial year.*

Carried

Council has now been informed that the funding application for the Sport and Recreation Master Plan has not been successful, therefore the consultation process proposed as part of the Sport and Recreation Master Plan strategy will not proceed. It is therefore appropriate to revisit the original motion to progress the project:

THAT Council:-

1. Prepare a draft design for a mini golf facility to be located within the precinct of Warwick Indoor Recreation & Aquatic Centre ("WIRAC") facility, which has frontage along Palmerin Street, Warwick.
2. Incorporate into the draft design key attributes and feature of the region that would appeal to visitors and residents.
3. Place the draft design on exhibition for community consultation and feedback for a period of 28 days.

A copy of the report considered at the February 2017 General Meeting is attached.

Attachments

1. Notice of Motion [View](#)
2. Report - Mini Golf Facility [View](#)



Notice of Motion by Councillors

Councillor: Marika McNichol

Date: 25/5/2017

Motion:

THAT

THAT Council reconsider the report that was presented to the February 2017 General Meeting in relation to the installation of a mini golf facility at the Warwick Indoor Recreation and Aquatic Centre.

Relevant Background Information

At the General Meeting on 16 February 2017 the following resolution was passed by Council:
Resolution Moved Cr N Meiklejohn Seconded Cr J McNally
THAT Council:-

1. Agree in Principle with the concept of a Mini Golf Facility located at WIRAC.
2. Incorporate the proposed Mini Golf Facility at WIRAC into the Community Consultation during the Sport and Recreation Master Plan in 2017/18 financial year.

Council has now been informed that the funding application for the Sport and Recreation Master Plan has not been successful, therefore the consultation process proposed as part of the Sport and Recreation Master Plan strategy will not proceed. It is therefore appropriate to revisit the original motion to progress the project.

Signature 

Code of Meeting Practice Policy – Section 5.6.1 Notice of Motion

1) Notices of Motions shall be lodged in writing with the Chief Executive Officer or their delegate eight (8) calendar days prior to the closure of the business paper agenda for the meeting of Council at which the Notices of Motion are to be considered.

2) Councillors shall ensure, where it is intended that employees of the Council be asked to carry out some specific defined action that a Notice of Motion is written in such a way that, if carried, the motion carries clear and unambiguous direction.

- Start with the word "That" f
- Use the third person and avoid the use of the first person f
- Clearly indicate the intention of the Council f
- Avoid statements that are ambiguous f
- Aim for clarity of expression f
- Be carefully constructed and if necessary, set out in clauses that can be clearly identified by letters or numbers f
- Indicate proposed action or reflect agreed views on a particular issue f
- Don't re-introduce a resolution which has already been rejected

10.4 Mini Golf Facility at Warwick Indoor Recreation & Aquatic Centre

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 16 February 2017
	Manager Community Services and Major Projects	ECM Function No/s:

Recommendation

THAT Council:-

1. Prepare a draft design for a mini golf facility to be located within the precinct of Warwick Indoor Recreation & Aquatic Centre ("WIRAC") facility, which has frontage along Palmerin Street, Warwick.
2. Incorporate into the draft design key attributes and feature of the region that would appeal to visitors and residents.
3. Place the draft design on exhibition for community consultation and feedback for a period of 28 days.

Report

Feedback from the "Cuppa with the Councillors" sessions, the Council Q & A sessions, the Southern Downs Young Leaders program and the community in general indicates strongly that there needs to be more activities for young people to undertake in Warwick and the region as a whole.

Additionally, from a visitor experience perspective there is a need to consistently add to and renew tourism products and visitor activities to ensure a longer stay and additional visitor expenditure.

An opportunity potentially exists to deliver a new activity for local residents, specifically youth, as well as offering a new product for visitors to Warwick. It is proposed that draft plans be developed to allow for the construction of a mini golf facility, within the WIRAC precinct that is situated along the frontage of the Palmerin Street, allowing for good exposure to the street and passing traffic.

It is envisaged that the proposed mini golf facility would reflect key attributes and features from the region, such as but not limited to the Warwick Rodeo, Morgan Park, Killarney Bonfires, Queen Mary Falls, Cunningham's Gap, Polocrosse, Jumpers and Jazz to name but a few possible themes. It would be hoped that those playing mini golf may be further encouraged to visit destinations included in the design.

The facility would be managed and serviced by the existing staff from the Brisbane YMCA. It is possible that additional employment may be generated if the proposed facility is successful.

Budget Implications

The cost of design is likely to be in the order of \$3,000 - \$5,000. The cost of the mini golf facility will be determined by the final design. There may be grants that are applicable to support the development should the idea proceed through to construction.

There is the potential for the generation of additional income to support the operations of the WIRAC facility, which could also see a great amount of the profit share returned to Council.

Policy Consideration

Southern Downs 2030 Community Plan, the Healthy and Active Southern Downs, Recreation, 2.22 Maintain an appropriate level of provision for sport, active and passive recreation opportunities for all ages.

Community Engagement

Preliminary discussions have already been held with the Brisbane YMCA, who manage WIRAC. The Brisbane YMCA has indicated broad support for the project.

It is proposed that subject to the draft design being developed, the community provide feedback into the design for a period of 28 days.

Legislation/Local Law

Nil

Options

1. Prepare a draft design for a mini golf facility to be located within the WIRAC precinct, which has frontage in Palmerin Street Warwick.
2. Incorporate into the draft design key attributes and feature of the region that would appeal to visitors and residents.
3. Place the design on exhibition for community consultation and feedback for a period of 28 days.
4. Not proceed with the development of draft plans of a mini golf facility.

Attachments

Nil

15. GENERAL BUSINESS

16. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 275(1) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public and move 'into Committee' to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

Recommendation

THAT the meeting be closed to the public and move into committee to discuss the following items, which are considered confidential in accordance with Section 275(1) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

16.1 Request for Reduction of Waste Collection Charges PN 117595

Reason for Confidentiality

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

16.2 Current Rates Concession Granted PN 55305

Reason for Confidentiality

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

16.3 Request for Waiving Rates PN 107525

Reason for Confidentiality

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

16.4 2016/17 Funding to Community

Reason for Confidentiality

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

16.5 May 2017 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Reason for Confidentiality

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

16.6 Audit and Risk Management Committee Meeting Minutes - 19 May 2017

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.