



SOUTHERN DOWNS REGIONAL COUNCIL GENERAL MEETING OF COUNCIL

In accordance with Section 277E of the Local Government Regulation 2012 it is not practicable for the public to attend the meeting because of health and safety reasons associated with the public health emergency involving COVID-19.

The meeting will therefore be closed to the public, with only Councillors and staff essential for the functioning of the meeting in attendance. Consistent with Council's legislative responsibilities, the minutes of Council's meeting will be made available for inspection by the public on its website.

Dear Councillors

Your attendance is hereby requested at the General Meeting of Council to be held at the Warwick Town Hall, Palmerin Street, Warwick on **Wednesday, 27 May 2020 at 9:00AM.**

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

Jane Stroud

ACTING CHIEF EXECUTIVE OFFICER

22 May 2020

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WEDNESDAY, 27 MAY 2020 General Meeting of Council

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ACKNOWLEDGEMENT TO COUNTRY

1. PRAYER & CONDOLENCES

2. ATTENDANCE

3. APOLOGIES

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 29 April 2020

Recommendation

THAT the minutes of the General Council Meeting held on Wednesday 29 April 2020 be adopted.

4.2 Special Council Meeting - 15 May 2020


Recommendation

THAT the minutes of the Special Council Meeting held on Friday 15 May 2020 be adopted.

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meetings

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Chief Executive Officer	ECM Function No/s: 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 General Council Meeting held 29 April 2020, and the Special Council Meeting held on 15 May 2020.

Copies of the Actions Reports are attached.

Attachments

1. Actions from General Council Meeting 29 April 2020 [↓](#)
2. Actions from Special Council Meeting 15 May 2020 [↓](#)



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING

Date From: 29/04/2020

Date To: 29/04/2020

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
29/04/2020	5.1	Actions from Previous Council Meetings	Keenan, David	3 May 2020 - 1:15 PM - David Keenan Action completed by: Seymour, Marion Noted.	3/05/2020
29/04/2020	8.1	Correspondence	Seymour, Marion	3 May 2020 - 1:16 PM - Marion Seymour Action completed by: Seymour, Marion Noted.	3/05/2020
29/04/2020	10.1	Election of LGAQ Policy Executive District Representatives 2016-2020	Keenan, David	3 May 2020 - 1:16 PM - David Keenan Action completed by: Seymour, Marion Nomination emailed to LGAQ 30 April 2020 - acknowledgement received from LGAQ.	3/05/2020
29/04/2020	10.2	Quarterly People and Culture Report	March, Brook	3 May 2020 - 1:16 PM - Brook March Action completed by: Seymour, Marion Noted.	3/05/2020
29/04/2020	10.3	Adoption of Council Standing Committees, Councillor Portfolios and Appointment of Representatives to External and Internal Organisations	Stroud, Jane	15 May 2020 - 11:19 AM - Jane Stroud Action completed by: Seymour, Marion Noted - external organisations have been advised of the appointment of Councillor representatives.	15/05/2020
29/04/2020	11.1	Finance Report 31 March 2020	Gross, Helen	5 May 2020 - 8:48 AM - Helen Gross Action completed by: Gross, Helen Noted and finalised.	5/05/2020
29/04/2020	11.2	Operational Plan Quarterly Review - January to March 2020	Schultz, Angie	13 May 2020 - 1:14 PM - Angie Schultz Action completed by: Schultz, Angie Operational Plan Quarterly Review - January to March 2020 has been received from council. No further action required.	13/05/2020
29/04/2020	11.3	Audit and Risk Management Committee - New Representatives	Collins, Jody	5 May 2020 - 10:23 PM - Jody Collins Action completed by: Collins, Jody New representatives invited to next ARMC meeting and relevant Committee information emailed to Director for distribution to Councillor Tancred. Briefing report sent to Committee members advising of new representatives on 5 May 2020.	5/05/2020
29/04/2020	11.4	Asset Management Report	Pembroke, Elle	13 May 2020 - 1:33 PM - Elle Pembroke Action completed by: Pembroke, Elle	13/05/2020



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING

Date From: 29/04/2020

Date To: 29/04/2020

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
				Noted	
29/04/2020	11.5	Third Quarter Budget Review 2019/2020	Dowie, Brooke	5 May 2020 - 11:22 AM - Brooke Dowie Action completed by: Dowie, Brooke 3rd quarter budget rolled over and system variables updated.	5/05/2020
29/04/2020	12.1	Infrastructure Services Directorate Monthly Report	McKenzie, Seren	14 May 2020 - 12:20 PM - Seren McKenzie Action completed by: Fagan, Barb Noted	14/05/2020
29/04/2020	12.2	Renaming a Section of Scrymgeour Road, Rosenthal Heights	Fagan, Barb	14 May 2020 - 12:25 PM - Barb Fagan Action completed by: Fagan, Barb Correspondence advising of Council resolution has been sent.	14/05/2020
29/04/2020	12.3.1	Amendment - Renaming a Section of Acacia Street, Killarney	McKenzie, Seren	14 May 2020 - 12:26 PM - Seren McKenzie Action completed by: Fagan, Barb Noted.	14/05/2020
29/04/2020	12.3	Renaming a Section of Acacia Street, Killarney	Fagan, Barb	14 May 2020 - 12:27 PM - Barb Fagan Action completed by: Fagan, Barb Correspondence has been forwarded advising of council resolution.	14/05/2020
29/04/2020	12.4	Water Contingency Plan	Rathod, Lalji	14 May 2020 - 12:32 PM - Lalji Rathod Action completed by: Fagan, Barb Noted.	14/05/2020
29/04/2020	13.1	Quarterly Report on Development Approvals for the January to March Quarter 2020	Swan, Jessica	18 May 2020 - 8:25 AM - Jessica Swan Action completed by: Bilbrough, Allison Noted.	18/05/2020
29/04/2020	13.2	Pest Management Advisory Committee Meeting Minutes - 10 March 2020	Magnussen, Craig	18 May 2020 - 8:26 AM - Craig Magnussen Action completed by: Bilbrough, Allison Council Resolution noted.	18/05/2020
29/04/2020	17.1	Consideration of Deferral of Capital Assistance Loans	Duell, Kate	13 May 2020 - 3:08 PM - Kate Duell Action completed by: Duell, Kate Manager Corporate and Commercial Services requested this be passed onto Finance for notification/finalisation. Email drafted and sent to Manager to pass on.	13/05/2020



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING

Date From: 29/04/2020

Date To: 29/04/2020

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
29/04/2020	17.2	Application for Rates Deferral - PID 133585	Gow, Lachlan	9 May 2020 - 2:17 PM - Lachlan Gow Action completed by: Gow, Lachlan Response issued.	9/05/2020
29/04/2020	17.3	Request to Waive Sewer Charges - PID 32360	Gow, Lachlan	9 May 2020 - 2:39 PM - Lachlan Gow Action completed by: Gow, Lachlan Response sent.	9/05/2020
29/04/2020	17.4	YMCA Monthly Report - March 2020 - WIRAC	Keir, Dianna	5 May 2020 - 8:28 AM - Dianna Keir Action completed by: Keir, Dianna Council resolution noted.	5/05/2020
29/04/2020	17.5	RFT 20_140 Water Meters Replacement Program	Rathod, Lalji	18 May 2020 - 11:31 AM - Lalji Rathod Action completed by: Fagan, Barb Council has entered into a contract with International Plumbing Solutions Pty Ltd and work is due to commence shortly.	18/05/2020
29/04/2020	17.6	RFT 20_119 - McEvoy Street SPS6 Refurbishment	Rathod, Lalji	18 May 2020 - 11:32 AM - Lalji Rathod Action completed by: Fagan, Barb Council has entered into a contract with QMAX Pumping System Pty Ltd and work is due to commence shortly.	18/05/2020
29/04/2020	17.7	RFT 20_131 Supply & Delivery of One (1) Dual Cab Tip Truck and Crane	Donovan, Brett	15 May 2020 - 11:23 AM - Brett Donovan Action completed by: Fagan, Barb Correspondence advising of Council resolution has been sent.	15/05/2020
29/04/2020	17.8	RFT 20_144 Supply & Delivery of Three (3) Dual Cab Light Trucks	Donovan, Brett	15 May 2020 - 11:23 AM - Brett Donovan Action completed by: Fagan, Barb Correspondence advising of Council resolution has been sent.	15/05/2020
29/04/2020	17.9	20_146 Supply and Delivery of Fifteen (Various Vehicles)	Donovan, Brett	15 May 2020 - 11:23 AM - Brett Donovan Action completed by: Fagan, Barb Correspondence advising of Council resolution has been sent.	15/05/2020
29/04/2020	17.10	Contract RFT 20_198 Freestone Road, Freestone Refurbishment 19/20	Holeszko, Mike	18 May 2020 - 7:46 AM - Mike Holeszko Action completed by: Fagan, Barb Contract established with Browns Contractors. In progress to	18/05/2020



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING

Date From: 29/04/2020

Date To: 29/04/2020

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
				commence on site late May/early June.	
29/04/2020	17.11	Request for Building Fees Waiver	Magnussen, Craig	18 May 2020 - 8:30 AM - Craig Magnussen Action completed by: Bilbrough, Allison Applicant advised of Council Resolution.	18/05/2020
29/04/2020	17.12	Appointment of Acting Chief Executive Officer	Pennisi, Vic	3 May 2020 - 1:17 PM - Vic Pennisi Action completed by: Seymour, Marion Noted.	3/05/2020
29/04/2020	17.13	Recruitment of Chief Executive Officer	Pennisi, Vic	3 May 2020 - 1:17 PM - Vic Pennisi Action completed by: Seymour, Marion Referred to Manager People and Culture to commence recruitment process.	3/05/2020



ACTIONS FROM SPECIAL COUNCIL MEETING

Date From: 15/05/2020

Date To: 15/05/2020

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
15/05/2020	4.1	COVID-19 Economic Recovery	Stroud, Jane	<p><i>20 May 2020 - 4.32 PM - Jane Stroud</i></p> <p>Action completed by: Seymour, Marion Staff advised of Council Resolution as well as Media Releases distributed.</p>	20/05/2020

6. DECLARATIONS OF CONFLICTS OF INTEREST


7. MAYORAL MINUTE

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: 27 May 2020
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

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

Report

1. **Department of State Development, Manufacturing, Infrastructure and Planning** advising that Council had been unsuccessful in the funding application through Round 5 of the Building our Regions Program for the Stanthorpe Waste Water Treatment Plant Recycled Water Upgrade Options Assessment and Detailed Design (copy attached).

Action: Noted.

2. **Darling Downs & South West Queensland Council of Mayors** regarding the role of the Regional Organisation of Councils and to give the regions a stronger voice at a State and Federal level and to open discussions on the future plans of the Council of Mayors (copy attached).

Action: Noted.

3. **Minister for Transport and Main Roads** congratulating the Mayor on his election and updating Council on the Roads and Transport Alliance between Council and the Department of Transport and Main Road, the Queensland Transport and Roads Investment Program and the Regional Transport Plans (copy attached).

Action: Noted.

Attachments

1. Department of State Development, Manufacturing, Infrastructure and Planning [↓](#)
2. Darling Downs & South West Queensland Council of Mayors [↓](#)
3. Minister for Transport and Main Roads [↓](#)



Our ref: DGBN20/105

7 May 2020

Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

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

Email: David.Keenan@sdrc.qld.gov.au

Dear Mr Keenan

Thank you for seeking funding through Round 5 of the Building our Regions program.

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) received 44 applications for planning projects, seeking over \$9 million in total funding.

All applications were competitively assessed and considered by the department. In this instance, the following project has not been successful in gaining funding in this round:

- Stanthorpe Waste Water Treatment Plant Recycled Water Upgrade Options Assessment and Detailed Design.

I understand that the council put a lot of time and effort into this application, so it is unfortunate that you were not successful. I encourage you to contact the department if you would like to receive feedback on this project. This feedback may help inform any future funding submissions the council may consider preparing.

If you require any further information, please contact Ms Anita Hicks, Director, Grants and Program Management, Department of State Development, Manufacturing, Infrastructure and Planning, on (07) 3452 7379 or anita.hicks@dsdmip.qld.gov.au, who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink that reads "Rachel Hunter".

Rachel Hunter
Director-General

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Queensland 4002 Australia
Telephone +61 7 3452 7100
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ABN 29 230 178 530



Darling Downs & South West Queensland
COUNCIL OF MAYORS

Our Reference: DM#9189142

12 May 2020

Mayor Vic Pennisi
Southern Downs Regional Council
By email: vic.pennisi@sdrc.qld.gov.au

Dear Mayor ~~Pennisi~~ ^{Vic}

As Chair of the Darling Downs and South West Queensland Council of Mayors, I would like to congratulate you on your election as Mayor of Southern Down Regional Council.

Now the election process is complete, we all face the task of preparing our communities for the next four years in a climate of growth opportunities balanced against serious challenges including long-term water security, disaster readiness and recovery, vital needs for infrastructure spending in inland Queensland, and the uncertainty introduced by the current viral pandemic.

You may be aware of our DDSWQ Council of Mayors, one of the most recently formed Regional Organisations of Councils (ROC) groupings in the state. We formed this alliance in late 2017, to give our region a stronger voice in George Street and Canberra. We have areas of common concern and opportunity that can too easily be overlooked in the corridors of power.

It was initially my idea to explore such an alliance, based on observations of the hugely positive impact that the Council of Mayors (South East Queensland) has had in recent years, particularly under the leadership of former Lord Mayor Graham Quirk. He showed the way in bringing councils together behind the top priorities for SEQ and winning major support from the Federal and State governments. As Deputy Chair of COMSEQ it became clear to me how much more effectively the interests of our rural, regional and remote communities could be represented if we joined forces in a similar way.

At the same time, scarce resources make it hard for us to meet and collaborate effectively. Toowoomba Regional Council has been able to provide the resourcing to the Council of Mayors so it can operate simply without any formal structure and without any fees or levies whatsoever.

We now meet three times each year, and have found that this works well to gather and promote the common interests of our widespread communities. Governments are genuinely turning to our group as the ideal vehicle for consulting with and sharing their visions for the Downs and South West. At our meeting in October 2018 for instance, we had 5 State Ministers

in attendance, seeking our input to their plans. In July last year we held a Rail Forum involving key players in the government and private sectors looking at improving rail freight in our state. This was influential, and as it coincided with the emergence of the Inland Rail program as a further catalyst, helped lead to the first genuinely new trend in rail in Queensland, which promises to end the Aurizon monopoly and open up sustainable rail options for agriculture.

Building on this, and as a further sign of the influence of our cooperative efforts, on 14 April the Deputy Prime Minister announced the first sixteen successful expressions of interest submitted under the Inland Rail Interface Improvement Program (IIP), two of which were submitted on behalf of the Council of Mayors. Both are within the Country Lines Improvement Program (CLIP), one for upgrading and reopening the existing Western Line for cost-effective integration with the Inland Rail network, and the other to investigate additional rail connections between Inland Rail and the existing South West line. Both will now proceed to feasibility studies funded by the Commonwealth. The purpose of the IIP is to identify projects that will add value to Inland Rail by improving the flow of goods from the state feeder lines, and by improving connections to supply chains.

I am aware it is important that Toowoomba priorities do not dominate the work of the Council of Mayors, and have been determined that they will not. We generally meet more centrally in the region, and only in Toowoomba when it helps us bring in senior government and industry figures who are harder to get out west. Meeting locations so far have included Charleville, Roma and Dalby. Our October meeting is generally co-located with the LGAQ Annual Conference, to take advantage of Mayors gathering for that event.

In our meetings, we have identified five key targets for boosting economic and community growth across the region:

- Infrastructure – with particular emphasis on rail
- Telecommunications
- Tourism
- Food and Fibre Leadership
- Water – Access and Quality

I will be very happy to chat with you and discuss current and future plans when it suits you. The next meeting of the Council of Mayors will realistically not take place until June/July, and may well be by teleconference. To give you background, I will ask Dr Paul Currie in my office to send you some more information, and the Minutes of the most recent meetings.

May I wish you all the best in leading your community and promoting their interests, and look forward to catching up as soon as practicable.

Kind regards



Cr Paul Antonio
Mayor, Toowoomba Regional Council
Chair, Darling Downs and SW Qld Council of Mayors

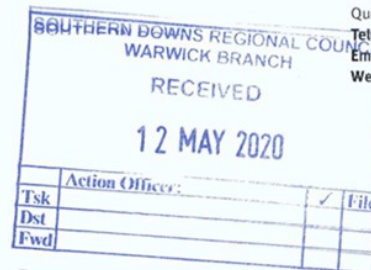


Minister for Transport and Main Roads

Our ref: MC114381

06 MAY 2020

Councillor Victor Pennisi
Mayor
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370



1 William Street Brisbane 4000
GPO Box 2644 Brisbane
Queensland 4001 Australia
Telephone +61 7 3719 7300
Email transportandmainroads@ministerial.qld.gov.au
Website www.tmr.qld.gov.au

Dear Councillor Pennisi

Congratulations on your recent election as Mayor of Southern Downs Regional Council. Local government and the Department of Transport and Main Roads (TMR), have a long-standing working relationship, which I look forward to seeing continue through your leadership.

This relationship is formalised through the Roads and Transport Alliance, an 18-year partnership between TMR and the Local Government Association of Queensland, on behalf of local governments, to invest in and regionally manage Queensland's road and transport network.

Under the Alliance, your council is a member of the Southern Border Regional Roads and Transport Group (RRTG), one of the 17 RRTGs in Queensland, with joint decision-making authority over an annual funding allocation for the construction and upgrade of transport infrastructure. This funding is provided through the Transport Infrastructure Development Scheme (TIDS), which the Palaszczuk Government effectively doubled in 2015–16 and has since maintained.

I encourage you to work closely with your TMR District Director to maximise this unique partnership.

TIDS is just one of the programs included in the Queensland Transport and Roads Investment Program (QTRIP), a four-year rolling program of work for Queensland's transport and road infrastructure, developed and published annually by TMR.

The current QTRIP (2019–20 to 2022–23) outlines a \$23 billion program of works across Queensland over the four-year period and will support an estimated 21,500 direct jobs over the life of the program. Of this, about \$280 million has been allocated to the TIDS program across the four-year period. Other programs include:

- The School Transport Infrastructure Program (STIP) provides funding to improve the safety and operation for schools through new or improved infrastructure at the school and/or on the surrounding road network. STIP complements other ongoing initiatives to improve safety in and around Queensland schools including the Flashing School Zone Signs Program, the School Crossing Supervisor Scheme and the Community Road Safety Grants Program.
- The Cycle Network Local Government Grants *program* supports local governments to deliver best practice, high quality and safe infrastructure for people riding bikes. Local governments with a published Principal Cycle Network Plan are eligible to apply for grant funding towards projects that will provide quality infrastructure on the highest priority routes of the principal cycle network.

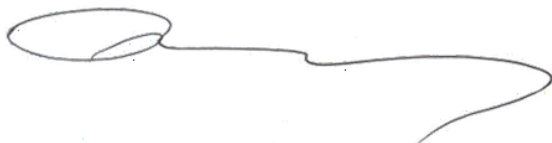
- The Queensland Government also supports local governments to plan, design and construct rail trails for walking, bike-riding and horse riding. The Rail Trail Local Government Grants program highlights the opportunities provided by rail trails to support active, healthy lifestyles and contribute to environmental preservation and management. Rail trails also add diversity to local economies and encourage the growth and creation of small businesses in hospitality and tourism sectors.
- TMR is committed to creating a single integrated transport network accessible to everyone. As part of that commitment the Passenger Transport Accessible Infrastructure Program (PTAIP) aims to support local governments to upgrade existing passenger transport facilities. Each year, the PTAIP provides grant funding to help local governments meet the federal disability access standards by 2023 and ensure these facilities are accessible to everyone.
- The Bus Shelter Program aims to improve public transport customer experiences across Queensland by providing grants for local governments to deliver new bus stop shelters at TransLink, qconnect, and long-distance coach stops around the state.
- The Marine Infrastructure Investment Program provides an annual grant primarily for in-water works, such as a boat ramp, floating walkways and pontoons.
- The Queensland Black Spot Program is now requesting nominations for delivery in 2021–22. Funding is available to be allocated across the state through this development round. All project nominations must be developed, finalised and submitted to your local TMR district office by early to mid-July 2020. The district is also providing the specific resources required to nominate an eligible road safety project for the Black Spot Program.

I am also pleased to provide advice on Regional Transport Plans (RTPs), which define priorities for developing the transport system across Queensland. The RTP development was founded on a strong collaborative approach with local government and key stakeholders. RTPs consider all modes of transport, regional demographic and industry changes, local government land-use and transport planning. RTPs covering regional Queensland have been finalised and are available on TMR's website. The draft South East Queensland RTP is currently going through the finalisation process.

