



SOUTHERN DOWNS REGIONAL COUNCIL SPECIAL MEETING OF COUNCIL

Dear Councillors

Your attendance is hereby requested at the Special Meeting of Council to be held in the Council Chambers, Southern Downs Regional Council, 64 Fitzroy Street, Warwick on **Monday, 12 March 2018** at **9:00AM**.

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

David Keenan

CHIEF EXECUTIVE OFFICER

9 March 2018

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1. ATTENDANCE
2. APOLOGIES
3. DECLARATIONS OF CONFLICTS OF INTEREST

4. ENGINEERING SERVICES DEPARTMENT REPORTS

4.1 Queens Park Equestrian Sculpture

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Special Council Meeting	
	Reporting Officer:	Meeting Date: 12 March 2018
	Manager Community Services and Major Projects	ECM Function No/s: 28.90.02

Recommendation

THAT Council resolve to provide \$60,000.00 funding to complete site works and enhancement of the surrounding park area for the Equestrian Sculpture in Queens Park, Warwick.

Report

At the Council General Meeting held 25 January 2012, Council resolved to approve the placement of an equestrian sculpture in Queens Park, Warwick. The proponent for this sculpture, Mr John Simpson, is financing the manufacture and installation of the sculpture along with necessary permits and approvals required at an estimated cost of \$157,000.

As detailed in the Project Management Plan (drafted August 2017, to be signed off following budget approval), the following works are required to be completed by Council at an estimated cost of \$60,000:

- Removal of trees located parallel to Rodeo Chutes;
- Relocation of Rodeo Chutes;
- Clearing and grubbing of site (including garden removal where required);
- Issuing Permits and approvals to carry out works;
- Reinstatement of grounds, including installation of new chairs and tables.

These works are required for the installation of the sculpture as well as the enhancement of the surrounding park area.

Budget Implications

Council funding required ensuring project completion \$60,000

Policy Consideration

Community Plan 2030

1.11 Enhance gateways to the Southern Downs by developing attractive town entrances fostering a sense of recognition, ownership and community pride.

Community Engagement

Nil

Legislation/Local Law

Local Government Act 2009

Local Government Regulation 2012

Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011

Options

Council:


1. Provide \$60,000.00 funding to complete site works and enhancement of the surrounding park area for the Equestrian Sculpture in Queens Park, Warwick.
2. Not provide \$60,000.00 funding to complete site works and enhancement of the surrounding park area for the Equestrian Sculpture in Queens Park, Warwick

Attachments

Nil

4.2 Big Thermometer Project

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Special Council Meeting	
	Reporting Officer:	Meeting Date: 12 March 2018
	Manager Community Services and Major Projects	ECM Function No/s: 8.26

Recommendation

THAT Council allocate \$93,918.00 additional funding to complete the Big Thermometer monument in Stanthorpe.

Report

On 16 February 2017, Council resolved as follows:

THAT Council:-

- 1. Approve the placement of the Big Thermometer (at the submitter's cost) in Rotary Park, located on the banks of Quart Pot Creek. The placement must be clear of the flood inundation area.*
- 2. Fund the earthworks, caravan parking bay and concrete footpath at an estimated cost of \$31,418.00, with this allocation of capital funds to be reported as part of Council's 3rd quarter budget review process.*

The Stanthorpe Chamber of Commerce is managing the construction of the Big Thermometer monument itself. The Chamber has approached Council to advise that they are likely to experience a shortfall in funding for the Big Thermometer's construction.

The placement of the Big Thermometer has not been installed above the flood line. The Stanthorpe Chamber of Commerce is aware of the risk to the monument and is confident that the structure will withstand any floodwaters.

Council is providing in-kind support by way of footpath and parallel parking zone construction and has allocated \$30,000 during the 2017/2018 financial year to complete its works.

The scope of Council's component of the project has changed from its original concept (at the Stanthorpe Chamber of Commerce's request). The footpath was originally intended to connect the new parallel parking zone directly to the Big Thermometer monument site. This has changed to connecting the Stanthorpe Visitor Information Centre to the Big Thermometer monument site, which is an increase in approximately 50 metres of footpath.

The Stanthorpe Chamber of Commerce also requested a special footpath design to enable them to fix their fundraising plaques on the edge of the footpath. This required the footpath to be extra wide with a recess along the edges, which was labour intensive to construct. The footpath construction was completed prior to the 2018 Stanthorpe Apple and Grape Harvest Festival.

The construction of the parallel parking zone has now commenced.

Budget Implications

Additional funding for this project is required as follows:

Current budget allocation	30,000
Footpath construction costs to date (7 March 2018)	43,918
Parallel park construction with adjoining footpath (estimate)	30,000
Shortfall funding sought by the Chamber of Commerce	50,000
Additional budget requested	93,918

Policy Consideration

Community Plan 2030 – Destination Southern Downs

5.20 Upgrade town centres including streetscapes to provide a sense of place, a focus for community pride, attraction for visitors and increased retail activity.