Together, we have an opportunity to continue to deliver great outcomes for Queensland communities, whether it be through local investment and delivery of TIDS, the Cycle Network Local Government Grants program or collaboration, to prioritise and deliver joint federal/state/local government funded programs.

Once again, please accept my congratulations and I look forward to opportunities to meet and work with you on important matters that arise in these areas throughout your term in office.

Yours sincerely




MARK BAILEY MP
Minister for Transport and Main Roads

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

9.1 Petition - Dangerous Dogs

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council receive the Petition and refer it to the Acting Director Sustainable Development for investigation.

Report

Council has received the attached Petition from residents of Gilbert Crescent, Warwick regarding the behavior of two dogs located at a residence in that street. The complaints include a number of attacks on other dogs and charging residents aggressively.

The Petition has been referred to the Acting Director Sustainable Development for investigation.

Attachments

1. Petition [↓](#)

Petition to Southern Downs Regional Council

Residents of Gilbert Cres. have had problems with the behaviour of two dogs located at 20 Gilbert Cres Warwick. These include a number of attacks on other dogs as well as charging at residents aggressively. The most recent occurred on Saturday 25th April when the dogs attacked a dog being walked on a leash as they walked past the property. These attacks have occurred through open gates and the dogs jumping over the fence resulting in some residents being afraid to walk past the residence.

This behaviour is totally unacceptable and the undersigned request that the offending animals be removed from the property permanently and the owners of the said dogs be disciplined. The residents, visitors and their pets must be able to walk in safety and without intimidation.

SOUTHERN DOWNS REGIONAL COUNCIL			
WARWICK BRANCH			
RECEIVED			
7 MAY 2020			
	Action Officer	✓	File
Tsk			
Dst			
Fwd			

J.A. GARRELL *Paul* 8 GILBERT CR.


28.4.20

Printed Name	Signature	Address	Comment	Date
Judy Walker	<i>J. Walker</i>	9 Gilbert Cres	this issue ^{needs} Results	
S. SUTTON	<i>S. Sutton</i>	3 GILBERT CRES	ABOUT TIME TO ADDRESS THIS ISSUE.	28/4/20
J. GARRELL	<i>J. Garrell</i>	8 GILBERT CR.		28/4/20
R BEDNALL	<i>R. Bednall</i>	8 GILBERT CR.		
Shirley Martin	<i>S. Martin</i>	26 Gilbert cr	Action is needed	
Nick Prins	<i>N. Prins</i>	22 Gilbert Ctes		
DIANE PRINS	<i>Diane H. Prins</i>	22 GILBERT CRES	WE AGREE.	
Dennis Schmidt	<i>D. Schmidt</i>	16 Gilbert Cres	We need to address the ^{issue} the dogs need to go.	29.4.20
Mark Le	<i>Mark Le</i>	31 " "		
JR CHAPPEL	<i>J. R. Chappell</i>	33		
ST Wright	<i>S. T. Wright</i>	10 Gilbert Cres	We have had an encounter with dogs as well	28/4/20
DAVE WRIGHT	<i>D. Wright</i>	10 GILBERT CRES	I've had them attack	29/4/20
D O'DONNELL	<i>D. O'Donnell</i>	3 GILBERT CRES.	DOGS NEED SAVAGE ^{DOGS IN OUR AREA}	28/4/20
Scott Kennedy	<i>Scott Kennedy</i>	7 Gilbert Cres	action Required	28/4/20
DANNY COLLIS	<i>D. Collis</i>	2/22 DIXONS ST	VERY DANGEROUS	29-2-20.
B.D. BALDERSON	<i>B. D. Balderston</i>	11, GILBERT CR.	I agree with all	29.9.20.

10. EXECUTIVE SERVICES REPORTS

10.1 Council Meeting Schedule for June to December 2020

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council adopt the attached Schedule for Council Meetings for June to December 2020.

Report

At the Post-Election Special Council Meeting held on 15 April 2020 Council adopted its Meeting Schedule for April and May 2020.

Council subsequently undertook a review of its Council Meetings and Councillor Portfolios, and resolved at the April 2020 General Council Meeting to adopt the following Standing Committees and appointed the Chairs to those Committees:

Standing Committee Reporting to the General Meeting	Councillor Chairperson
Infrastructure and Executive Committee	Deputy Mayor Cr Ross Bartley
Sustainable Development, Corporate and Community Services Committee	Cr Cameron Gow

Council also adopted the following Councillor Portfolios at that meeting which will report to the respective Standing Committees:

Standing Committee	Councillor Portfolio	Portfolio Councillor/s
Infrastructure and Executive Committee	• Engineering, Infrastructure and Financial Services	Deputy Mayor Cr Ross Bartley
	• Asset Management	Cr Jo McNally
	• Parks & Open Space, Transport and Information Technology	Cr Andrew Gale
	• Water, Tourism, Audit and Risk Management	Cr Stephen Tancred
Sustainable Development, Corporate and Community Services	• Environmental, Waste, Sustainability and Disaster Management	Cr Cameron Gow

	<ul style="list-style-type: none"> • Community Services, Towns and Villages, Disaster Recovery • Sport and Recreation, Events, Culture and the Arts • Agriculture and Corporate and Commercial Services • Planning and Prosperity, Executive Services, Youth Development, Tourism, Disaster Management and Media and Communications 	<p>Cr Sheryl Windle</p> <p>Cr Marco Giori</p> <p>Cr Cynthia McDonald</p> <p>Mayor Vic Pennisi</p>
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It is proposed that the Standing Committee meetings will commence from July 2020, with each Committee meeting once per month in the week prior to the Ordinary Council Meeting (formerly General Council Meeting). All Councillors and Executive Officers will attend each Standing Committee Meeting.

Recommendations from those Standing Committees will then be referred to the monthly Ordinary Council Meeting the following week.

Officers have considered the options for the meeting structure and are suggesting the following:

Ordinary Council Meeting

Fourth Thursday of each month

Standing Committee Meetings

- Sustainable Development, Corporate and Community Services Committee Monday week prior to the Ordinary Meeting
- Infrastructure and Executive Committee Tuesday week prior to the Ordinary Meeting

With the above in mind, the following draft schedule of Standing Committee and Council Meetings for June to December 2020 has been prepared:

MONTH	SUSTAINABLE DEVELOPMENT, CORPORATE AND COMMUNITY SERVICES COMMITTEE MEETING	INFRASTRUCTURE AND EXECUTIVE COMMITTEE MEETING	ORDINARY COUNCIL MEETING
June			24/6/2020
July	13/7/2020	14/7/2020	23/7/2020
August	17/8/2020	18/8/2020	27/8/2020
September	14/9/2020	15/9/2020	24/9/2020
October	12/10/2020	13/10/2020	22/10/2020
November	16/11/2020	17/11/2020	26/11/2020
December	7/12/2020	8/12/2020	17/12/2020

It should be noted that the December round of meetings have been brought forward one week to allow for the Christmas period.

Budget Implications

Nil

Policy Consideration

Corporate Plan 2014-2019 (Revised) – Section 8.6

Community Engagement

Nil

Legislation/Local Law

Council Meeting Policy
Local Government Act 2009
Local Government Regulation 2012

Attachments

1. Schedule for Council Meetings July to December 2020 [↓](#)




Calendar for Standing Committees and Council Meetings

June to December 2020

MONTH	SUSTAINABLE DEVELOPMENT, CORPORATE AND COMMUNITY SERVICES COMMITTEE MEETING	INFRASTRUCTURE AND EXECUTIVE COMMITTEE MEETING	ORDINARY COUNCIL MEETING
June			24/6/2020
July	13/7/2020	14/7/2020	23/7/2020
August	17/8/2020	18/8/2020	27/8/2020
September	14/9/2020	15/9/2020	24/9/2020
October	12/10/2020	13/10/2020	22/10/2020
November	16/11/2020	17/11/2020	26/11/2020
December	7/12/2020	8/12/2020	17/12/2020

10.2 Appointment of Councillors to Additional External Organisations

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council consider the appointment of Councillors to the various additional external organisations.

Report

Council, at the General Meeting held on 29 April 2020, appointed Councillor representatives to various external and internal organisations, advisory groups and committees.

Councillors were asked to consider whether there may be other organisations that would benefit or appreciate the appointment of a representative from Council. The following organisations have been suggested:

- **Bringing Employers and Students Together (BEST)** through the Department of Employment, Small Business & Training

Background Information: Former Cr Rod Kelly was a member and chair of this committee, as is Council's RSIS Project Coordinator; and the Manager Strategic Planning and Prosperity as an observer. The committee comprises a number of high schools, SDIEA, Gateway to Training, TAFE and the Department of Employment, Small Business & Training with the committee's emphasis being on years 10, 11 and 12.

- **Stanthorpe Community Reference Panel**

Background Information: The Panel was established by the Stanthorpe Shire Council and Department of State Development over 20 years ago to provide advice to all levels of government on water issues. Council previously had appointed a representative to the group, however has not done so 2016.

- **Stanthorpe Sports Association**

Background Information: The Association is a group of sporting clubs that operate their sports on a Council asset.

- **Granite Belt Growers Association**

Background Information: GBGA is a relatively new organisation that advocates and educates in the agricultural sector on the Granite Belt. Council is an associate member of the Association.

- **Southern Downs Emergency Relief Fund Inc**

The objective of the Southern Downs Emergency Relief Fund is to establish and maintain a public fund to provide relief for disadvantaged, vulnerable and financially distressed persons in necessitous circumstances within the Southern Downs Regional Council local government area including persons who have been affected directly or indirectly by an emergency situation, natural or otherwise, adversity, tragedy or other calamitous circumstances.

Budget Implications

Nil

Policy Consideration

Corporate Plan 2014-2019 (Revised) – Section 8.6

Community Engagement

Nil

Legislation/Local Law

Local Government Act 2009

Local Government Regulation 2012


Attachments

Nil

11. CORPORATE SERVICES REPORTS

11.1 Finance Report April 2020

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Financial Services Coordinator	ECM Function No/s:

Recommendation

THAT Council receive and note the Financial Report as at 30 April 2020.

Report

Council's operating performance against forecast shows that the operating surplus before capital items is \$7.8m. All of the general rates for 2019/20 have been raised in July; they were due for payment on 13 October 2019. The second water consumption and utility notices were issued on 13 April 2020 and will be due for payment by 30 June 2020.

Income Statement

Total operating revenue of \$68.1m has been recognised for the financial year and capital revenue of \$12.1m has been received for the year.

Overall operating expenditure of \$60.3m is \$5.7m under the year to date estimate of \$66.0m. Materials and services are \$5.6m under the year to date estimate.

Balance Sheet

As at 30 April 2020 Council had \$47.9m in cash at bank and investments. Total loans owing (including the current and non-current portions) amount to \$19.7m.

Capital Works in Progress

Capital works expenditure to 30 April 2020 is \$17.8m which is 45.1% of the adopted capital works budget of \$39.5m. There are committed costs of \$9.1m meaning \$26.9m has been spent and committed; this represents 68.1% of the budget.

Year to date capital expenditure by area is as follows:

	Approved Annual Budget	Current Budget	Carryover & Amendments	Total Budget	YTD Expenditure	% Spent	Committed	Spent & Committed	% Spent & Committed
Land & Land Improvements	189,000	313,000	124,000	313,000	374,945	119.8%	11,356	386,301	123.4%
Buildings	3,680,000	2,005,187	(1,674,813)	2,005,187	796,240	39.7%	135,896	932,136	46.5%
Plant & Equipment	3,234,000	3,475,500	241,500	3,475,500	1,845,282	53.1%	1,409,435	3,254,717	93.6%
Roads, Drains & Bridges	14,622,442	14,514,602	(107,840)	14,514,602	8,237,684	56.8%	2,933,583	11,171,267	77.0%
Water	4,226,375	7,949,546	3,723,171	7,949,546	5,048,231	63.5%	383,317	5,431,548	68.3%
Wastewater	6,940,670	7,675,670	735,000	7,675,670	528,831	6.9%	3,520,843	4,049,674	52.8%
Other Assets	2,497,500	3,574,073	1,076,573	3,574,073	971,652	27.2%	724,106	1,695,758	47.4%
Total	35,389,987	39,507,578	4,117,591	39,507,578	17,802,866	45.1%	9,118,535	26,921,402	68.1%

Budget Implications

The third quarter budget review began in March 2020 and was presented to Council at the April general meeting. The budget figures shown in this report are the adopted quarter three amounts.

Policy Consideration

Operational Plan 2019/20

Undertake best value review of Council's Services

Community Engagement

Nil

Legislation/Local Law

Local Government Act 2009 and Local Government Regulation 2012

Attachments

1. Financial Report April 2020 [↓](#)



Southern Downs
REGIONAL COUNCIL

Performance Report

April 2020

Southern Downs Regional Council Income Statement

for the period ending 30 April 2020

Audited 2019 Actual \$		Annual 2020 Budget \$	Phased 2020 YTD Budget \$	Phased 2020 YTD Actual \$
	Revenue from ordinary activities			
31,408,397	General Rates	32,610,550	32,622,875	32,606,671
287,480	Rural fire brigade levy	274,000	274,000	273,853
25,956,703	Utility Rates and Charges	25,737,693	23,920,460	25,519,740
129,035	Invasive Pest Separate Rate	200,000	166,667	168,613
(1,813,029)	Less Discounts	(1,916,300)	(1,916,833)	(1,916,685)
-	Tank Rebates	(1,500,000)	(1,250,000)	(1,505,913)
(649,044)	Rates on Council properties	(668,551)	(358,732)	(327,091)
55,319,542		54,737,392	53,458,437	54,819,188
5,230,591	Fees and Charges	5,254,395	4,412,147	4,409,759
1,796,409	Interest	1,253,200	1,043,362	1,034,864
3,206,055	Contract & Sales Revenue	2,618,684	1,282,111	1,262,214
1,241,088	Rent and Other Income	1,572,166	1,312,710	1,076,411
9,961,621	Government Grants and Subsidies	15,024,964	12,601,499	5,503,093
76,755,306	Total Operating Revenue	80,460,801	74,110,266	68,105,529
	Expenses from ordinary activities			
23,912,608	Employee Costs	24,849,482	21,107,856	20,980,202
30,357,733	Materials and Services	37,479,736	30,070,176	24,482,240
16,127,926	Depreciation and Amortisation	16,597,590	13,856,487	13,844,941
1,656,609	Finance Costs	1,457,262	1,001,947	1,024,477
72,054,876	Total Operating Expenses	80,384,070	66,036,466	60,331,860
4,700,430	Operating Surplus/(Deficit) before capital items	76,731	8,073,800	7,773,669
	Other Capital Amounts			
11,656,176	Capital Grants, Contributions and Donations	311,800	259,833	12,050,152
(1,861,655)	Other capital income and (expenses)	(120,000)	(72,000)	(3,018,532)
14,494,951	Net Result Surplus/(Deficit)	268,531	8,261,633	16,805,289

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

as at 30 April 2020

Audited 2019 Actual \$		Annual 2020 Budget \$	Phased 2020 YTD Actual \$
Current Assets			
50,270,960	Cash assets & Investments	38,325,000	47,947,335
7,781,732	Receivables (includes Rates & Utilities receivable)	6,491,000	17,526,217
10,500	Assets held for sale	593,800	323,500
890,778	Inventories	246,200	577,830
<u>58,953,970</u>		<u>45,656,000</u>	<u>66,374,882</u>
Non-Current Assets			
742,000	Investment Property	742,000	742,000
718,855,107	Property, plant and equipment	835,832,037	787,098,925
147,690	Other Financial Assets	95,000	37,627
30,414,390	Capital works in progress	-	26,164,268
1,124,884	Intangible Assets	987,963	1,206,819
<u>751,284,071</u>		<u>837,657,000</u>	<u>815,249,639</u>
<u>810,238,041</u>	TOTAL ASSETS	<u>883,313,000</u>	<u>881,624,521</u>
Current Liabilities			
8,643,857	Creditors and other payables	8,642,000	4,601,028
6,474,969	Provisions	4,215,000	6,096,568
1,469,729	Interest bearing liabilities	1,595,000	1,505,627
<u>16,588,555</u>		<u>14,452,000</u>	<u>12,203,223</u>
Non-Current Liabilities			
20,782,859	Interest bearing liabilities	17,739,000	18,223,761
4,566,373	Provisions	3,953,000	4,714,017
-	Other Payables	-	-
<u>25,349,232</u>		<u>21,692,000</u>	<u>22,937,778</u>
<u>41,937,787</u>	TOTAL LIABILITIES	<u>36,144,000</u>	<u>35,141,001</u>
<u>768,300,254</u>	NET COMMUNITY ASSETS	<u>847,169,000</u>	<u>846,483,520</u>
Community Equity			
183,477,525	Asset Revaluation Reserve	233,811,000	233,872,137
584,822,729	Retained surplus	613,358,000	612,611,383
<u>768,300,254</u>	TOTAL COMMUNITY EQUITY	<u>847,169,000</u>	<u>846,483,520</u>

Key Ratios				Key Ratios			
	Budget	YTD Actual	On Target?		Budget	YTD Actual	On Target?
Working Capital Ratio (Current Assets / Current Liabilities)				Interest Coverage Ratio (Net Interest Expense / Total Operating Revenue) (%)			
	3.16 : 1	5.44 : 1	✓		0.25%	-0.015%	✓
Target Ratio	> 1:1			Target Ratio Upper Limit (%)	10.0%		
This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.				This ratio indicates the extent to which a Council's operating revenues are committed to interest expenses. As principal repayments are not operating expenses, this ratio demonstrates the extent to which operating revenues are being used to meet the financing charges associated with debt servicing obligations.			
Operating Surplus Ratio (Net Operating Surplus / Total Operating Revenue) (%)				Asset Sustainability Ratio (Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)			
	0.3%	24.7%	✗		238.0%	194.4%	✓
Target Ratio	> 0.0% to < 10.0%			Target Ratio Lower Limit (%)	> 90%		
This is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purposes.				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.			
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.				Comments on Ratio Results.			
Net Financial Liabilities Ratio ((Total Liabilities - Current Assets) / Total Operating Revenue)				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.			
	-14.0%	-45.9%	✓	Whilst changes to the legislation have amended the required ratios, the ratios listed will continue to be reported on.			
Target Ratio Upper Limit (%)	<=60%			An operating surplus ratio that is higher than target shows that while expecting to generate substantial revenues can assist in offsetting past or future operating deficits, and fund proposed capital expenditure and/or debt repayments it can also indicate that a local government is providing levels of service below that expected by ratepayers.			
This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.				However these ratios represent Council's position at a single point in time and should not be considered in isolation. Ratios should be considered over the long term.			
A positive value of less than 60 per cent is the benchmark as determined by the Department of Local Government. It indicates that Council has the capacity to fund liabilities and to have the capacity to increase its loan borrowings. A positive value greater than 60 per cent but less than a 100% indicates that Council has the capacity to fund liabilities but has limited capacity to increase its loan borrowings.							
A ratio less than zero (negative) indicates that current assets exceed total liabilities and; therefore, Council has the capacity to increase its loan borrowings.							

Executive Services Operating Statement			
	FY Budget	YTD Budget	YTD Actual
	\$	\$	\$
Operating Revenue			
Operating Grants and Subsidies	1,665,602	1,392,349	266,590
Sundry Revenue	46,956	38,623	59,843
Total Operating Revenue	1,712,558	1,430,972	326,433
Operating Expenditure			
Employee Costs	2,194,380	1,859,442	1,931,229
Materials	312,251	260,357	348,261
Contracts and Services	394,902	323,218	207,436
Finance Costs	-	-	-
Depreciation and Amortisation	7,782	6,481	6,403
Plant Hire	294,658	245,548	313,583
Other Expenses	784,988	654,157	660,417
Rates on Council Properties	337	134	148
Total Operating Expenses	3,989,298	3,349,337	3,467,477
Operating Surplus/(Deficit)	(2,276,740)	(1,918,365)	(3,141,044)

Corporate and Community Services Operating Statement			
	FY Budget	YTD Budget	YTD Actual
	\$	\$	\$
Operating Revenue			
Rates and Utility Charges	31,038,950	31,039,292	31,039,252
Fees and Charges	1,131,388	943,020	1,028,231
Operating Grants and Subsidies	4,786,195	3,997,663	2,010,629
Interest Received	1,253,200	1,043,363	1,034,864
Leasing and Rent	495,373	415,757	458,028
Recoverable Works	35,000	34,167	29,002
Sundry Revenue	360,447	302,209	189,129
Total Operating Revenue	39,100,553	37,775,471	35,789,135
Operating Expenditure			
Employee Costs	5,568,707	4,815,919	5,586,573
Materials	3,593,130	3,076,030	2,567,095
Contracts and Services	2,341,912	1,951,542	1,400,238
Finance Costs	273,520	114,280	134,065
Depreciation and Amortisation	774,842	647,722	608,059
Plant Hire	330,574	275,478	278,312
Other Expenses	1,104,121	964,985	1,046,175
Rates on Council Properties	168,367	98,211	72,155
Total Operating Expenses	14,155,173	11,944,167	11,692,672
Operating Surplus/(Deficit)	24,945,380	25,831,304	24,096,463

Infrastructure Services Operating Statement			
(Excludes Water and Wastewater)			
	FY Budget	YTD Budget	YTD Actual
	\$	\$	\$
Operating Revenue			
Fees and Charges	667,842	556,535	562,888
Operating Grants and Subsidies	6,662,297	5,551,914	1,531,605
Leasing and Rent	12,640	10,533	13,780
Recoverable Works	2,583,684	1,247,944	1,233,212
Sundry Revenue	26,098	21,909	26,098
Total Operating Revenue	9,952,561	7,388,835	3,367,583
Operating Expenditure			
Employee Costs	9,502,424	8,052,575	6,914,634
Materials	5,433,589	4,573,779	4,233,788
Contracts and Services	7,080,113	5,229,602	3,841,515
Finance Costs	376,142	287,169	283,944
Depreciation and Amortisation	10,014,086	8,370,610	8,440,885
Plant Hire	(3,918,991)	(3,254,462)	(3,137,371)
Other Expenses	50,999	42,499	49,999
Rates on Council Properties	444,899	234,013	228,575
Total Operating Expenses	28,983,261	23,535,785	20,855,969
Operating Surplus/(Deficit)	(19,030,700)	(16,146,950)	(17,488,386)

Sustainable Development Operating Statement			
(Excludes Waste)			
	FY Budget	YTD Budget	YTD Actual
	\$	\$	\$
Operating Revenue			
Rates and Utility Charges	200,000	166,667	168,613
Fees and Charges	1,050,575	875,458	932,000
Operating Grants and Subsidies	583,530	489,608	366,930
Sundry Revenue	49,248	44,416	56,365
Total Operating Revenue	1,883,353	1,576,149	1,523,908
Operating Expenditure			
Employee Costs	4,442,754	3,718,586	3,000,282
Materials	793,007	666,156	646,502
Contracts and Services	1,236,794	991,497	650,255
Depreciation and Amortisation	8,004	6,667	6,809
Plant Hire	486,572	405,477	401,680
Other Expenses	800,224	94,807	96,730
Rates on Council Properties	5,671	2,327	2,130
Total Operating Expenses	7,773,026	5,885,517	4,804,388
Operating Surplus/(Deficit)	(5,889,673)	(4,309,368)	(3,280,480)

Water Services Operating Statement			
	FY Budget	YTD Budget	YTD Actual
	\$	\$	\$
Operating Revenue			
Rates and Utility Charges	10,320,417	10,303,305	9,848,971
Fees and Charges	609,470	507,271	475,914
Operating Grants and Subsidies	24,834	20,695	24,834
Sundry Revenue	15,000	12,500	14,620
Total Operating Revenue	10,969,721	10,843,771	10,364,339
Operating Expenditure			
Employee Costs	1,415,465	1,187,237	2,100,979
Materials	2,878,163	2,403,553	2,297,023
Contracts and Services	1,763,948	1,470,018	1,378,946
Finance Costs	282,100	211,574	213,064
Depreciation and Amortisation	3,145,124	2,619,577	2,588,527
Plant Hire	443,665	372,973	380,408
Other Expenses	115,000	95,866	150,917
Rates on Council Properties	8,006	3,879	5,986
Total Operating Expenses	10,051,471	8,364,677	9,115,850
Operating Surplus/(Deficit)	918,250	2,479,094	1,248,489

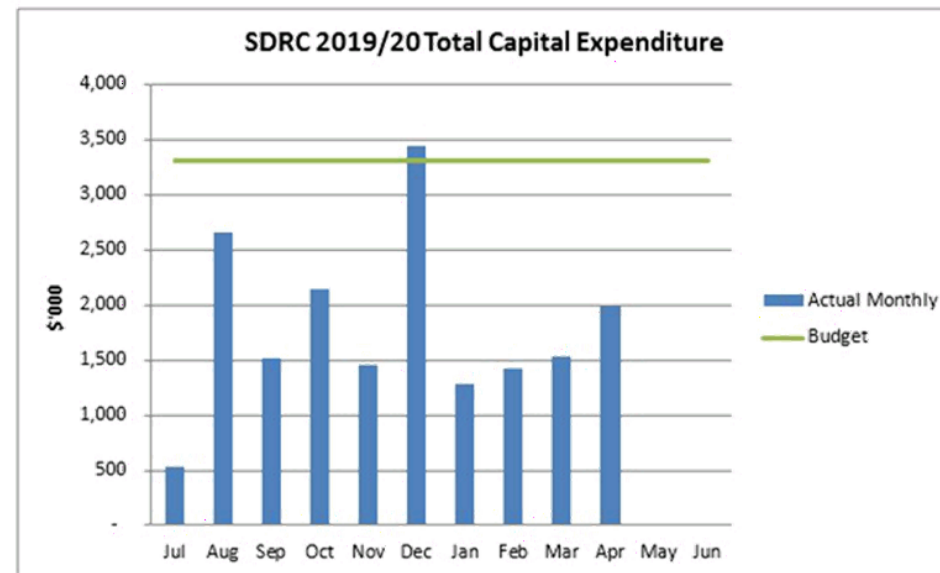
Sewerage Services Operating Statement			
	FY Budget	YTD Budget	YTD Actual
	\$	\$	\$
Operating Revenue			
Rates and Utility Charges	9,232,027	7,693,356	9,474,894
Fees and Charges	302,270	252,077	170,118
Total Operating Revenue	9,534,297	7,945,433	9,645,012
Operating Expenditure			
Employee Costs	1,102,618	948,940	942,543
Materials	858,912	720,418	649,662
Contracts and Services	1,224,585	1,020,488	781,832
Finance Costs	403,340	297,079	300,886
Depreciation and Amortisation	2,554,129	2,127,445	2,116,245
Plant Hire	292,802	244,051	248,330
Rates on Council Properties	29,349	12,607	10,535
Total Operating Expenses	6,465,735	5,371,028	5,050,033
Operating Surplus/(Deficit)	3,068,562	2,574,405	4,594,979

Waste Services Operating Statement			
	FY Budget	YTD Budget	YTD Actual
	\$	\$	\$
Operating Revenue			
Rates and Utility Charges	4,614,549	4,614,549	4,614,549
Fees and Charges	1,492,850	1,277,786	1,240,608
Operating Grants and Subsidies	1,302,506	1,149,270	1,302,506
Sundry Revenue	566,403	466,762	258,547
Total Operating Revenue	7,976,308	7,508,367	7,416,210
Operating Expenditure			
Employee Costs	623,135	525,157	503,962
Materials	2,000,626	1,657,435	1,319,156
Contracts and Services	6,606,037	5,436,326	3,524,857
Finance Costs	122,160	91,845	92,517
Depreciation and Amortisation	93,623	77,986	78,012
Plant Hire	177,155	148,378	146,497
Rates on Council Properties	11,922	7,562	7,563
Total Operating Expenses	9,634,658	7,944,689	5,672,564
Operating Surplus/(Deficit)	(1,658,350)	(436,322)	1,743,646

**Southern Downs Regional Council
Capital Works Projects by Asset Class
As At 30 April 2020**

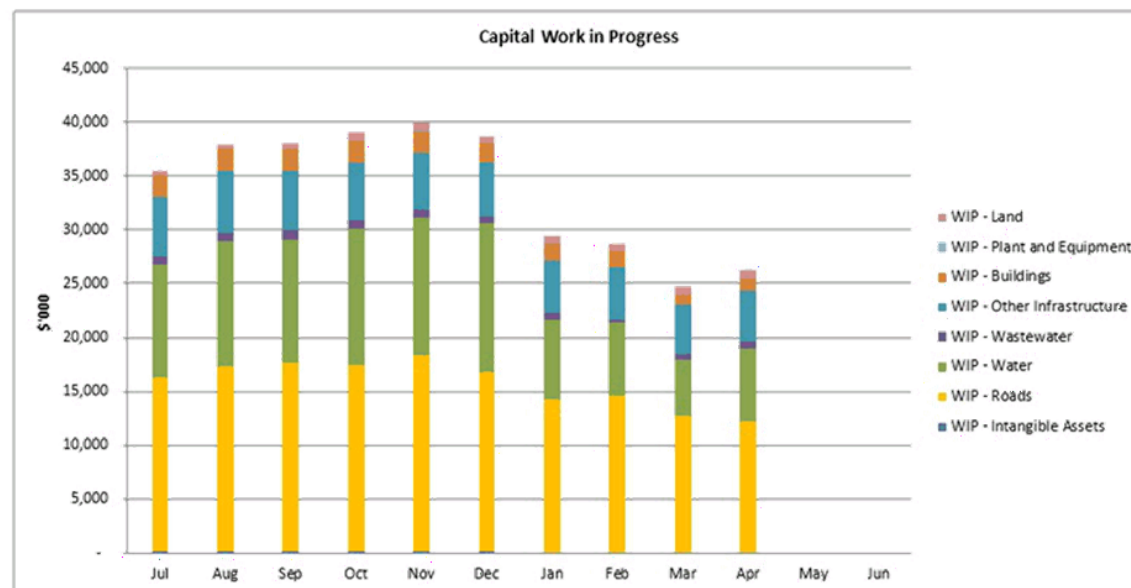
	Annual Approved Budget	Carryover and Amendments	Total Budget	YTD Expenditure	% Spent	Committed	Spent and Committed	% Spent and Committed
Land and Land Improvements	189,000	124,000	313,000	374,945	119.8%	11,356	386,301	123.4%
Buildings	3,680,000	- 1,674,813	2,005,187	796,240	39.7%	135,896	932,136	46.5%
Plant and Equipment	3,234,000	241,500	3,475,500	1,845,282	53.1%	1,409,435	3,254,717	93.6%
Road, Drains and Bridges	14,622,442	- 107,840	14,514,602	8,237,684	56.8%	2,933,583	11,171,267	77.0%
Water	4,226,375	3,723,171	7,949,546	5,048,231	63.5%	383,317	5,431,548	68.3%
Sewerage	6,940,670	735,000	7,675,670	528,831	6.9%	3,520,843	4,049,674	52.8%
Other Assets	2,497,500	1,076,573	3,574,073	971,652	27.2%	724,106	1,695,758	47.4%
Total	35,389,987	4,117,591	39,507,578	17,802,865	45.1%	9,118,536	26,921,401	68.1%

Southern Downs Regional Council
Capital Expenditure
As At 30 April 2020



Capital committed costs as at 30 April is \$9.1 Million

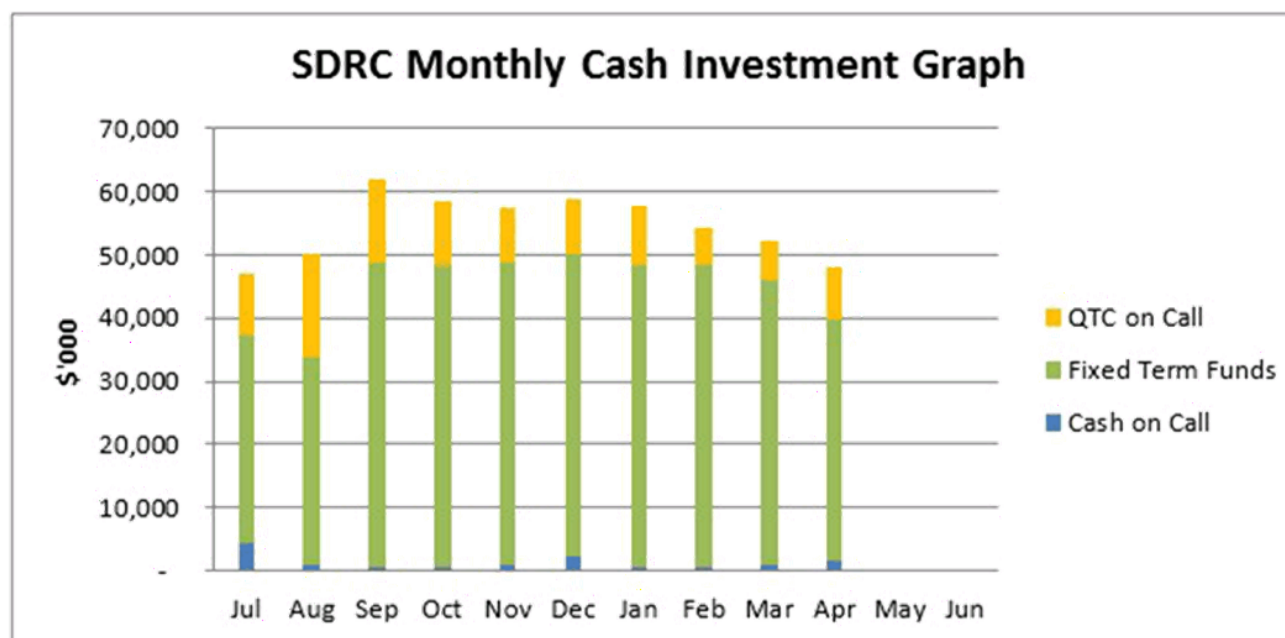
Southern Downs Regional Council
Total Work in Progress (WIP) Report
As At 30 April 2020



	Jul-19 \$'000	Aug-19 \$'000	Sep-19 \$'000	Oct-19 \$'000	Nov-19 \$'000	Dec-19 \$'000	Jan-20 \$'000	Feb-20 \$'000	Mar-20 \$'000	Apr-20 \$'000	May-20 \$'000	Jun-20 \$'000
Intangible Assets	250	250	250	250	250	251	-	-	-	-	-	-
Roads	16,033	17,139	17,397	17,220	18,060	16,565	14,225	14,649	12,664	12,271	-	-
Water	10,564	11,562	11,501	12,672	12,885	13,802	7,445	6,709	5,342	6,739	-	-
Sewerage	736	758	773	786	654	668	623	267	440	622	-	-
Other Infrastructure	5,492	5,743	5,522	5,298	5,333	5,016	4,854	4,894	4,579	4,676	-	-
Buildings	2,022	2,027	2,033	2,058	2,048	1,701	1,564	1,484	1,001	1,260	-	-
Plant and Equipment	21	21	21	21	21	21	1	1	1	1	-	-
Land	374	376	512	704	697	702	702	708	708	742	-	-
	35,492	37,876	38,009	39,009	39,948	38,726	29,414	28,712	24,735	26,311	-	-

WIP projects of \$1.5 million have been capitalised in April 2020

**Southern Downs Regional Council
Total Monthly Cash Investment Register
As At 30 April 2020**




**Southern Downs Regional Council
Borrowings Report
As At 30 April 2020**

QTC Loan Account Balances:

	\$
Fund Name: Southern Downs Regional Council	
CBD Redevelopment Stage 2	831,214
Market Square Pump Station	387,900
General	2,806,962
General 2009	1,329,155
General 2009/10	201,988
General 2010/11	3,052,601
General 2011/12	3,872,818
General 2012/13	2,193,429
Warwick Sewerage Treatment Plant	775,612
Allora Water Main	3,962,317
Stanthorpe Sewerage	315,393
Total Loan Balance	<u>19,729,388</u>

11.2 Proposed Land Tenure

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Leasing Compliance Officer Manager Corporate and Commercial Services	ECM Function No/s: 05.18.05

Recommendation

THAT Council enter into a ten year Freehold Lease with the Leyburn Men's Shed Inc over part of Lots 20-22 on Crown Plan L1824 in accordance with the *Local Government Regulation 2012* whilst adhering to the relevant provisions of Council's *Lease Policy* and the *Land Title Practice Manual* and *Land Act 1994*.

Report

In November 2019, Council was approached by the recently formed Leyburn Men's Shed Inc (LMS) expressing interest in entering into a Community Lease with Council.

The LMS initially expressed interest in leasing land on Macintyre Street, Leyburn (Lot 2 RP 68075), located behind the Leyburn tennis court. This land was deemed unsatisfactory to lease for the following reasons:

- The land is in a flood zone, therefore additional buildings/improvements on the land would not be permitted;
- The building LMS were interested in leasing is currently undergoing an audit, as illegal works have taken place in the past.

Following further consultation, it is proposed to offer LMS the use of part of the vacant Council owned land at the old Leyburn Depot (refer to Attachment 1 for locality map). This land is adjoining Council's Community Housing units and described as Lots 20-22 on Crown Plan L1824.

This land would allow access into the proposed facility from Macintyre Street, make good use of the vacant land and not limit ambitions to expand in the future.

The LMS carried out inspections of the land and believe it is suitable for their needs and potential future growth. LMS plan to improve the land with the construction of a fence and shed, suitable for their activities. LMS have submitted State and Federal Government funding applications and are committed to continually seeking future funding opportunities.

As the LMS has only recently formed there are no financial documents to support their ability to meet the financial demands of operating a Club and holding a lease arrangement with Council. However, the only expense to the Club would be their annual lease fee, which is currently \$223.74. Securing land tenure is the first step to helping them become established, while the improvements to the land and building of membership within the Club can occur over time.

Consultation with the LMS has been undertaken and they have provided the following background information on their operations and future plans:

- The LBS currently have weekly workshop meetings from 9.00am to 12.00pm;
- Their a potential donation of concrete slabs;
- Grant funding applied for and will source and apply for more as they occur;
- Membership as at March 2020: 16 Financial members and 10 who have shown an interest;
- Ideas for raising funds to meet ongoing costs include manning the gates at the Leyburn Sprints, raffles, BBQ's at local events, etc;
- The Pittsworth and Toowoomba Men's Shed have offered support and knowledge to assist with their funding applications;
- The Club have the ability to pay for the annual lease fee out of their current funds;
- The future use, when a facility is available includes: men only days 3-4 days/week and women's courses 1-2 days/week;
- Club activities would include wood and steel works, repair of furniture, polishing of tables, constructing dog kennels, knife, scissor and blade sharpening service, lawn mowing, landscaping, fencing and general property maintenance as per the skills available within the association.

It is proposed that the Freehold Lease offered would contain Council's standard terms and conditions (as outlined in Attachment 2).

Budget Implications

If the lease is approved, Council would receive revenue by way of an annual lease fee for Community & Sporting Organisations, which is currently \$223.74.

Policy Consideration

Council Lease Policy (refer to Attachment 3)

Community Engagement

The Leyburn Men's Shed held discussions with Council's Governance and Land Management Officer to come to a suitable proposal, sustainable to both parties.

Legislation/Local Law

Local Government Regulation 2012,

Land Title Practice Manual and Land Act 1994.

Attachments

1. Proposed Lease Area for Leyburn Men's Shed [↓](#)
2. Standard Terms & Conditions for a Freehold Lease [↓](#)
3. Council Lease Policy [↓](#)



PART A SPECIFIC CONDITIONS

THE COUNCIL & THE LESSEE COVENANT:

1. BACKGROUND

- a. The lot described in Item 2 of the Form 7 ("the Lot") is Freehold Land under the Land Act 1994 ("the Act") of the type set out in the Summary.
- b. The Council is the owner of the Lot.

2. LEASE & QUIET ENJOYMENT

- 2.1 The Council leases the land described in the Summary ("the land") to the Lessee subject to the provisions of this Lease for the term set out in the Summary ("the term") commencing on the date set out in the Summary ("the commencement").
- 2.2 If the Lessee pays the rent and observes and performs the Lessee's covenants and agreements, the Lessee is entitled during the term:
 - a. to occupy the Land without any interruption by the Council;
 - b. To pass over and use, with its employees, customers and invitees, the common areas;
- 2.3 All growing or standing timber, and all mines and minerals on or in the Land are excepted from this demise and the Lessee must at all times during the term permit the Council and its agents free access to the Land to cut, mine, work and carry away any timber, mines and minerals and water.

3. RENT, RATES & CHARGES: The Lessee must:-

- 3.1 Punctually pay the rent during the term without any deduction.
 - a. The initial rent is the amount set out in the Summary, and is subject to any reviews provided for in this Lease.
 - b. The rent must be paid as set out in the Summary.
 - c. The manner of payment of rent is to be by cash or cheque delivered at the Council's address, but if the Council gives notice requiring some other method of payment, including direct debit from the Lessee's bank account to the Council's bank account, the Lessee must pay as notified.
 - d. Any notice which the Council is empowered to give in relation to payment of rent may be amended or withdrawn by the Council and replaced by another notice.
- 3.2 Pay the statutory charges levied in respect of the Land.
- 3.3 Pay the proportion set out in the Summary of the Local Government rates, charges and levies in respect of the lot.
 - a. Where a rate notice is served on the Lessee, payment must be within the time required by the notice for payment. Otherwise the Council may notify the Lessee in writing of the rates, charges and levies payable by the Lessee, and the Lessee must pay those amounts within 30 days of notification.

- b. Where the term of this Lease commences or concludes during a period in respect of which any rates, charges or levies accrue, the Lessee is only liable for a proportional part of the outgoing. The amount of that proportional part is equal to the period for which the lessee was entitled to possession of the land divided by the total period for which the rate, charge or levy accrued.