Stanthorpe Streetscape Plan, John Mongard Landscape Architects, July 2015

Community Engagement

Liaison with the Stanthorpe Chamber of Commerce has occurred throughout the project.

Legislation/Local Law

Local Government Act

Local Government Regulations

Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads)

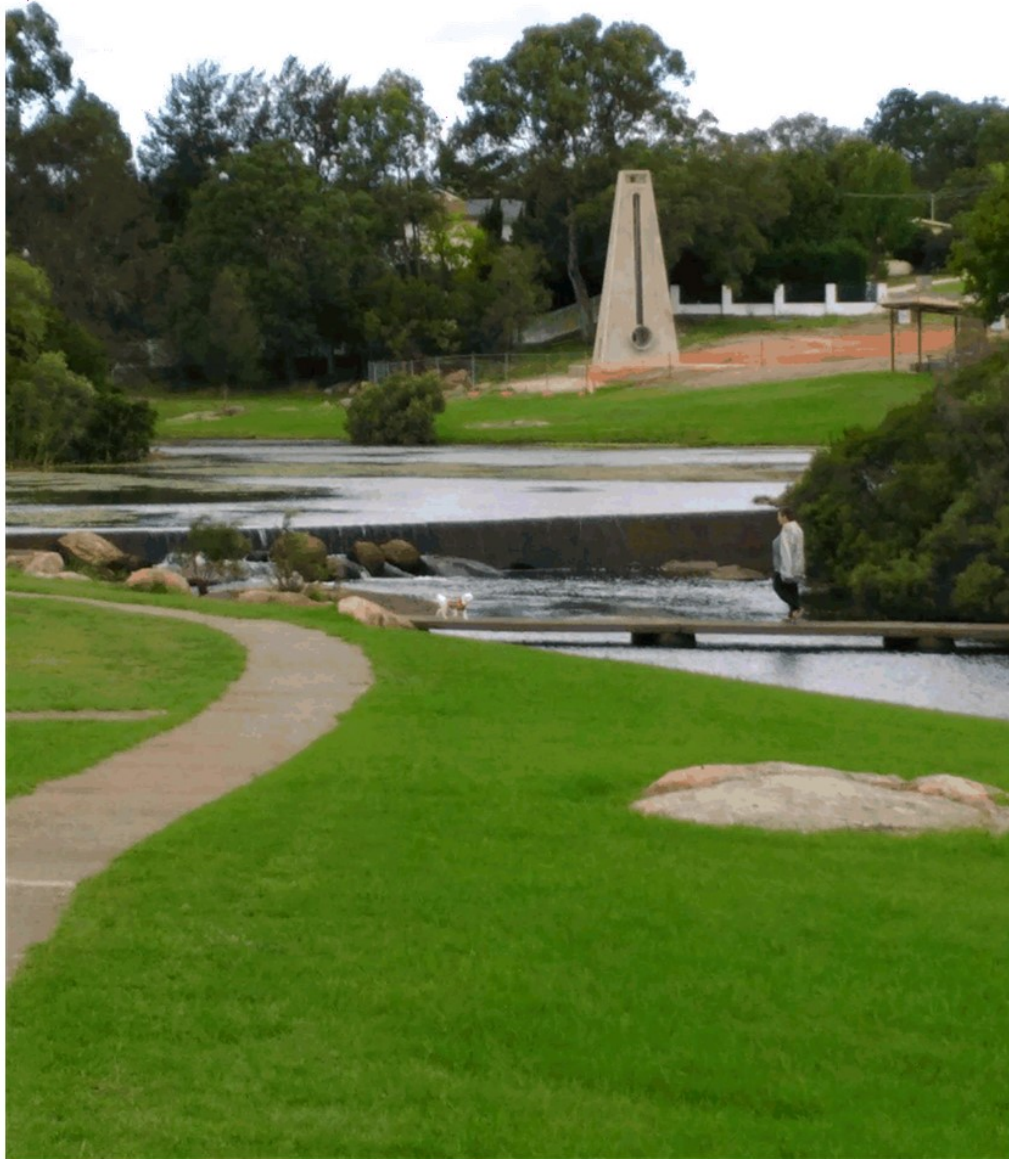
Options

	Amount Required
1. Approve the additional budget to:	
(a) Cover the footpath shortfall	13,918
(b) Fund the parallel park and connecting footpath	30,000
(c) Fund the Chamber of Commerce's shortfall	50,000
(d) Fund all the above	93,918
2. Take no action.	

Attachments

1. Photographs of Partially Completed Big Thermometer Project 7 March 2018 [View](#)






5. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

5.1 Making of Major Amendments to the Southern Downs Planning Scheme

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Special Council Meeting	
	Reporting Officer:	Meeting Date: 12 March 2018
	Planning and Compliance Coordinator	ECM Function No/s: 18.11.15

Recommendation

THAT:

1. Council makes the major amendments to the Southern Downs Planning Scheme (as attached);
2. Council decides to propose to make, and makes, an alignment amendment to the Southern Downs Planning Scheme (as attached) 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*; and
3. The alignment amendment commences on the day a public notice about the alignment amendment is published.