3.4 In this Lease unless inconsistent with the context, "Statutory Charges" include:-

- a. any local government rates including general, water or other rates and whether ordinary, special or excess;
- b. any charges levied for any services provided to any land by any Statutory Authority or local government, including garbage, sewerage, water and cleaning charges;
- c. any fire brigade levy;
- d. any other amounts levied under any statute in respect of the use, ownership or occupation of any land, building or premises;

but does not include Land Tax, and "levied" includes levied, charged, assessed and payable.

4. REVIEW OF RENT

- 4.1 The one year period commencing on the commencement of this Lease is the first rent review period, and each successive one year period after the first rent review period is a rent review period.
- 4.2 The rent payable by the Lessee after the expiration of each successive rent review period is to be the rent for the immediately preceding rent review period ("the prior period") plus an adjustment for CPI. "CPI" means the Consumer Price Index (All Groups) for Brisbane.
- 4.3 The adjustment for CPI is that percentage of the rent for the prior period equal to the percentage increase CPI over the prior period.
- 4.4 The increase in CPI over the prior period is the difference between:-
- CPI as last published prior to the end of the prior period; and
 - CPI as last published prior to the commencement of the prior period.
- 4.5 Should CPI discontinue or its method of calculation be substantially altered, then the rent shall be reviewed by any method as the parties agree as being most similar to the foregoing principle.
- 4.6 Any reviewed rent is not to be less than the rent payable during the prior period.
- 4.7 Pending determination of the rent for any rent review period the Lessee must continue to pay, on account of the rent ultimately determined, rent at the rate due in the prior period. The difference must be paid within seven days of a determination.

5. INSURANCE REQUIREMENTS

The Lessee must in addition to the Public Risk Policy of Insurance required to be taken out under this Lease:-

- 5.1 Take out and maintain at the Lessee's cost the insurance policies set out in the Summary in the name of the Lessee.
- 5.2 Not do, permit or suffer anything to be done on the Land which may:-

- a. invalidate or violate the conditions of any insurance policy relating to the Land; or
- b. cause an increase in the premiums for any such policies.

6. USE OF LAND

6.1 The Lessee must:-

- a. Not use the Land other than for the purpose set out in the Summary.
- b. Not use, permit or suffer the Land to be used for any illegal purpose.
- c. Not do, permit or suffer to be done any act which is an annoyance, nuisance or offensive to the Council or adjoining owners or occupiers.
- d. Not construct any structural improvements on the land without the Council's consent.
- e. Not make any non-structural improvements without the Council's consent.
- f. Other than as permitted by this Lease or with the Council's prior consent, not remove, permit or suffer to be removed any fixtures to the Land.
- g. Not allow refuse to accumulate in the Land and to have any such refuse regularly removed and disposed of.
- h. Not burn any refuse or waste on the Land without the Council's prior consent.
- i. Not make any alterations or modifications to any existing structural improvements on the Land without the Council's prior consent.

6.2 Where the Leased use is the depasture of livestock, the Lessee must:-

- a. Not depasture any diseased livestock on the land, and to promptly remove (subject to any legal requirement to the contrary) any diseased livestock.
- b. Give such reasonable treatment to the Land upon the discovery of any disease as the Council may reasonably require to remove or abate any risk to the health of any person or other livestock.
- c. Comply with requirements of the meat and livestock industry's programs, including the National Livestock Identification System (NLIS), Livestock Quality Systems and Livestock Production Assurance Systems.
- d. Ensure the necessary registrations and accreditations including Property Identification Codes (PICs) are maintained in respect to the Land.

7. SPECIAL CONDITIONS

The Council and the Lessee also covenant as to the special conditions set out in the Summary. Where there is variation between the terms of this document and the Summary, the Summary prevails.

PART B GENERAL CONDITIONS

THE LESSEE COVENANTS:

8. CARE OF LAND & IMPROVEMENTS: The Lessee must:-

- 8.1 Sufficiently and substantially keep any improvements on the Land repaired, cleaned, maintained and in good working order.
- 8.2 Replace with similar articles any fixtures in the Land which may be destroyed or incapable of proper repair (such articles on being so replaced to become the property of the Council).
- 8.3 Promptly replace all broken or cracked glass in the windows and doors in any improvements on the Land with glass of similar quality (such glass on being so replaced to become the property of the Council).
- 8.4 Promptly repair all damage sustained as a result of any burglary or attempted burglary on the Land (and any materials used in such repairs to become the property of the Council).
- 8.5 Take all proper precautions to keep improvements on the Land free from pests, including rodents, vermin, insects and birds, and if so notified by the Council to employ (from time to time or periodically) pest exterminators approved by the Council for that purpose.
- 8.6 Provide and keep a proper receptacle for all garbage and waste and have such garbage regularly removed and disposed of.
- 8.7 Notify the Council promptly of all apparent structural damage which may appear in the Land and of the happening of any accident to or the discovery of any defect in any service to or service fitting in the Land.
- 8.8 Not overload the floors of any improvements on the Land.
- 8.9 Not alter or interfere with any sewerage, water, electric or other service fitting in the Land without the permission of the Council, and only to employ tradesmen approved by the Council to effect any permitted alterations or repairs to any service. Nothing in this clause prevents the Lessee from taking reasonably necessary action without reference to the Council in the event of emergency to minimize damage to the Land or to any person.
- 8.10 At all times during the term destroy and/or control all pest species on the Land which are declared under the *Land Protection (Pest and Stock Route Management) Act 2002* or declared under a Southern Downs Regional Council Local Law.

9. LESSEE'S FIXTURES

9.1 The Lessee must not:-

- a. Fix any fixtures to the Land or its improvements without the Council's prior consent, which consent is not to be unreasonably withheld and may be granted or refused or granted subject to conditions.
- b. Make any alterations or modifications to any fixtures installed in the Land without the Council's prior consent, which consent is not to be unreasonably withheld.
- c. Cut, make holes in, mark or damage, nor permit or suffer any of the preceding things to be done to any part of the improvements on the Land except so far as may be reasonably necessary for the installation of any permitted fixture.

9.2 During the last fourteen (14) days of the term the Lessee may remove from the Land or its exterior all fixtures installed by the Lessee during its occupancy, other than:-

- a. fixtures the cost of which has been paid or subsidized by the Council or its predecessors in title;
- b. fixtures which under any other provision of this Lease the Lessee is obliged to leave at the Land;
- c. fixtures which by agreement with the Council are to be left;
- d. fixtures which because of their degree of affixation would be difficult to remove or cause substantial damage in their removal;

and the Lessee must repair any damage caused to the Land or the building by such installation or removal.

9.3 If the Lessee has not done so as of right under the preceding clause, the Lessee must, if required so to do by the Council, remove from the Land within fourteen (14) days from the end of the term, any of the Lessee's fixtures. The Lessee must repair any damage whatsoever caused to the Land by installation or removal of these items.

9.4 If the Lessee fails to do any thing required by any notice under the preceding clause within 14 days of the notice, the Council may either:-

- a. itself cause those things to be done and recover the reasonable cost from the Lessee as a liquidated debt payable on demand;
- b. treat the fixtures as abandoned by the Lessee in which case ownership of the fixtures passes to the Council.

10. SIGNS

10.1 The Lessee must not paint, erect or affix or permit to be painted, erected or affixed any signs or advertisements to any part of the Land without the Council's prior consent which consent may, in the absolute discretion of the Council, be granted or refused or granted subject to conditions.

11. CHATTELS

11.1 During the last fourteen (14) days of the term the Lessee must remove from the Land all chattels (other than chattels owned by the Council) in the Land, and the Lessee must repair any damage caused to the Land or any improvements by such removal.

11.2 If the Lessee has not complied with the preceding clause by the end of the term, the Council may either:-

- a. itself cause the chattels to be removed and recover the reasonable cost from the Lessee as a liquidated debt payable on demand. The Council is not obliged to protect any chattels so removed from weather, theft, accidental or other loss;
- b. treat the fixtures as abandoned by the Lessee in which case ownership of the Lessee's chattels passes to the Council.

11.3 If the property of any person other than the Lessee remains in the Land after the end of the term the Council may remove and store or dispose of it as the Council thinks fit without being liable to take reasonable care. The Lessee must indemnify the Council against the costs of such removal or disposal and against any costs and damages recoverable by any third party against the Council in respect of such removal or disposal.

12. PUBLIC LIABILITY INSURANCE

- 12.1 The Lessee must effect a public liability insurance policy with an insurer authorised under the *Insurance Act 1973* (Commonwealth) naming the Lessee as the insured covering legal liability for any loss of or damage to any property and for the injury (including death) to any person arising out of anything done or omitted on or about the leased land or any improvements thereon and against all claims, demands, proceedings, costs, charges and expenses whatsoever in respect thereof. Such policy must:-
- a. be for an amount of ten million dollars (\$10,000,000.00) in respect of all claims arising out of a single event;
 - b. be effected on a "claims occurring" basis so that any claim made by the Lessee under the policy after the expiration of the period of policy will be covered by the policy subject to the claim meeting the policy's other terms and conditions;
 - c. be maintained at all times during the currency of the Lease;
- 12.2 The Lessee must, as soon as practicable, inform the Council, in writing, of the occurrence of any event that the Lessee considers is likely to give rise to a claim under the policy of insurance effected and must ensure that the Council is kept fully informed of subsequent actions and development concerning the claim.
- 12.3 The Lessee must renew such policy, at the Lessee's expense, each year during the currency of the lease and forward a certificate of currency to the Council within 14 days of the commencement of each respective renewal period.
- 12.4 Upon receipt of a Notice of Cancellation, the Lessee must immediately effect another public liability policy in accordance with the provisions of this condition.
- 12.5 Clause 12.1 of this condition will be satisfied if the Lessee is the State of Queensland or a statutory authority eligible for cover under the Queensland Government Insurance Fund and is insured and continues to be insured by the Queensland Government Insurance Fund.

13. COMPLIANCE WITH LAW & NOTICES

- 13.1 The Lessee must comply at the Lessee's expense with the provisions of all laws and lawful notices concerning the Lessee's occupancy and use of the Land.

14. RISK OF LAND

The Lessee must:-

- 14.1 Occupy and use the Land at the sole risk of the Lessee and the Lessee releases to the full extent permitted by the law the Council and the Council's agents from all claims and demands of every kind resulting from any accident, damage, death or injury occurring in the Land.
- 14.2 Hold the Council free from any liability for any loss of or damage to goods including livestock of the Lessee.
- 14.3 Indemnify the Council from and against all actions, claims, demands and costs for which the Council may become liable in respect of:-
- a. the negligent use or misuse of any of the Land by the Lessee or any employee, agent, sub-tenant or any other person claiming through or under the Lessee;

- b. loss, damage, death or injury from any cause whatsoever to property or person caused or contributed to by the use of the Land by the Lessee or any employee, agent, sub-tenant or other person aforesaid claiming through or under the Lessee.

15. COUNCIL'S ENTRY

15.1. The Lessee must allow the Council and all persons authorised by the Council to enter the Land at all times for the purposes of:-

- a. examining the state and condition of the Land;
- b. maintaining or repairing the services or service fittings, or any fixtures, or doing any works not done under the next clause;
- c. making such other use of the land as the Council may require.

15.2 The Council may serve upon the Lessee a notice specifying any repairs or works required to be done under this Lease and requiring the Lessee to do the same. If the Lessee has not within 14 days after service of such notice (or sooner if need be), proceeded diligently with such repair, then the Council and its agents may enter the Land and do such repairs or works. The reasonable costs of such repairs or works are to be a debt due by the Lessee to the Council payable on demand.

15.3 The Lessee must at all times during the term permit the Council and its agents free access to the Land to cut, mine, work and carry away any timber, mines and minerals, and to obtain water.

16. COMMON AREAS

16.1 The Lessee must:-

- a. not impede any person's use of the common areas for access, including access by vehicle, and ensure that the Lessee's members, employees, visitors and customers do not impede such use of the common areas;
- b. not store or permit to remain in the common areas any of the Lessee's vehicles, stock, signs or other chattels;
- c. not deposit any refuse or waste in the common areas;
- d. not play or broadcast any words or music or radio or other sounds audible in the common areas.

16.2 Impediment of access by the Lessee's members, employees, visitors or customers is a breach by the Lessee of its obligations under this Lease.

17. ASSIGNMENT

17.1 The Lessee must not assign, sub-let or part with or dispose of the Lessee's interest in the Land or any part without the Council's prior consent.

17.2 The Council, as a condition of giving such consent, may require a covenant from the assignee to the Council's satisfaction, to be responsible for the performance and observance of all the Lessee's covenants and agreements under this Lease;

18. MORTGAGE

18.1 The Lessee must not mortgage, charge, or in any way give any security over this Lease.

19. COSTS

19.1 Each party to the lease transaction is to meet its own legal costs, except that the Council will be responsible for the preparation of the lease documents.

20. INTEREST ON OVERDUE PAYMENTS

20.1 If the Lessee fails to pay to the Council any moneys on the due date for payment, the Lease Holder must, on notice by the Council, pay the Council interest on the unpaid amount from the due date until payment at the rate of twelve (12%) per centum per annum accruing daily.

21. AT END OF TERM

The Lessee must:-

21.1 At the end of the term quietly vacate the Land and deliver to the Council together with all keys for any improvements on the Land held by the Lessee.

21.2 At the end of the term and if the Council by notice directs, transfer the services to the Land to any person nominated by the Council.

THE COUNCIL AND THE LESSEE AGREE:

22. DAMAGE

22.1 If any improvements on the Land erected by the Council are so damaged by fire, accident, storm, tempest, earthquake or act of God as to be unfit for use, and:-

- a. such damage has not been caused by the Lessee; and
- b. the insurance policies have not been vitiated by the neglect of the Lessee;

then the rent or a fair proportion of it, according to the damage sustained, is to cease to be payable so long as the improvements are unfit for use.

23. DESTRUCTION

23.1 If the improvements to the Land erected by the Council are totally or substantially destroyed by fire, accident, storm, tempest, earthquake or act of God, the Council may by notice determine this Lease and in that case all claims under this Lease other than those which have arisen prior to the date of such notice are to be at an end.

24. TERMINATION

24.1 If:-

- a. there is a breach by the Lessee of its obligations under this Lease and the breach remains unremedied after reasonable notice from the Council requiring remedy (and in the case of failure to pay rent, 14 days is acknowledged to be reasonable notice); or
- b. the Lessee repudiates this Lease;

the Council may terminate this Lease by:-

- iii. re-entry; or

- iv. re-letting; or
- v. court proceedings; or
- vi. notice to the Lessee.

25. DAMAGES

25.1 The Council is entitled to recover damages against the Lessee for breach by the Lessee of any of its obligations under this Lease.

25.2 The Council's entitlement to recover damages extends to the loss of its bargain where the Council terminates this Lease as a result of:-

- a. breach of an essential term by the Lessee; or
- b. the Lessee's repudiation of this Lease; or
- c. breach of any of the Lessee's other obligations under this Lease where such breach remains unremedied after reasonable notice;

and is unable (after reasonable efforts) to find a tenant willing to take premises on at least the rental payable under this Lease at the time of termination on substantially the terms of this Lease (other than the terms as to commencement and termination).

25.3 The Lessee's failure to pay rent within 14 days of the date it becomes payable is a breach of an essential term of this Lease.

26. OVERHOLDING

26.1 If, after the end of the term, the Lessee remains in occupation of the Land without objection by the Council the Lessee will be a Lessee from day to day subject to the provisions of this Lease as far as they can be construed to apply to a monthly Lease.

27. NO LIABILITY

27.1 The Council does not incur any liability for damage or loss of profits by the Lessee for damage to goods or otherwise or injury caused by:-

- a. the overflow of any water supply system; or
- b. any storm or rain water which may leak into or flow into the Land or from the land or any adjoining Land or from any pipes, plumbing or sewerage works; or
- c. defective services or service fittings or wants of repair or maintenance to service fittings; or
- d. structural defects, defects to any improvements or otherwise;

The Lessee's liability to incur will be reduced proportionally to the extent that any negligence, or wilful act or omission of the Council or its officers, employees, contractors, agents, invitees or licensees contributed to the relevant actions, claims, losses, damages, penalties, demands or costs.

27.2 The Council does not warrant that the Land is fit for the Lessee's purposes.

28. NO COMPENSATION

28.1 Should any competent authority require the improvements on the Land to be demolished or the Land to be resumed, no claim by the Lessee for compensation is to be made against the Council.

29. INDEMNITY BY LESSEE

"Claim" includes an action, suit, proceedings, claim, demand, cost, loss, damage or expense;

The Lessee (other than the State of Queensland, if Lessee) indemnifies and agrees to keep indemnified the Council against any Claim, arising out of or in any way connected with this lease from the date of grant or commencement of the lease, the leased land or any activity on the leased land or the Lessee's use or occupation of the Land under this lease (all referred to as "the indemnified acts or omissions"). The Lessee's liability to indemnify the Council will be reduced proportionally to the extent that any negligence, or willful act or omission of the Council or its officers, employees, contractors, agents, invitees or licensees contributed to the relevant actions, claims, losses, damages, penalties, demands or costs.

30. ATTORNEY

30.1 The Lessee irrevocably appoints the Council the true and lawful Attorney of the Lessee enabling the Attorney to do all such things as the Attorney may consider necessary or desirable for fully and efficiently exercising, enjoying, preserving and protecting the rights, powers and privileges of the Council.

31. STATUTORY PROVISIONS

31.1 This Lease is to be read subject to the Land Act 1994. To the extent that any provision of this Lease is disallowed by that Act, is to be read as though that provision was not included.

31.2 The Council must give the Lessee 28 days notice of the Council's intention to cancel this Lease.

32. ENTIRE AGREEMENT & REPRESENTATIONS

32.1 The Lessee acknowledges that:-

- a. this Lease contains the entire agreement between the parties as to the Lessee's right to occupy the Land;
- b. the Lessee has not been induced to enter into this Lease by reason of any promise or representation which may have been given by or on behalf of the Council in respect of any matter relating to the Lease.

33. WAIVER

33.1 Where any actual waiver by the Council of the benefit of any covenant or condition in this Lease is proved to have taken place in any particular instance, such waiver does not extend to any other instance or to any other breach of covenant or condition, nor operate as a general waiver. The onus of proving any waiver rests upon the person alleging it.

33.2 In respect of the Lessee's obligation to pay rent, the acceptance by the Council of arrears or of any late payment of rent does not constitute a waiver of the essentiality of the Lessee's obligation to pay those arrears or of the late payment or in respect of the Lessee's continuing obligation to pay rent during the term of this Lease.

34. ALTERNATIVE DISPUTE RESOLUTION

Notice of Intent to Seek Alternative Dispute Resolution

34.1 In the event of any dispute or difference between the Lessor and the Lessee concerning any matter arising under this lease (other than a failure to pay rent on time) including without limitation:-

- a. The proper interpretation of the parties' rights and obligations.
- b. Whether or not a party is in breach of this lease;

then before issuing any court or other proceedings a party will deliver to the other a notice stating that party's intention to seek alternative dispute resolution. Such notice will nominate a mediator for the dispute.

Appointment of Mediator

34.2 On the receipt of a notice under the preceding clause, the receiving party will be deemed to have accepted the nominated mediator unless within 7 days of receipt the receiving party notifies the giving party of objection to the mediator. In the event that no agreement can be reached as to appointment of the Mediator, the President of the Queensland Law Society, or the President's nominee, at the request of either party, will select the Mediator.

Role of the Mediator

34.3 The Mediator will assist the Parties to attempt to resolve the dispute expeditiously and efficiently, and will determine the process of the mediation.

Co-operation by the Parties

34.4 The Parties must use their best endeavours to co-operate with the Mediator and each other during the mediation to promote the efficient and expeditious resolution of the Dispute.

Confidentiality of the Mediation

34.5 In the absence of express written permission, the Parties and the Mediator agree that the mediation is without prejudice. The Parties and the Mediator will not disclose to anyone not involved in the mediation, any information or document disclosed to them during the mediation, unless required by law to make such a disclosure.

Conclusion of the Mediation

34.6 The Mediation is deemed to have concluded when either:

- a. The Dispute has been resolved by agreement; or
- b. After meeting for a mediation either party notifies the other that in their opinion no agreement is likely to be reached.

Proceedings After Mediation

34.7 After conclusion of the mediation either party may commence proceedings in relation to the matter in dispute.

Cost of the Mediation

34.8 Unless otherwise expressly agreed in writing, the Parties will share equally the Mediator's fees. If the mediation does not result in an agreement which resolves the Dispute, and the dispute is subsequently litigated the costs of the mediation will be treated as part of the overall costs in subsequent court proceedings, which are generally payable by the losing party.

35. OPTION TO RENEW

If the Lessee wants to renew this Lease for the optional term mentioned in the Form 7, then not more than six months and not less than three months prior to the end of the Lease the Lessee must notify the Lessor. If at the date of such notice and for the remainder of the term the Lessee is not in default of its obligations under this Lease, the Lessor will grant a new lease of the Premises to the Lessee at a rent for the first year to be agreed, and failing agreement, as assessed as the fair market rent by a person agreed to by the Lessor and the Lessee, and failing agreement as to such person, as assessed by a person appointed for the purpose by the President for the time being (or that President's Deputy) of the Queensland Law Society, and otherwise upon the same conditions as are in this Lease, however:-

- c. the renewed Lease is not to contain any option of renewal;
- d. the rent payable in the renewed term is not to be less than the rent payable during the last year of the term of this Lease

36. NOTICES & CONSENTS & APPROVALS

36.1 Any notice, consent or approval under this Lease:-

- a. must be in writing;
- b. will be sufficiently served on or given to either party if forwarded by pre-paid post or left addressed to that party at its last address notified to the other party;
- c. will be sufficiently served on the Lessee if forwarded by pre-paid letter and posted to the Lessee at the Land.
- d. Where, in connection with this Lease any approval, consent, notice or demand may be given or made by the Council, it may be given or made by the Council or any solicitor or agent of the Council.

37. INTERPRETATION

37.1 This Lease is a deed between the Council and the Lessee.

37.2 In this Lease, references to:-

"the Council" refers to the Southern Downs Regional Council;

"the Crown" refers to the Crown in Right of the State of Queensland and includes any instrumentalities of the State of Queensland;

"the Lessee" includes the Lessee's successors and permitted assigns;

"the Summary" is the table entitled "Summary" set out at the start of this document;

SCHEDULE
()

References to any one gender are references to each other gender;

References to the singular are references to the plural;

References to statutes are references to those statutes as amended or re-enacted and to subordinate legislation under those statutes.

37.3 This Standard Term Document applies to leases and sub-leases.



Council Lease Policy

Policy Number:	PL-RP001
Department:	Corporate and Commercial Services
Section:	Property, Leases and Land Management
Responsible Manager:	Manager Corporate and Commercial Services
Date Adopted:	21 April 2008
Date to be Reviewed:	27 August 2020
Date Reviewed:	28 August 2019
Date Rescinded:	N/A

REVISION RECORD

Date	Version	Revision description
25/03/2014		Review of Policy
28/10/2015	1	Review of Policy
29/09/2016	2	Major review of Policy
25/05/2017	3	Update Policy
27/06/2017	4	No change of consequence
18/06/2018	4	Reviewed – no changes
09/08/2019	4	Reviewed – minor changes

Council Lease Policy

Policy no: PL-RP001

Updated: 9 August 2019

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1 Purpose

The purpose of this Policy is to set criteria for the issue of Southern Downs Regional Council (Council) Leases, where Council is the Lessor.

To ensure the equitable and consistent approach in providing tenure over Council owned or controlled land and facilities.

The policy describes Council's intent to formalise tenure arrangements, who can hold leases together with the terms and conditions of the lease which are captured in a standard format to ensure consistent application across Southern Downs.

2 Scope

This Policy will apply to Council's Trust and Freehold Leases (including Licenses, Permits and Agreements to Occupy).

3 Legislative Context

Leases will be issued in accordance with sections 227 and 236 of the *Local Government Regulation 2012*.

4 Policy Details

4.1 Lease of Trust Land (including Trustee Permits, Licenses and Agreements to Occupy)

Lease of Trust Land (including Trustee Permits, Licenses and Agreements to Occupy) shall have:

- a term up to a maximum of ten (10) years;
- an annual lease fee which is dependent on the Tender supplied by the Lessee or negotiated with Council;
- an annual fee will apply (as resolved by Council) for community and sporting organisations and will be reviewed every five (5) years. The fee is currently \$223.74 gst inc;
- the Lessee must hold Public Liability Insurance (minimum \$20,000,000);
- the actual cost of lodgment for registration, stamp duty and associated postage fees will be passed on to all Lessees. These fees and duties will be increased in line with the Department of Natural Resources, Mines and Energy notification;
- all associated Lease fees, including the initial annual rental will be invoiced and collected at the commencement of the Lease term;
- all costs associated with surveying of any lease area over part of a Lot are the Lessees responsibility.

4.2 Lease of Freehold Land (including Freehold Licences, Permits and Agreements to Occupy)

Lease of Freehold Land (including Freehold Licences, Permits and Agreements to Occupy) shall have:

- a term up to a maximum of ten (10) years, except by Council resolution;
- an annual rental fee which is dependent on the Tender supplied by the Lessee or negotiated with Council;
- an annual fee will apply (as resolved by Council) for community and sporting organisations and will be reviewed every five (5) years. The fee is currently \$223.74 gst inc;
- At the commencement of a lease, the Lessee must hold a minimum amount of \$20,000,000 Public Liability Insurance.
- the actual cost of lodgment for registration, stamp duty and associated postage fees will be passed on to all Lessees. These fees and duties will be increased in line with the Department of Natural Resources, Mines and Energy notification;
- all associated Lease fees, including the initial annual rental will be invoiced and collected at the commencement of the Lease term.

4.3 Eligibility Criteria

- Organisations seeking a community lease from Council should be non-profit and incorporated pursuant to the *Associations Incorporation Act (1981)* or any other Act of Parliament;
- Requests from organisations seeking a community lease from Council that are not incorporated, will be considered on a case by case basis;
- Each Lease is to be approved by Council resolution or by delegated authority.

4.4 Terms and Conditions of Lease

- All leases will be reviewed twelve (12) months prior to expiration;
- The annual rental charge for community and sporting organisations will be reviewed every five (5) years;
- The Lessee will provide the Lessor with a copy of their current Public Liability Insurance and Certificate of Currency on an annual basis;

- Sporting and community organisations will provide evidence of non-profit status and incorporation;
- The Lessee shall provide Council annually with a 'Financial Viability Report' including profit and loss, cash flows and balance sheets prepared by competent and appropriately qualified persons. If following examination of the Financial Viability Report, the Lessor finds that the Lessee cannot demonstrate the ability to meet financial viability, the Lessee will be required to give a written submission as to why the agreement should not be terminated;
- A standard lease will be developed reflecting the contents of this policy and relevant legislation for use as the basis of all sporting and community leases.

4.4.1 Utility Charges

- The Lessee will be responsible for all utility charges where the premises are separately metered and solely occupied by the Lessee.
- Where the leased premises are not separately metered, the Lessee will pay an agreed contribution for utility charges.

4.4.2 Insurance

- The Lessee will be responsible for building and contents insurance where the premises are stand-alone buildings.
- The Lessee will be responsible for contents insurance where the leased premises form part of Council occupied building/s.

4.4.3 Third Party Hire of Facilities

- All leases will include a statement recognising Council's policy of maximising community use and a commitment by the Lessee to support shared and multiple use of the facility by community-based organisations.
- Wherever possible, facilities should also be made available by the Lessee for casual hire where this does not interfere with the primary purpose of the facility or adversely affect the amenity of the local community. Hiring guidelines, including fees, will be referred to Council for approval and will be publicised by Council to the community. Fees from casual hire are payable to the Lessee and should be used to cover costs associated with maintaining the facility.
- Any use by a third party must be in accordance with the Planning Scheme and Council Local Laws and where required, permits for the use must be obtained.

4.4.4 Termination of Lease

- Council requires that Lessees undertake their permitted activities without adversely impacting on other groups and individuals. Council reserves the right to terminate the tenancy or to restrict the use of premises by the Lessee if this requirement is not adhered to.
- Council also reserves the right to terminate the tenancy or restrict the use of premises to community groups who operate outside the terms of their lease or fail to meet governance and constitutional requirements of their organisation.
- Council reserves the right to terminate the lease with the provision of the appropriate notice.

4.5 Maintenance Responsibilities

All leases will require Lessees to undertake routine cleaning, maintain the facility in good condition and perform incidental maintenance not requiring a skilled tradesperson. Council will determine a maintenance responsibility category that shall be applicable to the lease. Each Lessee is required to maintain the facility in accordance with the assessed category contained within the Maintenance Responsibility Matrix (Attachment A). Licensed and qualified tradespeople must be engaged to undertake works other than routine maintenance.

Council will provide access to Council controlled facilities with maintenance responsibilities being defined as per the following categories:

1. Lessee operated all or part of a Council owned facility

Facilities that are operated by lessees to deliver community or sporting outcomes.

2. Lessee owned and operated facilities on Council controlled land

Lessee operated facilities on Council land to deliver community or sporting outcomes.

Council will consider on a case by case basis (by resolution), requests made by Lessees for repairs and upgrades outside the Maintenance Responsibility Matrix. Requests will be subject to budget constraints.

4.5.1 Maintenance Inspection

Council reserves the right to inspect leased premises at any reasonable time after giving the Lessee reasonable notice.

5 Definitions

Term	Meaning
Utility charges	Electricity, water access, sewerage access, water consumption, fire levy.
Council controlled land	Freehold and Trustee land

ATTACHMENT A: Maintenance Responsibility Matrix

	Facility Category	Purpose	Capital Expenditure	Maintenance Expenditure	Operational Expenditure	Indicative Tenure
1	<i>Council owned land and building assets</i> <i>Lessee operated</i>	Community or sporting outcomes	Council: limited to planned capital upgrades by Council Lessee*	Lessee	Lessee	Maximum 10 year Lease
2	<i>Council owned land</i> <i>Lessee owned building assets</i> <i>Lessee operated</i>	Community or sporting outcomes	Lessee*	Lessee	Lessee	Maximum 10 year Lease

** Written permission must be gained from Council in addition to any regulatory approval prior to any construction work being undertaken. The first stage in gaining such approval shall be for the Lessee to submit a proposal to Council in accordance with the Lessee proposal to Council.*


ATTACHMENT B: Service Level Definitions

Capital Expenditure	Capital Expenditure includes expenditure on fixed items such as buildings, park structures and equipment and other infrastructure that is used to provide service levels. It includes new assets, upgrades to assets and rehabilitation.
Maintenance Expenditure	All actions necessary for retaining an asset as near as practicable to its original condition in order to deliver a required level of service, including regular ongoing day-to-day work necessary to keep assets operating. Maintenance does not increase the service potential of the asset nor keep it in its original condition; it slows down deterioration and delays when rehabilitation or replacement is necessary. It also includes required annual inspections.
Operating Expenditure	Includes recurrent expenditure that is continuously required to provide a service. In common use, the term typically includes items such as repairs to plant and equipment and consumables and associated service charges for example water, sewage, electricity, gas and waste collection.

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Infrastructure Services Directorate Monthly Report

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Director Infrastructure Services	ECM Function No/s: 04.15.01

Recommendation

THAT Council receive the Infrastructure Services Directorate Monthly Report.

Report

The following is provided for the information of Councillors.

2019/20 Capital Project Status

Refer Attachment for details

Works

- Theo Cantor Park - Men's Shed and Woodworkers – The kerbing is complete and the internal roadworks are expected to be sealed by the end of May.
- The two pedestrian bridges in Stanthorpe on the cycle network are nearing completion within the factory. They are expected to be installed by the end of June. The approaches will then be constructed in July 2020.
- Upper Forest Springs Bridge. The superstructure is nearing completion. Council's roadworks team will be undertaking the approach works. Expected to be open to traffic by the end of June.
- Bourkes Road bridge – the design is complete. Construction is expected to commence in May. Expected completion in July.
- Depot/Ogilvie/East Street upgrade – Design has commenced mid-May and project milestones have been agreed. Project is scheduled for commencement in the early part of 2021
- The design of the sealing of Link Road to Brunckhorst Avenue is complete. Tender documents for construction of this project are currently being completed.
- At Wallangarra the sealing of Margetts, Folkstone, and Barawell Streets has recently been completed.
- Freestone Road widening. The contract has been awarded and works expected to commence late May.
- Forde Street Allora rehabilitation is due for completion by the end of May.
- Forest Plain Road widening and rehabilitation is complete and open to traffic.
- Resheeting of sections of Goldfields road is complete. Sections of Pikedale Road will be complete by the end of May.
- Donnelly Castle Road rehabilitation is due to commence in May.
- February 2020 flood event. Council staff have met with Qld Reconstruction Authority (QRA) to commence the Recovery process. Emergent works are finished and Council is preparing the

claim. The longer term works for culverts and structures is still being assessed. The roads packages are in the process of being submitted to QRA in line with funding requirements.

Parks and Operations

Cemeteries

Interments:

Cemeteries facilitated eighteen (19) services for the month of April. Breakdown below:

Burials

	Lawn	The Grove	Below Ground Vault
Warwick	5	4	1
Stanthorpe	4		1
Eden Gardens	3		
Allora	1		

Ashes:

There were zero (0) ashes interments for the month of April.

Capital Work:

- Stanthorpe Burial Wall – Construction of the walls has been completed. Work is progressing on landscaping, irrigation and edging.

General:

- Social distancing restrictions apply with attendance numbers at funerals limited, however easing through May, June and July as per the State Governments plans.

Parks

Southern:

- Installation of the BARCI sculptures in Weeroona Park.

Northern:

- New sandstone edging at the Electric Vehicle charging station.
- Warwick Peace garden revitalisation.

General:

- Hand sanitisers installed in remaining public toilet facilities.
- Anzac Day preparations and the preparation of annual flowers.
- Closure of some amenities in parks due to COVID-19.
- Tree removals.

Facilities

- Prepared outdoor pools to save water for closure period following summer season.

- Sourcing and delivering sanitiser and spray bottles to all areas in response to COVID-19.
- Repairs and maintenance to Stanthorpe Pensioners Cottages and Warwick Pensioner Units.

Fleet and Workshops

- Plant and fleet orders placed following award of tenders at April Council meeting.
- 3D Grader system ordered to increase efficiencies.

Water

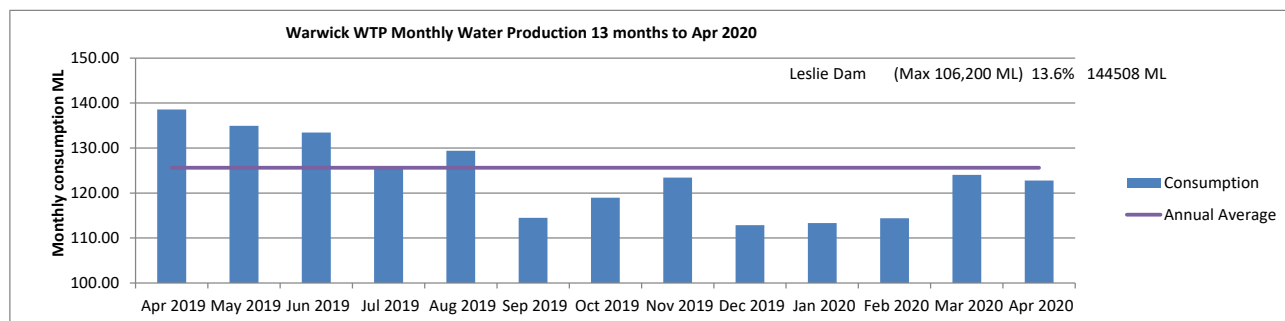
- Construction of recycle water main extension work (stage 1) is underway and progressing as per the schedule.
- Feasibility study to reverse the Allora to Warwick pipeline and design of water treatment plant to treat and supply Allora bore water to Warwick is now nearing conclusion.
- Detailed design of Stage 2 of recycled water main extension in final desing with construction tender to follow.

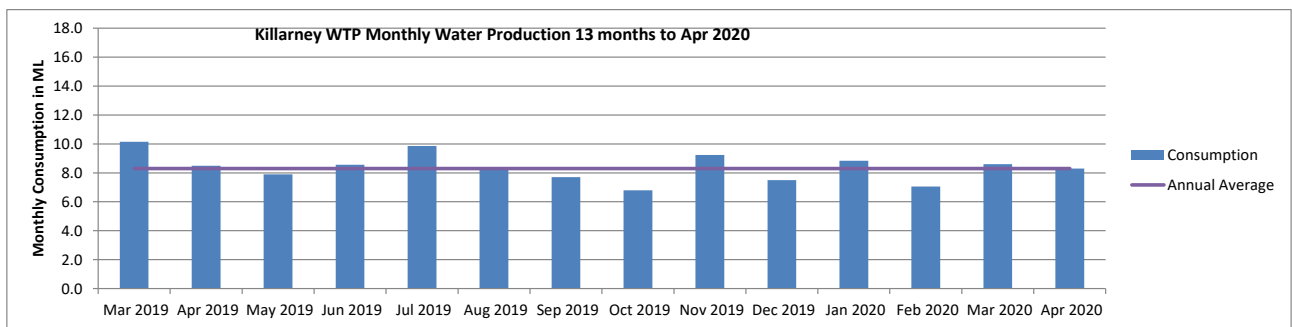
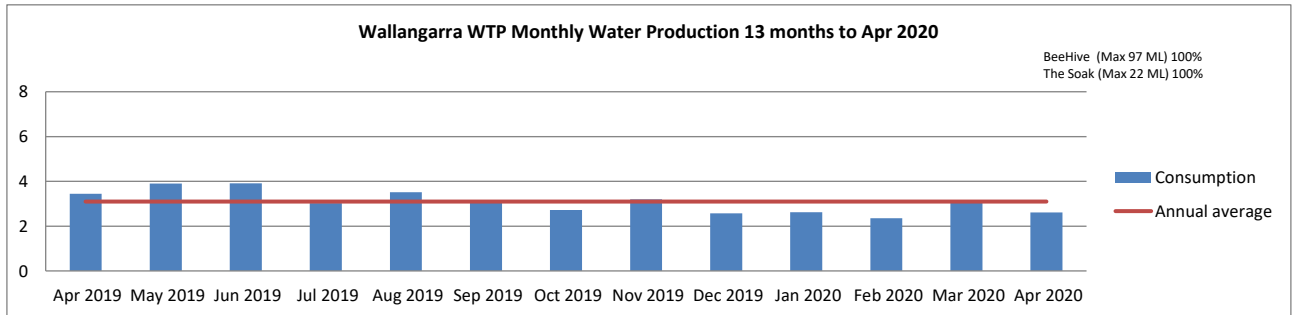
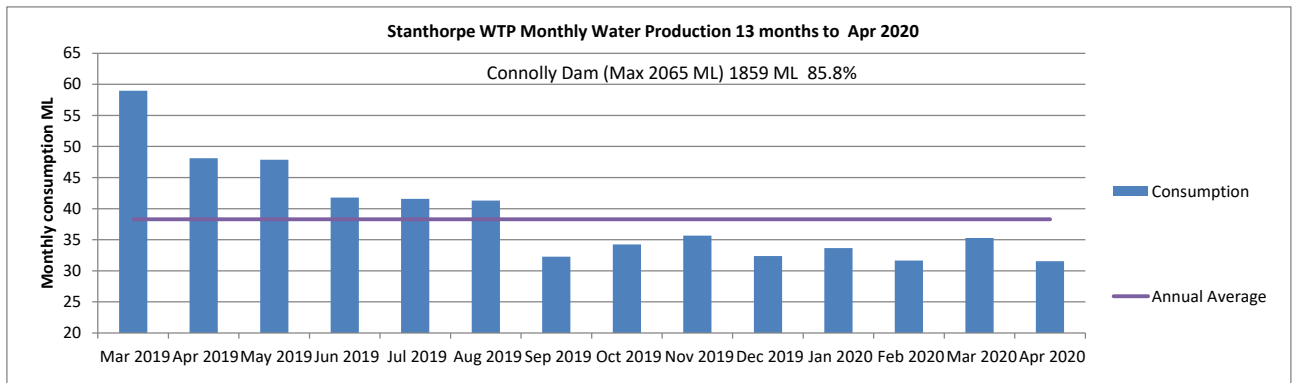
Water Performance Data Report as at 30 April 2020

Dam Levels

Water Supply Levels and monthly raw water inflow to the treatment plants at the end of April 2020										
Remaining Supply is based on no rain & current monthly abstraction for dams.										
	Water Scheme	Supply Source/s	Supply Capacity (ML/Yr) unless specified otherwise				Demand (ML)			Remaining Supply Mths*
			Maximum	Dam % Full	Quantity	Available	Annual	Monthly	Daily	
1	Warwick	Leslie Dam	106,250	13.60%	14,450	12,570	1489.56	124.13	4.28	30 (inc evap)
2	Stanthorpe	Storm King Dam (SKD)	2,065	18.10%	374	174		0.00	0.00	3 mths (if SKD re-commenced supply at current monthly demand)
		Connolly Dam	2,157	85.80%	1,859	1,809	421.04	35.09	1.21	24.0
3	Killarney	Spring Creek Weir & OSS	70	100.00%	300	300	116.38	9.70	0.33	7mths OSS or 18 mths from weir
4	Wallangarra	Beehive Dam	97	100.00%	47	69	38.44	3.20	0.11	18 mths (estimate)
		The Soak	22	100.00%	22					
6	Dalveen	Bore/s	30	N/A	30	30	6.16	0.51	0.02	58.5
7	Leyburn	Bore/s	30	N/A	30	30	14604.00	1217.00	41.97	0.0
8	Pratten	Bore/s	30	N/A	30	30	300.00	25.00	0.86	1.2
Leslie Dam (SunW Agreement to hold bottom 14% (14,960 ML) for SDRC. Contract for supply of 3,207 ML/yr										
Note! *Wallangarra Dam supplies do not account for evaporation. No modelling available for dams										