Report

Making of Major Amendments to the Planning Scheme

At the February 2015 General Meeting, Council resolved to make major amendments to the Southern Downs Planning Scheme. The proposed major amendments were prepared, and underwent a State interest review and public consultation.

On 20 February 2018, Council received correspondence from the Minister for State Development, Manufacturing, Infrastructure and Planning advising that the proposed amendments to the Planning Scheme had been assessed in terms of the submissions received during public consultation, the changes made as a result of public consultation, the *Sustainable Planning Act 2009*, and whether or not the State interests would be adversely affected.

The Minister has advised that Council may proceed to adopt the proposed amendments.

Attached is the final version of the amended planning scheme showing all proposed amendments in red. The only change made since the document was last referred to Council and forwarded to the Minister is an amendment to footnote 5 to update the reference to the State government department that administers the Cultural Heritage Database and Register for indigenous cultural heritage.

Alignment Amendment

The major amendment of the planning scheme was commenced under the *Sustainable Planning Act 2009* (SPA), the amendment process has proceeded in accordance with that Act and the *Statutory guideline 04/14 - Making and amending local planning instruments*. Therefore, the version of the planning scheme attached to this report, showing the amendments in red, complies with the SPA and uses terminology applicable to that Act.

The *Planning Act 2016* (the Act) commenced on 3 July 2017, repealing the *Sustainable Planning Act 2009*. The Act introduced new concepts and terminology to the development assessment processes. While the Act provides transitional provisions that ensure SPA planning schemes can continue to be used, local governments can amend their planning schemes to incorporate the new concepts terminology of the Act (i.e. an alignment amendment).

Due to the limited scope of amendment alignments, the process to make an alignment amendment does not include the usual steps for amending a local planning instrument such as State interest review, public consultation and Minister's approval. 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 State Development, Manufacturing, Infrastructure and Planning.

In June 2017, Council made an alignment amendment to the planning scheme using this process.

A draft alignment amendment to the Southern Downs Planning Scheme (incorporating the major amendments) has been prepared and is attached to this report. This version shows in blue those amendments made to align the planning scheme with the *Planning Act 2016*.

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 of the Southern Downs Planning Scheme.

Community Engagement

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

Legislation/Local Law

Planning Act 2016

Planning Regulation 2017

Alignment Amendment Rules

Sustainable Planning Act 2009

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

Southern Downs Planning Scheme

Options

Council:


1. Adopts the major amendments to the Planning Scheme and makes an alignment amendment to the Planning Scheme.
2. Does not adopt the major amendments to the Planning Scheme.

Attachments

1. Major Amendments to the Planning Scheme (Excluded from agenda - Provided under separate cover)[View](#)
2. Alignment Amendment to Planning Scheme (Excluded from agenda - Provided under separate cover)[View](#)
3. Maps - Major Amendments to the Planning Scheme (Excluded from agenda - Provided under separate cover)[View](#)

5.2 Amendment to Council's Schedule of Fees & Charges

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Special Council Meeting	
	Reporting Officer:	Meeting Date: 12 March 2018
	Manager Corporate Services	ECM Function No/s: 3.59.02

Recommendation

THAT Council amend the Schedule of Fees and Charges to include the following:

Hire of Office Space - Stanthorpe \$4.75/m² per week (GST inclusive)

Report

Quotation documents are currently being prepared to permanently lease the former Stanthorpe Chambers space. Until this process is completed, Council has the opportunity to rent the space commercially on a casual basis.

An amendment to the Fees and Charges is necessary to incorporate these charges as Council's current Fees and Charges do not include the rent of these premises.

Council Officers have obtained a market rental leasing valuation. The advice received is well located professional office space ranges from \$175 to \$225 per square metre, gross, per annum, plus GST. It is not unusual for short term rentals to sit at the higher end of this range, if not higher.

The proposed pricing is as follows:

Hire of office space – Stanthorpe - \$4.75/m²/wk (GST inclusive).

Budget Implications

Council will receive income from the rental of this office space

Policy Consideration

Operational Plan: 8.3.1 Manage Council's land portfolio to maximise opportunities for development, leasing and sale.

Community Engagement

Nil

Legislation/Local Law

Local Government Act 2009

Options

1. Amend the 2017/18 Schedule of Fees and Charges to include hire of office space – Stanthorpe - \$4.75/m²/wk (GST inclusive);

2. Do not amend the 2017/18 Schedule of Fees and Charges to include the hire of office space at Stanthorpe.
3. Amend the Schedule of Fees and Charges to include the hire of office space at Stanthorpe at a rate specified by Council.

Attachments

Nil

6. 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:

6.1 Sewer Main Relining Tender

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.