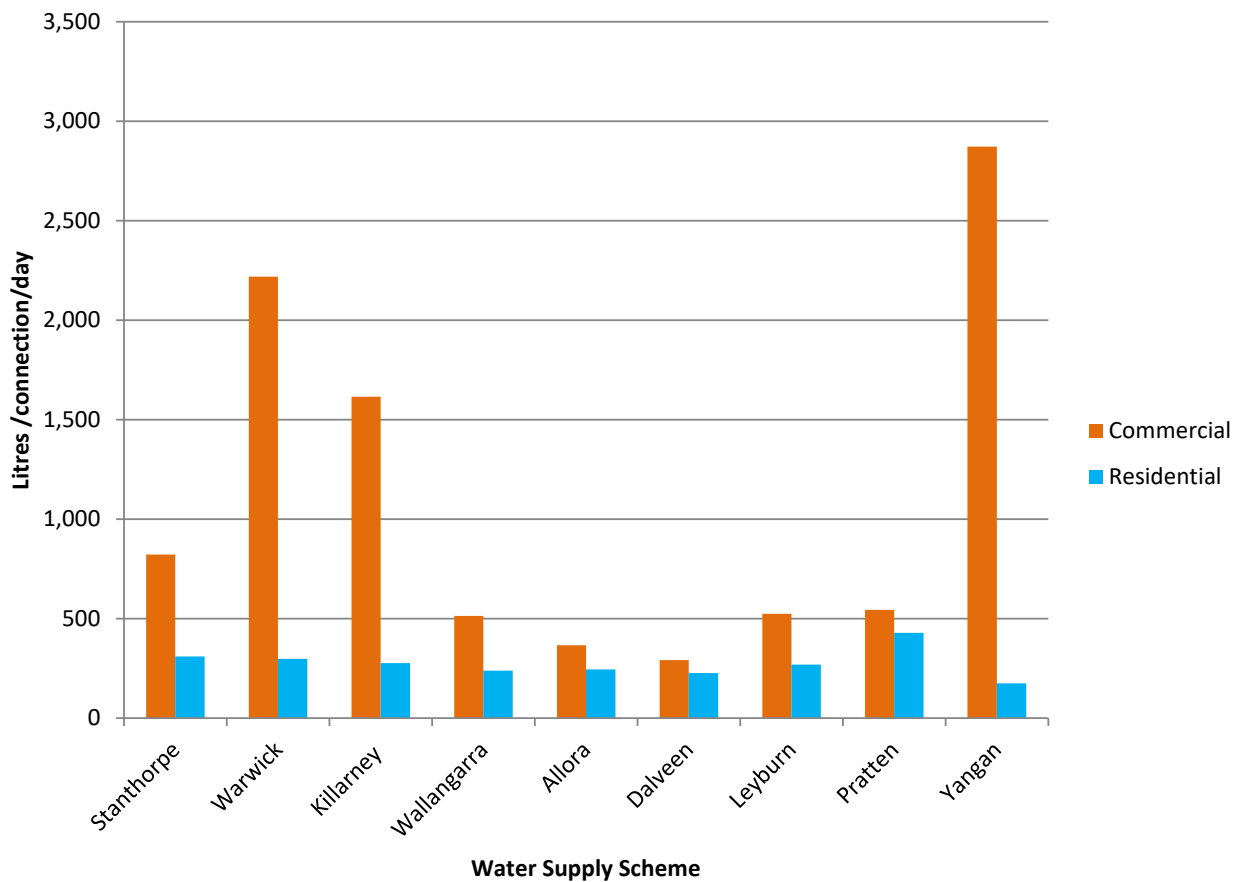
Monthly Water Consumptions Graphs





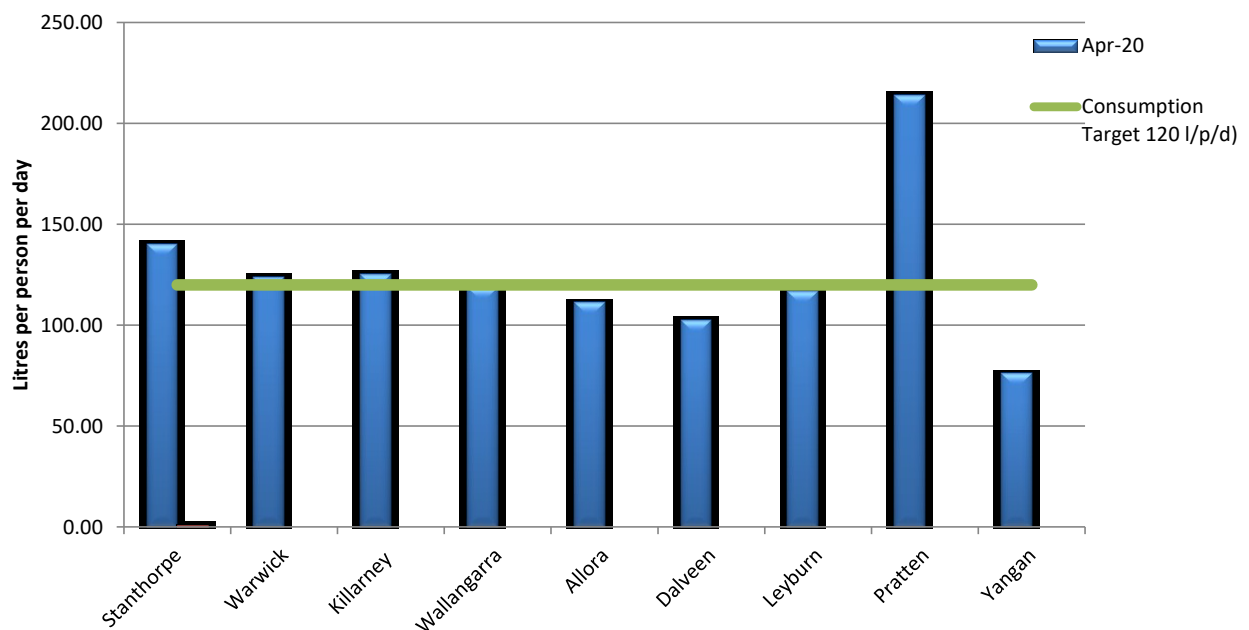
Avg Daily Consumption per Connection March 2020

(based on March 2020 meter readings)



Residential Water Consumption Comparison

(March 2020 meter readings)



Budget Implications

Nil

Policy Consideration

Nil

Community Engagement

Nil

Legislation/Local Law

Water Supply and Reliability Act 2008

Attachments

1. Capital Works Project Status - Works [↓](#)



Capital Works Program 19/20 - Capital Works Report April 20200511

HVSP	HVSP - Heavy Vehicle Safety and Productivity Program	NOT STARTED
BRP	BRP - Bridge Renewal Programme (2015)	Planning and Design
RTR	RTR - Road to Recovery (19)	Planning
CNLGGP	CNLGGP - Cycle Network/Local Government Grants Program (2015)	Planning
RTR	RTR - Road to Recovery (19)	Planning
TDS	TDS - Transport Infrastructure Scheme (2015)	Planning
WAG	WAG - Works for Queensland (19)	Planning
QIP	QIP - Operational	Operational
SCRC	SCRC	Operational

	Project Name	Original Total Budget	Revised Total Budget	Current Annual Budget	Act Expend	Commit	Original Estimate	Revised Estimate	Funding	Progress	Project Officer	Est Start	Act Start	Est Finish	Act Finish	Status/Comment
	CAPITAL WORKS - CONSTRUCTION	21,759,152	28,036,963	13,689,038	9,660,327	2,960,489	2,827,750									
	<i>Previous Year</i>	<i>7,148,040</i>	<i>12,358,442</i>	<i>713,628</i>	<i>475,044</i>	<i>244,100</i>	<i>1,841,222</i>									
CP800157	Rangers Rd/Ovenham St Intersection	350,000	441,853	25,390	25,390	0	0	0	RTR	100%	Andrew Mapes	19/09/2018	30/04/2019	28/06/2019	27/06/2019	Project Completed
CP800418	Condamine River Crossings - MPP FY18/19	100,000	132,096	5,000	2,040	555	0	0	100%	Andrew Mapes	11/02/2019	11/02/2019	28/06/2019	31/07/2019	Project Completed: Report completed	
CP800438	Off-Leash Dog Park	0	79,138	37,706	37,706	0	0	0	100%	Carly McManagles	3/06/2019	3/06/2019	14/06/2019	30/09/2019	Project Completed	
CP800367	Sthpe Indust Dev VAG Rd & Electrical	625,868	631,684	8,040	5,765	0	421,921	579,864	TIDS	100%	Heath Tomkins	1/10/2018	4/02/2019	26/04/2019	25/06/2019	Project Completed
CP800380	TIDS Amens Rd (18/19)	883,846	888,305	2,307	2,307	0	0	0	TIDS	100%	Heath Tomkins	3/09/2018	6/11/2018	21/12/2018	14/06/2019	Project Completed
CP800361	Invermay Rd (TIDS) 18-19	800,000	789,279	831	630	0	0	0	TIDS	100%	Mark Cochrane	18/09/2018	11/02/2019	30/03/2019	31/05/2019	Project Completed
CP800329	Eassey Street D&C (LGP)	200,000	4,885,665	119,000	21,828	121,386	20,900	20,000		75%	James Vanhaghe	1/12/2019	10/09/2018	30/06/2022		Detailed design commenced in order to provide evidence supporting fish passage approvals
CP800358	Gravel Reheating 18-19	1,820,000	1,903,047	97,845	87,845	0	879,515	1,041,258		100%	Malcolm Beattie	9/07/2018	2/07/2018	15/06/2019	28/09/2019	Project Completed
CP800434	Multi Purpose Fit Out - PM Costs	75,000	36,772	58,208	36,208	0	0	0	VAG	100%	Michael Ball	12/11/2018	21/01/2019	28/07/2019	30/08/2019	Project Completed
CP800382	TIDS Freestone Rd Rehab 18-19	525,000	468,861	2,553	2,552	0	0	0	TIDS	100%	Mark Cochrane	4/03/2019	4/02/2019	17/05/2019	14/06/2019	Project Completed
CP800359	Reels 18-19	1,000,000	1,023,313	15,500	(2,894)	0	0	0	100%	Peter Crisp	6/08/2018	6/08/2018	11/06/2019	31/05/2019	Project Completed	
CP800373	Park Road Bridge	300,000	182,446	179,894	170,694	0	0	0	CNLGGP	100%	Mike Haleczko	25/08/2018	8/03/2019	30/12/2018	15/08/2019	Project Completed
CP800415	Guy, Pratten, Parker St Cycleway/Design	340,000	254,229	195,000	85,933	122,147	0	0	CNLGGP	50%	Mark Cochrane	5/11/2018	4/02/2019	30/10/2019		Further consultation works are in progress to facilitate the approval of the design
CP800363	Condamine River Walk (VAG)	0	335,724	0	278	0	0	0	CNLGGP	100%	Mark Cochrane	1/07/2018	25/02/2019	30/06/2020	7/06/2019	Project Completed
CP800426	S Double Routes	150,000	146,356	872	871	0	0	0	HVSP	100%	Mike Haleczko	2/07/2018	12/11/2018	31/05/2019	28/06/2019	Project Completed
CP800370	Jimmy Mann Rd Floodway (18-19) RTR	158,000	162,548	7,452	7,452	0	0	0	RTR	100%	Peter Crisp	18/03/2019	29/01/2019	21/06/2019	25/06/2019	Project Completed
CP800372	Design of Sipe CBD Cycle & Ped Bridge	20,326	20,326	7,432	7,432	0	0	0		100%	Mark Cochrane	25/06/2018	13/08/2018	30/12/2018	10/10/2019	Project Completed
	<i>Current Year</i>	<i>14,611,112</i>	<i>15,877,521</i>	<i>12,975,410</i>	<i>9,194,283</i>	<i>2,715,390</i>	<i>1,196,529</i>									
CP800342	Palmer Bridge Freestone (BRP) year 2	2,400,000	2,599,795	2,100,000	2,075,583	0	0	0	BRP	95%	Mark Cochrane	4/03/2019	16/07/2018	31/12/2020		Project Completed, project completion milestone being finalized for revenue purposes
CP800448	Jack Smith Gully Rehab (TIDS)	439,000	394,000	394,000	394,268	0	225,187	245,187	TIDS	100%	Andrew Mapes	1/10/2019	28/08/2019	22/12/2019	28/11/2019	Project Completed
CP800459	Village Amenity Sealing (RTR)	220,000	213,786	213,786	213,786	0	0	0	RTR	100%	Heath Tomkins	1/11/2019	6/09/2019	29/12/2019	18/10/2019	Project Completed
CP800482	Bourkes Road Bridge (BRP4)	852,300	872,300	852,300	26,202	461,166	0	0	BRP	20%	Mark Cochrane	7/10/2019		30/06/2021		Project design completed, awaiting commencement of construction
CP800483	Upper Forest Springs Bridge (BRP4)	602,800	685,000	685,000	161,846	382,598	0	0	BRP	45%	Mark Cochrane	20/01/2020	30/03/2020	13/03/2021		Contract awarded - construction nearing completion
CP800475	Depot/Ghine East St upgrade (HVSP6)	790,000	790,000	50,000	11,766	48,314	0	0	HVSP6	40%	Mark Cochrane	29/07/2019	5/09/2019	31/03/2021		Project construction deferred to next year, design and planning in progress
CP800444	Resheet Gravel Roads (ex LRRS)	1,000,000	1,000,000	1,000,000	916,713	0	805,872	906,341		90%	Malcolm Beattie	1/07/2019	1/07/2019	30/06/2020		Project Completed
CP800449	Forde Street Allons Rehab (RTR)	207,000	211,895	212,000	210,978	0	0	0	100%	Mark Cochrane	5/08/2019	26/08/2019	31/08/2019	13/09/2019	Project Completed, financial completion in progress	
CP800494	Guy Street Footpath LGP	80,000	80,000	80,000	13,462	56,188	0	0	CNLGGP	25%	Andrew Mapes	1/12/2019	24/02/2020	25/01/2020		Construction commenced on driveway, contracted awarded for rest of footpath
CP800485	Condamine River Walk stage 2 (VAG)	300,000	390,000	234,000	227,129	3	0	0	VAG	95%	Mark Cochrane	1/11/2019	6/09/2019	30/11/2020		Project almost completed, incommencing and financial completion in progress
CP800486	Donnelly, Castle Road Rehab (RTR)	350,000	350,000	330,000	8,723	0	0	0	RTR	0%	Heath Tomkins	22/07/2019		31/12/2020		Planning and Design almost complete, construction to commence mid May
CP800513	Sealing Darcy Street, Stanthorpe (VAG)	90,000	101,022	101,022	161,872	0	0	0	VAG	100%	Heath Tomkins	9/09/2019	28/08/2019	30/06/2020	30/11/2019	Project Completed
CP800487	McGlewe Street Cycleway (CNLGGP)	845,000	845,000	845,000	326,028	275,484	0	0	CNLGGP	60%	Heath Tomkins	10/09/2019	5/09/2019	10/11/2019		Footpath construction works commenced, bridge works in progress
CP800488	Park Road Crossover (CNLGGP)	75,800	75,800	75,800	12,472	33,466	0	0	CNLGGP	15%	Mark Cochrane	10/10/2019		10/11/2019		Planning and Design in progress, Design being completed for TMR approval, this project is a two year project
CP800489	Quat Pot Ck Cycle way (CNLGGP)	833,000	833,000	833,000	155,208	98,117	0	0	CNLGGP	60%	Heath Tomkins	10/01/2020	5/09/2019	15/03/2020		Footpath Construction works commenced
CP800490	Upper Wheelvale Rd Widening (RTR)	450,000	467,250	467,250	415,382	1,858	0	0	RTR	95%	Mark Cochrane	21/10/2019	8/10/2019	29/11/2019		Project Completed, financial completion in progress
CP800472	Reveal Program	1,000,000	1,000,000	1,000,000	915,194	22,182	0	0		95%	Peter Crisp	1/07/2019	2/09/2019	30/06/2020	20/12/2019	Major program of SCRC works completed - awaiting invoice of TMR works completed
CP800473	Connolly Dam Rd Sealing TCRP2	950,000	950,000	712,500	356,958	294,409	0	0	RTR	40%	Peter Crisp	12/08/2019	3/02/2020	31/12/2020		Construction in progress
CP800492	Upper Forest Springs Rd Widening (RTR)	300,000	390,000	75,000	10,973	532	0	0	RTR	1%	Peter Crisp	2/03/2020		31/12/2020		Planning and Design in progress
CP800535	Leslie Dam Boat Ramp	60,000	70,207	70,207	71,905	0	0	0	100%	Andrew Mapes	1/10/2019	13/01/2020	30/06/2020	21/02/2020	Works almost completed, awaiting signage	
CP800536	Storm King Dam Boat Ramp	30,000	26,700	26,700	26,676	0	0	0	100%	Heath Tomkins	1/10/2019	24/10/2019	30/06/2020	26/11/2019	Project Completed	
CP800532	Roadworks - Emergency Water Supply	0	0	0	902,583	0	0	0	100%	Heath Tomkins	24/09/2019	25/09/2019	1/11/2019	13/12/2019	Project Completed	
CP800491	Lock St Kerb & Channel and Car Parking	155,000	155,000	155,000	7,439	0	0	0		5%	Heath Tomkins	5/09/2019	10/02/2020	6/12/2019		Planning and Design almost complete
CP800514	Seal Link Brunkhorst Av-Vallangra Rd	250,000	850,000	250,000	46,552	44,255	0	0		5%	Peter Crisp	9/08/2019		30/06/2021		Awaiting approval from GR and TMR on plans, consultant preparing tender docs
CP800572	Forde St Allons Rehab (RTR) CH0.56-0.79	138,000	138,000	138,000	4,558	29,643	0	0	RTR	15%	Mark Cochrane	3/02/2020		29/05/2020		Works Commenced and in progress
CP800573	Freestone Road Rehab (TIDS)	350,000	541,760	541,760	7,014	394,590	0	0	TIDS	10%	Mark Cochrane	3/02/2020		30/05/2020		Contract awarded, awaiting commencement of construction
CP800474	Resheet Gravel Roads (TIDS)	1,409,742	1,283,154	1,283,154	0	0	0	0	TIDS	60%	Heath Tomkins	14/01/2019	6/01/2020	12/04/2019		Project for budgetary information only - refer CP800478, CP800479, CP800489
CP800478	Resheet Pikeville Rd - VAWAG (TIDS)	0	0	0	213,948	198,255	0	0	TIDS	70%	Heath Tomkins	14/01/2019	12/03/2020	12/04/2019		Works in progress
CP800479	Resheet Goldfields Rd - Stanthorpe (TIDS)	0	0	0	842,766	86,217	35,000	35,000	TIDS	95%	Heath Tomkins	14/01/2019	18/01/2020	12/04/2019		Works almost complete
CP800490	Resheet Inverny Rd - Stanthorpe (TIDS)	0	0	0	3,154	0	0	0	TIDS	0%	Heath Tomkins	14/01/2019		12/04/2019		Project will not proceed, funds directed elsewhere
CP800567	Forest Plain Road Rehab RTR 19/20	583,870	420,000	400,000	321,561	101,309	0	0	RTR	60%	Peter Crisp	1/01/2019	17/02/2020	25/06/2021		Works almost complete, concrete headwall construction remaining - RFQ in progress
CP800537	Vallangra Village Sealing (RTR)	125,000	125,000	125,000	0	0	0	0	RTR	15%	James Vanhaghe	3/02/2020	30/03/2020	27/03/2020		Project for budgetary information only - refer CP800560, CP800561, CP800568
CP800559	Vallangra Sealing - Marggotts St (RTR)	0	0	0	46,043	31,416	0	0	RTR	75%	Heath Tomkins	2/03/2020	30/03/2020	1/06/2020		Works almost complete
CP800560	Vallangra Sealing - Barnwell St	0	0	0	29,039	25,047	0	0	RTR	60%	Heath Tomkins	2/03/2020	30/03/2020	1/06/2020		Works almost complete
CP800581	Vallangra Sealing - Falkstone St	0	0	0	26,872	14,807	0	0	RTR	60%	Heath Tomkins	2/03/2020	30/03/2020	1/06/2020		Works almost complete




Capital Works Program 19/20 - Capital Works Report April 20200511

HS/SP	HS/SP - Heavy Vehicle Safety and Productivity Program		
BRP	BRP - Bridge Renewal Programme (2015)		
BS	BS - Bushland (10)		
CRAL/GOV	CRAL/GOV - Local Government Grants Program (2015)		
RTR	RTR - Roads to Recovery (10)		
TDS	TDS - Transport Infrastructure Scheme (2015)		
VAG	VAG - Works for Queensland (10)		
GP	GP - Operational		
SDRC			

	Project Name	Original Total Budget	Revised Total Budget	Current Annual Budget	Act Expend	Commit	Original Estimate	Revised Estimate	Funding	Progress	Project Officer	Est Start	Act Start	Est Finish	Act Finish	Status/Comment
CP800586	MT Colliery Village Sealing (RTR)	145,000	170,000	170,000	91,330	28,584	0	0	RTR	100%	Mike Haleszko	10/02/2020	14/04/2020	20/03/2020	1/05/2020	Project Completed
CP800582	325 Eukaly Road Busstop			25,000						90%	Heath Tomkins	20/3/2020	12/03/2020	30/04/2020		Works Almost complete, bitumen seal and signage remaining
	Yangan Road Intersection works - OPERATIONAL		249,003		175,363	17,126			OP	100%	MCOCHRANE	28/10/2019	15/10/2019	20/12/2019	13/12/2019	Project Completed
	CAPITAL WORKS - COMMUNITY	2,041,997	2,327,062	978,283	541,068	261,196	0	0								
	<i>Previous Year</i>	<i>949,497</i>	<i>929,500</i>	<i>78,883</i>	<i>74,883</i>	<i>0</i>	<i>0</i>	<i>0</i>								
CP800394	Old Alton Offices - Raise and Restump	459,497	447,849	1,255	1,255	0	0	0	VAG	100%	Anneke Jacobson	11/07/2018	1/03/2019	28/06/2019	28/06/2019	Project Completed
CP800337	Rest Area & Entrance Sign Wallangarra	150,000	141,881	340	340	0	0	0		100%	Mike Haleszko	9/07/2018	30/05/2018	20/06/2019	25/06/2019	Project Completed
CP800298	Recreation Areas Small Villages	150,000	154,439	6,856	6,856	0	0	0		100%	Zoe Durkop	12/03/2018	28/03/2018	29/03/2019	30/01/2019	Project Completed
CP800398	Stanthorpe Admin Building Underpinning	35,000	27,846	5,432	5,432	0	0	0		100%	Zoe Durkop	2/07/2018	13/09/2018	28/08/2019	25/08/2019	Project Completed
CP800402	Equitable Access - Stanthorpe Admin	150,000	157,891	5,000	1,000	0	0	0		100%	Zoe Durkop	2/07/2018	28/09/2018	28/06/2019	28/06/2019	Project Completed
	<i>Current Year</i>	<i>1,097,500</i>	<i>1,397,552</i>	<i>959,500</i>	<i>526,186</i>	<i>261,196</i>	<i>0</i>	<i>0</i>								
CP800289	Witchner Shelter Restoration	315,000	283,892	125,000	95,746	4,114	0	0		50%	Tony Butler	1/07/2018	1/07/2018	30/06/2021		Project stage 1 complete, stage 2 colour confirmation from heritage consultant in progress, remaining works to be delivered by day labour staff
CP800447	Buildings Fire Systems Upgrades 2019-20	62,500	62,500	62,500	0	28,450	0	0		10%	Anneke Jacobson	2/09/2019	1/07/2019	29/05/2020		Contracted awarded, project to commence soon
CP800494	Leam to Ride Park (VAG)	300,000	300,000	300,000	39,755	194,797	0	0	VAG	20%	James Varghese	4/11/2019	1/07/2019	7/02/2020		Design completed. Community consultation in process, expected start date 1st June 2020
CP800277	Theo Carter Shed Compliance Upgrade (VAG)	420,000	751,189	472,000	420,684	33,835	0	0	VAG	80%	Anneke Jacobson	5/08/2019	5/08/2018	29/05/2020		Carpark construction progressing, concrete works almost complete, shed fit out complete
	CAPITAL WORKS - Maintenance	8,832,265	3,607,562	814,856	319,686	48,456	23,000	0								
	<i>Previous Year</i>	<i>4,735,265</i>	<i>2,757,734</i>	<i>6,463</i>	<i>6,729</i>	<i>0</i>	<i>0</i>	<i>0</i>								
CP800295	Extension of Lighting - Quat Pot Ck	121,817	119,851	443	443	0	0	0		100%	Brian Weeks	15/02/2018	15/02/2018	30/06/2018	11/10/2019	Light poles received, awaiting completion of footpath project to install lighting
CP800211	Cyclone Debbie - Project Management	2,019,168	849,145	6,000	461	0	0	0		100%	Mike Haleszko	20/09/2017	26/09/2017	25/06/2018	4/06/2018	Project Completed
CP800256	Cyclone Debbie Comp Works - Package 5	184,403	11,198	(153,214)	0	0	0	0		100%	Chris Whitaker	6/10/2017	18/10/2017	30/12/2017	14/09/2019	Project Completed
CP800326	Cyclone Debbie Betterment - Merivale St	2,406,422	975,456	153,214	0	0	0	0		100%	Chris Whitaker	16/03/2018	10/04/2018	31/12/2018	26/06/2019	Project Completed
CP800331	Cyclone Debbie Betterment Depot Rd	24,255	802,093	0	(4,103)	0	0	0		100%	Chris Whitaker	16/03/2018	27/03/2018	31/12/2018	18/09/2019	Project Completed
	<i>Current Year</i>	<i>4,097,000</i>	<i>3,849,828</i>	<i>808,330</i>	<i>322,664</i>	<i>48,456</i>	<i>23,000</i>	<i>0</i>								
CP800448	Stanthorpe Cemetery Burial Wall	270,000	220,000	220,000	195,611	0	0	0		80%	Anneke Jacobson	1/11/2019	1/07/2019	30/06/2020		Construction has reached practical completion, landscaping works RFQ closed
CP800423	Widening Tor Cyclesways	45,000	44,828	3,393	3,393	0	0	0		100%	Cameron Ben	1/02/2019	5/02/2019	30/06/2019	28/08/2019	Part of test FY master cyclesway project, Council briefing session completed
CP800489	Footpath Replacement	50,000	65,000	65,000	32,362	24,915	13,900	23,000		80%	Cameron Ben	1/07/2019	1/07/2019	30/06/2020		Works in progress
CP800500	Replacement of Damaged Kerb & Channel	750,000	75,000	75,000	0	0	0	0		30%	Cameron Ben	1/07/2019		30/06/2020		Planning and Design in progress
CP800496	Seal High Maintenance Gravel Roads															Project not going ahead
CP800497	Seal Gravel Roads	2,000,000	100,000	100,000	12,210	604	0	0		40%	Cameron Ben	1/07/2019		30/06/2020		Works in progress
CP800588	Border St Wallangarra Widening RTR 19/20	24,000	27,000	27,000	26,204	3,872	0	0	RTR	99%	Peter Crisp	1/01/2020	3/02/2020	30/06/2020	20/3/2020	Works Completed
CP800499	Emergency repairs to Stormwater	750,000	75,000	75,000	0	0	0	0		30%	Cameron Ben	1/07/2019		30/06/2020		Waker St project, design completed, awaiting appointment of PM (Contractor) to deliver
CP800495	Homestead Rd Yalden	40,000	75,000	75,000	53,084	19,264	0	0		100%	Cameron Ben	2/09/2019	6/04/2020	30/09/2019	8/05/2020	Works Completed, minor tidy up remaining
CP800548	Oak Ave improve road and drainage issues	48,000	48,000	48,000	0	0	0	0		40%	Cameron Ben	4/11/2019		15/11/2019		Planning and Design in progress
CP800496	Replace damaged light poles	120,000	120,000	120,000	0	0	0	0		35%	Cameron Ben	5/08/2019		18/10/2019		Planning and Design in progress
	CAPITAL WORKS - COMBINED TOTAL	32,633,414	33,971,577	16,482,277	10,521,081	3,269,140	2,399,396	2,860,750								
					68%	21%										
					89%											

12.2 Learn to Ride Bike Pathway in Australiana Park - Community Consultation

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Manager Works	ECM Function No/s: 06.07.10

Recommendation

THAT Council proceed to the construction phase of the Learn to Ride Bike Pathway in Australiana Park noting the outcomes of community consultation.

Report

Council was successful in obtaining \$300,000 from the Queensland Government's *Works for Queensland 2019-21* program to design and construct a Learn-to-Ride bike pathway in Australiana Park.

The construction of a Learn-to-Ride facility has been on Council's wish-list since the adoption of the Australiana Park Masterplan by the former Warwick Shire Council in 2007.

The facility has been designed to provide a slower section for junior riders who are in the early stages of learning to ride. The proposed facility will provide more challenging and interesting cycling experiences for advanced and experienced riders with elements such as a:

- Roundabout;
- Stop intersection;
- Give Way intersection;
- Four-way intersection;
- Pedestrian crossing;
- Dry creek bed crossing
- Railway crossing;
- Culvert bridge;
- Cattle grid;
- Section of gravel road with corrugations;
- One-way winding road;
- Sharp bend;
- Balance track called the "Bandy Bandy" trail;
- Overtaking and merge lanes and;
- Slalom track with berms and cambers.

It is intended that the combination of elements for junior riders and advanced riders with proximity to the existing playground equipment (which will be retained) will enable parents an excellent outdoor recreational facility, whilst supervising children of varying ages. The facility will encourage exercise by teaching children how to ride bikes and understand road signs and intersections.

Since obtaining funding, Council has engaged a specialist landscape consultant to design and construct the Learn-to-Ride bike pathway. The concept for the facility (see Attachment 1) was presented to Council at its Briefing Session held on 3 February 2020.

Consultation has occurred internally with Council's Parks & Operations and Community Services Departments. Following a Council briefing session on Monday, 3 February 2020 on the concept plan, Council unanimously agreed to proceed to detailed design phase. The detailed design phase was completed on 28 February 2020.

The Works Department has now undertaken community engagement of the proposed facility via social media and online feedback submissions. The outcomes have been collated and included as Attachment 2. The feedback received is largely very supportive of the proposed facility.

Two important consultations were undertaken as part of the community engagement. The originator of this idea behind this proposal was very pleased with the concept; however requested that a manually operated traffic light also be included, similar to the one in Glenvale Park, Toowoomba.

The concept design was also discussed with a member of the Condamine Headwaters Landcare Group who encouraged recognition of the local Githabul people in the landscaping. This representative was very supportive of the project and recommended to include drought resistant planting in the facility as vegetation.

Council's endorsement is now sought to move to the construction phase of the project, which is currently anticipated to be a six to eight week programme.

Budget Implications

The proposed construction works remain within the \$300,000 budgeted amount.

Policy Consideration

Shaping Southern Downs

Connect Strategy: Active Transport

3. Ensure all public open space and pathways are accessible and safe to all age groups and ability types

Community Engagement

Internal Consultation

- Council.
- Parks & Operations.

External Consultation

- Community Consultation via Social Media over a 2 week period.
- Targeted stakeholder engagement as detailed in this report.

Legislation/Local Law

Local Government Act and Regulations

Attachments

1. Learn to Ride Australian Park Landscape Concept [1](#)
2. Collated Feedback [2](#)



LEARN TO RIDE AUSTRALIANA PARK

WALLACE STREET, WARWICK
LANDSCAPE CONCEPT



SOUTHERNS DOWNS REGIONAL COUNCIL - AUSTRALIANA PARK, WALLACE STREET, WARWICK

DATE	DRAWING NO.	ISSUE
24.01.2020	8LA_200201-001	B



KEY FACILITIES:

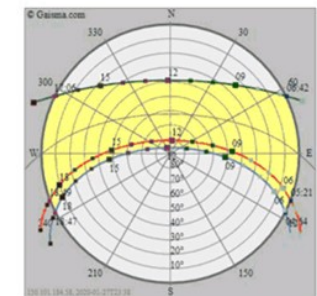
- A PICNIC + REST AREA
- B BMX TRAIL
- C VELODROME
- D LEVEL MULTI PURPOSE SPACE

— POTENTIAL PATH LOCATION FROM BRIEF
— BARRIER SLOPE

CLIMATE:



WIND ROSE (WARWICK)



SUNPATH DIAGRAM (TOOWOOMBA)

Diagram - Site Analysis

SOUTHERNS DOWNS REGIONAL COUNCIL - AUSTRALIANA PARK, WALLACE STREET, WARWICK



DATE 24.01.2020 DRAWING NO. 8LA_200201-009 ISSUE B

Concept Design Development

This section describes the development of the Concept Design for the proposed Learn to Ride facility. Some of the key initiatives of the design are summarised below

- Create an interesting and educational facility that attracts a range of users both young, old and family groups to enjoy and participate in cycling in a safe setting.
- Incorporate thematic elements that celebrate the local community and unique character of the area.
- Use the facility as part of necessary open space embellishments which complement existing facilities and integrate the two sides of the park.
- Where possible involve the broader community in proposed and future embellishments and artwork to promote community ownership.
- Communicate the upgrades with the local community and schools as part of encouraging active travel in the area.
- Upgrade local facilities as part of the active transport network to encourage ride and walk to the park.

The general intent of the landscape concept is shown on the following pages as both graphics and landscape intent notes.



Site - Concept Overlay 1:2000

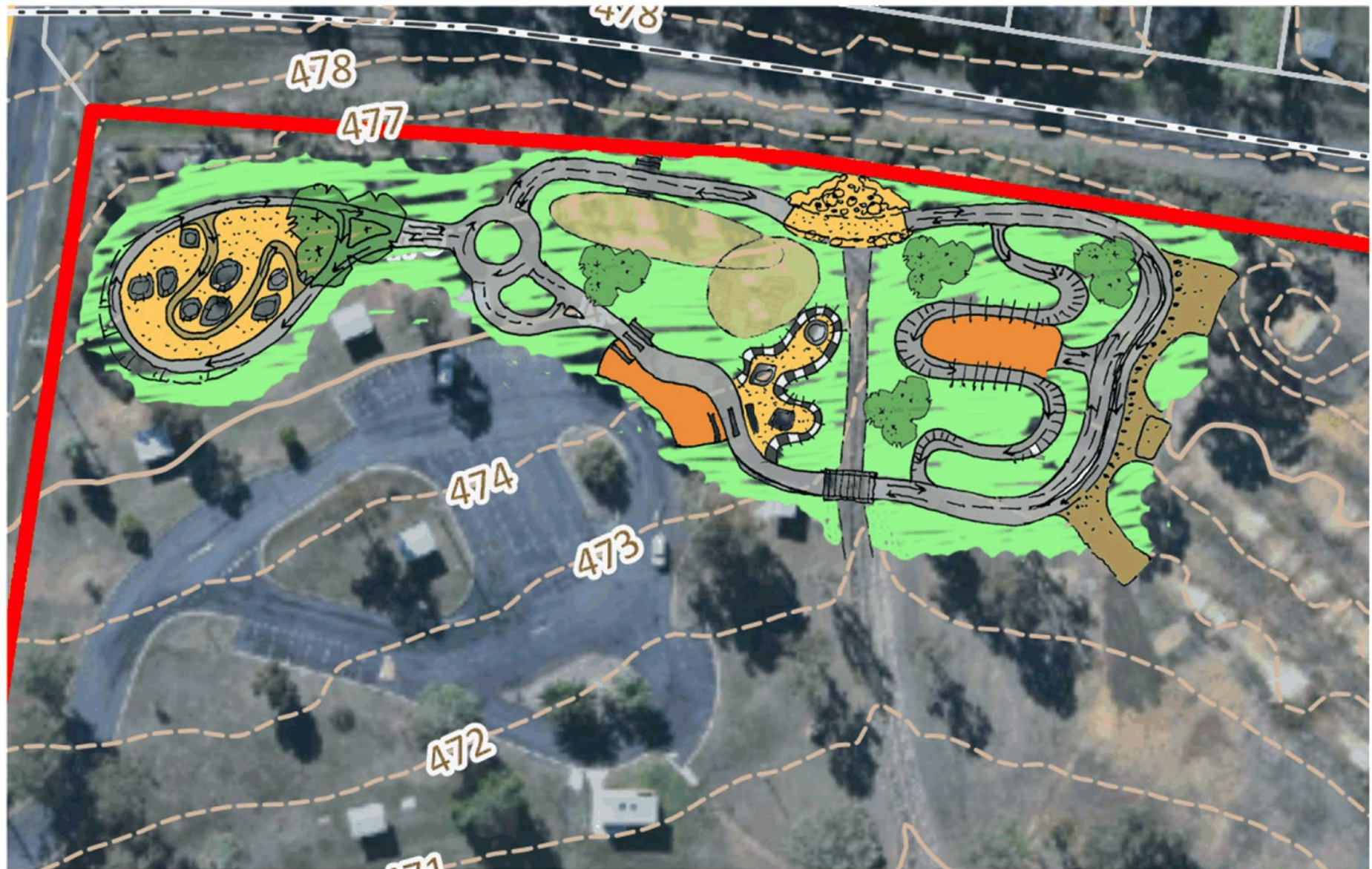
SOUTHERNS DOWNS REGIONAL COUNCIL - AUSTRALIANA PARK, WALLACE STREET, WARWICK



DATE	DRAWING NO.	ISSUE
24.01.2020	8LA_200201-0015	B

8. Based on the above a number of thematic elements can be introduced:
- a. Avoiding high water use turf and garden areas and focus on native tree planting for shade and sculptural feature plants
 - b. Use of organic and gravel mulches, crushed rock and boulders from site to reflect the varied (and ancient) geology in the area, (sandstone, basalt, granite)
 - c. Use of hardy feature trees and sculptural plants in gravel for maximum impact
 - d. Use of recycled site sleepers as rustic fence posts etc
 - e. Use of any salvaged depot materials to keep costs down

Examples of many of the track design and thematic elements are shown on the attached details and image sheets.



Concept Plan 1:500

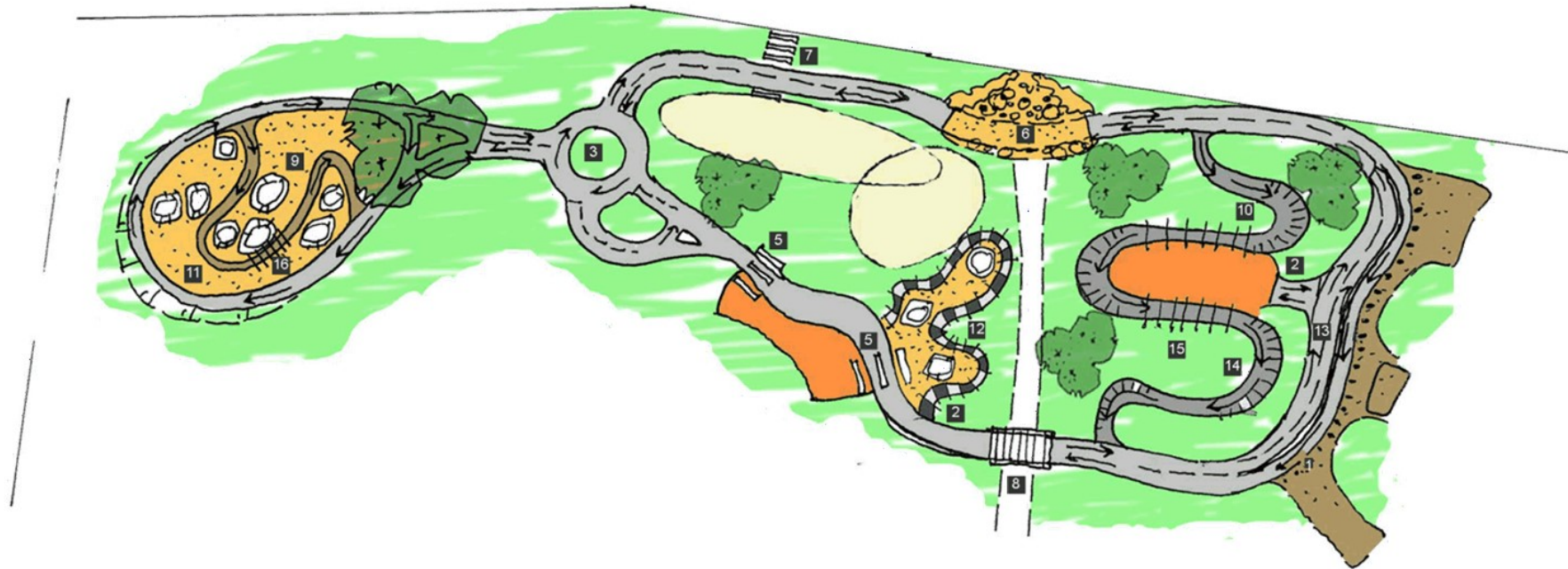
SOUTHERNS DOWNS REGIONAL COUNCIL - AUSTRALIANA PARK, WALLACE STREET, WARWICK



DATE	DRAWING NO.	ISSUE
24.01.2020	8LA_200201-0017	B

Concept Design Elements

1. Incorporate a new shared track loop that unifies the park.
2. Maintain some separation from shelters away from the network for visitors that want to be separate from any learn to ride function.
3. Integrate existing facilities in good condition into the new works (some may need some embellishment):
 - a. Carpark circulation area and entry
 - b. Toilet blocks and shade shelters with seating
 - c. Playground area
 - d. BMX track
 - e. Existing trees
4. Explore opportunities for recycling on and off-site elements:
 - a. Old railway sleepers for fencing
 - b. Site boulders for re-use
 - c. Other off site elements, bridge timbers, rusty rural artefacts celebrating the Australiana theme
5. Explore very low water use treatments and or water harvest initiatives.
6. Introduce shade trees or artificial shade over the new facility and existing playground.
7. The bike track structure will consist of a number of elements to appeal to a wide audience and consists of:
 - a. a bike loop as a shared pedestrian and cycle path that links the eastern and western sides of the site two way, concrete 2-3.5m wide
 - b. feature branches from the main loop such as:
 - i. The Starting point including signage, marshalling and a road map of the route
 - ii. A junior balance track as a counting and balancing game called the Bandy Bandy through a gravel garden
 - iii. The Bottle neck: a more challenging one way loop surrounding a rock garden with reused site granite boulders and an internal gravel linking path with corrugations, cattle grid and blind corners. Feature rock, recycled sleeper fencing and rusty artefacts
 - iv. A down hill Slalom track one way concrete with whoops and cambered corners
 - v. An overtaking section up hill with rest stop
 - vi. A connection to the existing BMX track to extend the variety in the network (potential grooming of track and second junior half track start point)
 - vii. Possible eastern billycart track which uses slope, and the existing gravel access path to its advantage encouraging annual park races and activation of the north east sector.
8. Based on the above a number of thematic elements can be introduced:
 - a. Avoiding high water use turf and garden areas and focus on native tree planting for shade and sculptural feature plants
 - b. Use of organic and gravel mulches, crushed rock and boulders from site to reflect the varied (and ancient) geology in the area, (sandstone, basalt, granite)
 - c. Use of hardy feature trees and sculptural plants in gravel for maximum impact
 - d. Use of recycled site sleepers as rustic fence posts etc
 - e. Use of any salvaged depot materials to keep costs down



LEGEND

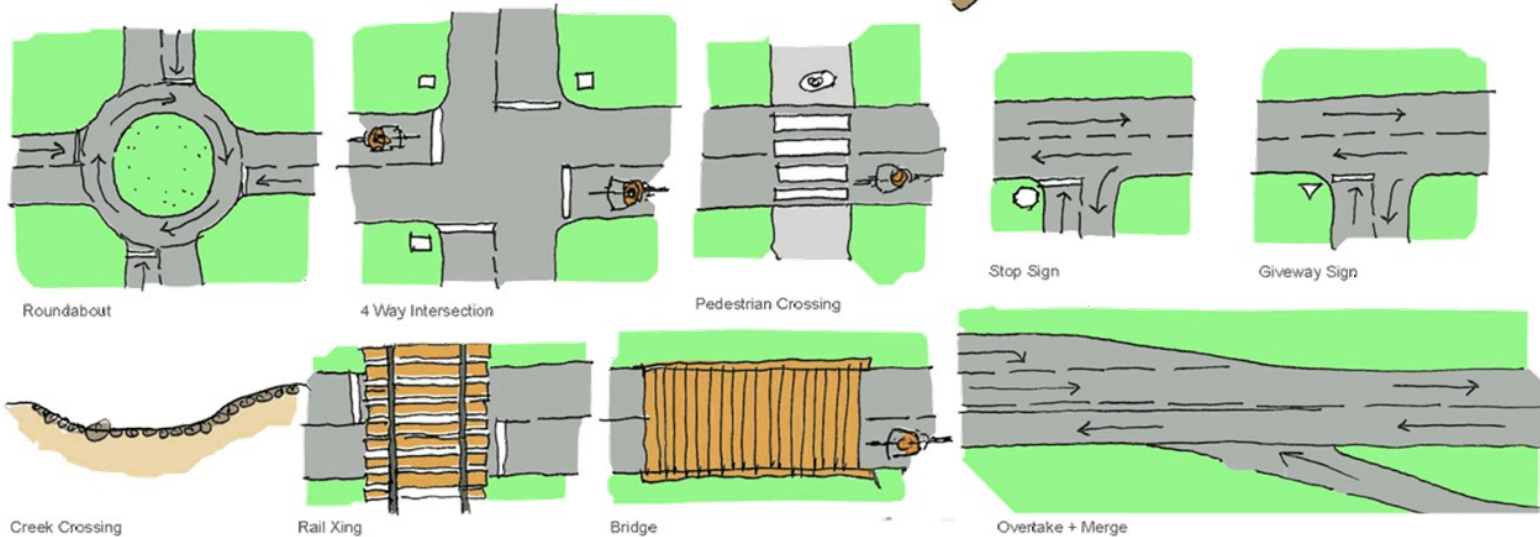
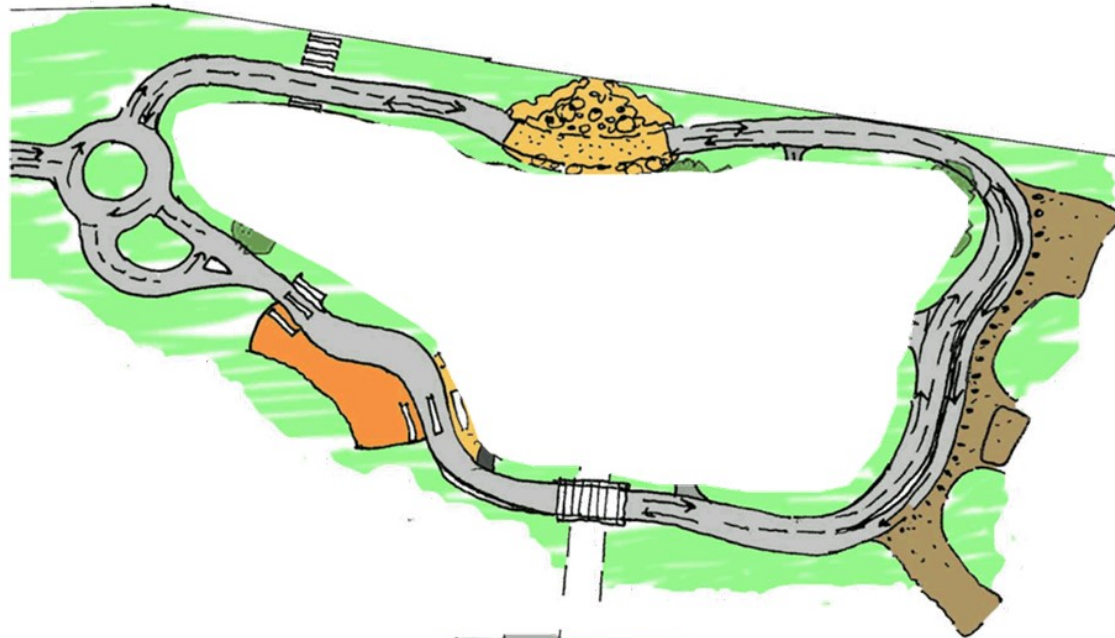
1 Stop sign	5 Pedestrian Crossing	9 Gravel Road + Corrugations	13 Overtake + Merge lanes
2 Giveaway sign	6 Creek Crossing	10 Oneway Winding Road	14 Berms + Cambers
3 Roundabout	7 Rail Xing	11 Sharp Bend	15 Whoops
4 Four Way Intersection	8 Bridge	12 Bandy Bandy Trail	16 Cattlegrid

Concept Plan

SOUTHERNS DOWNS REGIONAL COUNCIL - AUSTRALIANA PARK, WALLACE STREET, WARWICK



DATE 24.01.2020 DRAWING NO. 8LA_200201-0018 ISSUE B

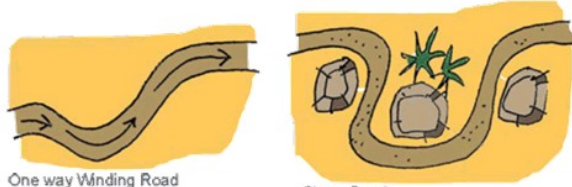
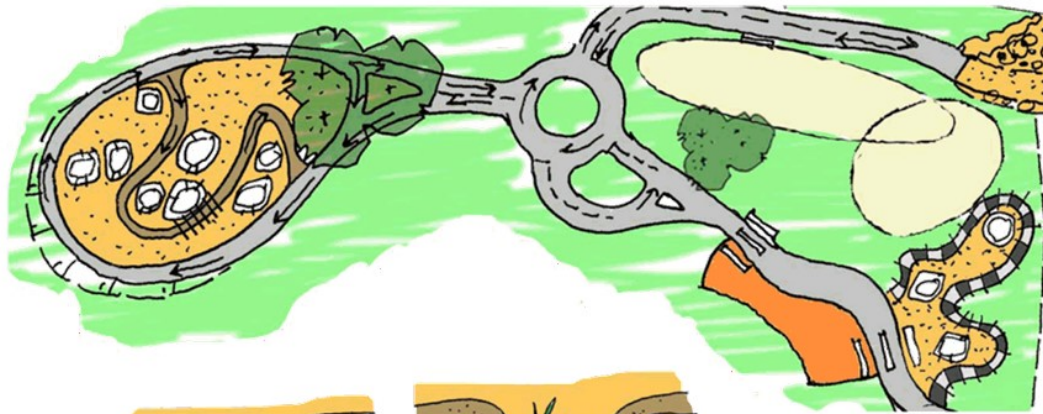


"The Loop"

SOUTHERNS DOWNS REGIONAL COUNCIL - AUSTRALIANA PARK, WALLACE STREET, WARWICK



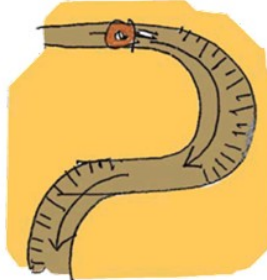
DATE 24.01.2020 DRAWING NO. 8LA_200201-0019 ISSUE B



One way Winding Road

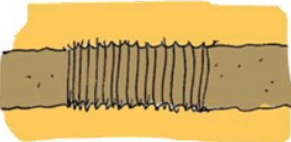


Sharp Bend

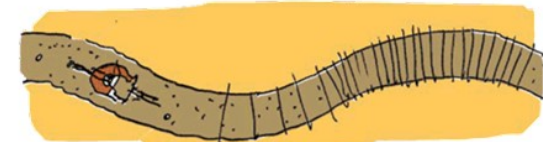


Bandy Bandy trail

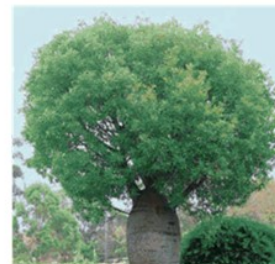
Berm + Camber



Cattle grid

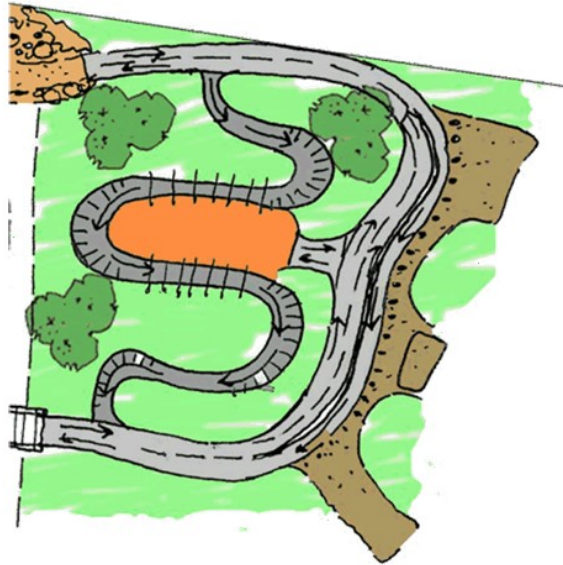


Gravel Road + Corrugations



"The Bottleneck" and "Bandy Bandy Trails"

SOUTHERNS DOWNS REGIONAL COUNCIL - AUSTRALIANA PARK, WALLACE STREET, WARWICK



Whoops




Learn to Ride Bike Pathway in Australiana Park							
Feedback 7 to 18 May 2020							
Do you support the proposed Learn to Ride pathway upgrade in Australiana Park?		Will you or your family use the park when the upgrades are undertaken?		Are there other improvements you would like to see added in the future?		Do you have any rural artifacts you are interested in donating for use in the park?	
Yes/No	Comments	Yes/No	Comments	Yes/No	Comments	Yes/No	Comments
Yes		Yes		Yes	I would like to see the "whoopis" section expanded. As per the photo on the last page of the document, bottom right hand side. This photo is taken from the BCC Bracken Ridge Pump Track, it is a fantastic family used park, open all styles of riding and ages. It would be great to see SDRC take this opportunity to be as progressive in regards to outdoor family recreation as the bigger cities have been for a long time.	No	
Yes	It will be great to see some more family friendly facilities	Yes	Absolutely!				
Yes	I think it is a great idea and I'm very excited. My kids will love it. They loved using the BMX track when we lived nearby.	Yes	We will definitely use it	Yes	Improve the state of the velodrome and have kids race days. Have a dog off leash area so the kids can ride around while the dog also has a run.	No	
Yes		Yes		Yes		No	
Yes	I think this is a valuable initiative for the community, and a very useful tool for teaching kids road safety rules and skills in a fun and safe environment	Yes	I have a daughter who would thoroughly enjoy using this facility, and it is ideally located.	Yes	Shade and seating for those supervising, and shade over areas of the facility so that it can be used safely for longer periods of time particularly in the warmer months.	No	Great idea, but unfortunately we do not have anything of this nature.
Yes	I think this is a great initiative and offers something that the whole family can enjoy.	No	Even though I won't use it I fully support this as a family friendly option in the region.	Yes	I would like to see an extra educational aspect included which features local plant species and information on the ecosystem function they support. The design seems to incorporate a few different "landscapes" such as a bridge/culvert, a cattle grid, a railway crossing, corrugations, a dry creek bed and features undulating pathways so it could feature a variety of waterwise plant species to give people ideas on what to plant at home.	No	
Yes		Yes	Absolutely all the time!	Yes	Please ensure there are lots of shady trees planted	No	
Yes		Yes		Yes	More decent park or activity park for the kids	No	
Yes	As I am 75 and wanting to get back on a bike!!! I am hoping there will be lots of flat ground for me to practise on, my husband took me there and I laughed my head off as at present it is like a velodrome, he said no you could practise on that!!!! Like hell I could!!! LOL	Yes	I could drive there with the bike on my ute if I cannot ride it there because of the hills to get there!	Yes	Nice flat ground for a fair way so I could get some good exercise	No	
Yes		Yes		No		No	
Yes	This is a wonderful proposal and much needed. I took my grandson with his bike to the existing Australiana Park facilities and thought how tired they looked.	Yes					

Do you support the proposed Learn to Ride pathway upgrade in Australiana Park?		Will you or your family use the park when the upgrades are undertaken?		Are there other improvements you would like to see added in the future?		Do you have any rural artifacts you are interested in donating for use in the park?	
Yes		Yes		No		No	
Yes		Yes	We live at Clifton but would happily go to Warwick to go to this park	Yes	Please make sure there are toilets available.	No	
Yes	This is a great idea, we saw one in New Zealand with bitumen roads and signs, roundabouts, like city blocks and we thought it was a great idea.	Yes	Will take my grandchildren when they visit.	No	Seems great	No	
Yes	This is needed for the younger road users	Yes	My son and his friend do already.....the bmx needs fixing and kept as well	Yes	I think to make it more like a road a set of traffic lights would be a good learning experience.	No	
Yes	Just 1 question is the velodrome getting an upgrade as well?	Yes		Yes	As per will the velodrome be getting an upgrade ? If so a small carpark on cleary street side with either concrete path to velodrome and in the middle of the velodrome a couple of seats with a shady roof and possibly aaccess to a water tap as well.		
Yes	I have two children who would benefit from regular use of a bikeway like this	Yes		No		No	
Yes	This park and many others around SDRC have been dilapidated for a while.	Yes		Yes	Upgrade to all of SDRC active transport network to ensure connectivity throughout the region.	No	
Yes		Yes		No		No	
Yes		Yes		Yes	Re Seal and upgrade velodrome	No	
Yes		Yes				No	Anything to do with bike riding and animals and
Yes	I think that it would be a great idea. My older grandchildren use the veodrome and the BMX track and the younger ones would benefit greatly from the learn to ride tracks. My only concern is the position. It appears that the new tacks would be built in the area now occupied by the flying fox. The children have great fun on the flying fox so I hope that it can be retained.	Yes		Yes	The retention of the flying fox and continued maintenance of the BMX track and velodrome.	No	
Yes	How would Southern Downs benefit with a Competition BMX Club , ?						

Do you support the proposed Learn to Ride pathway upgrade in Australiana Park?		Will you or your family use the park when the upgrades are undertaken?		Are there other improvements you would like to see added in the future?		Do you have any rural artifacts you are interested in donating for use in the park?	
Yes	Australia park needs an upgrade, so we can ride safely.	Yes	We love going there already so it will be great if it's got other challenges.	No	Can't think of any at the moment.	No	I'm not sure
	Whilst we believe this would be a great addition to the park		We, as a family, often frequent Australiana Park to enjoy the facilities there, including the Velodrome and BMX Track. This is a popular destination, as more often than not we are joined by many other children of all ages wanting to get outside and improve their skills on their bikes.		we wondered if some consideration would be given to applying some funds to the maintenance and upgrade of the existing BMX Track. This could allow Australiana Park to become a safe, well-rounded & dedicated bike park for many to enjoy. It would appear it has been some time since the BMX Track has been upgraded and we would like to propose the following works to be carried out: • A wider track to allow for multiple bikes to be ridden/raced at one time • A new & functional start gate • Repairs to loose soil and ruts around the track • Upgrades and Repairs to jumps • BBQ & Picnic Bench Facilities closer to the BMX Track Just these few upgrades could transform this aging BMX Track into a great modern facility to be enjoyed by many children for years to come.		
Yes		Yes		Yes		Yes	Muns
No		No		Yes		No	
Yes		Yes		No		No	
Yes		Yes		Yes	Turning traffic lights	No	Maybe
Yes				No		Yes	
Yes		No		Yes		Yes	
Yes		Yes		Yes	Small houses to let little kids play in	No	
Yes		Yes		Yes	A place to learn how to ride a balance bike	No	
Yes		Yes		No		No	

12.3 Bridge Renewal Program Round Five and Heavy Vehicle Program Round 7 Project Proposals

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Manager Works	ECM Function No/s: 05.35, 21.07.16

Recommendation

THAT Council endorse the following projects for submission for the Bridge Renewal Program Round 5 and Heavy Vehicle Safety and Productivity Program Round 7 projects with a 50% co-contribution from Council:

1. Cox Bridge, Victoria Street, Warwick (BRP Round 5) Total Cost \$1,860,000.
2. Large Culvert replacement Connolly Dam Road (BRP Round 5) Total Cost \$463,650.
3. Floodway replacement with Bridge on Homestead Road (BRP Round 5) Total Cost \$1,065,000.
4. Widen and Reconstruct Curtin Road (0 – 2.54km) to achieve 8m wide pavement construction (HVSP Round 7) Total Cost \$1,220,000.
5. Reconstruct Costanzo (0-2.34) and Ricca Lane (0.42 - 1.44km) to achieve 8m wide pavement construction (HVSP Round 7) Total Cost \$1,950,000.

Report

Local Governments and States and Territories across Australia are eligible to apply for funding from the Federal Government for bridge renewals and heavy vehicle route upgrades under a current call for projects. Round Five of the Bridge Renewal Program (BRP) is being conducted concurrently with Round Seven of the Heavy Vehicle Safety and Productivity Program (HVSP). Under BRP Round Five and HVSP Round Seven, Local Governments and State and Territory governments can apply for funding for up to five proposals across either or both BRP and HVSP.

Each proposal or project is capped at \$2 million Australian Government Contribution for Local Government entities. A key criterion in the funding guideline is Local Governments (at a minimum) match the respective proposal contribution. Across both funding streams, the maximum contribution Australian Government can provide for five proposals is \$10 million. The proposals deadline is 11:59pm AEST 29 May 2020.

Anticipated Timeline of Milestones (BRP Round 5 & HVSP Round 7)

Announcement of successful projects	July 2020
Project Approval Instrument	September 2020 (TBC)
Commencement of Construction	12 months after signing Project Approval Instrument – September 2021 (TBC) 50% of Federal funding paid on evidence of construction commencement
Completion of Construction	24 months after signing Project Approval Instrument – September 2022 (TBC) 50% of Federal funding paid on submission of post construction report

Based on condition assessments, number of vehicles using the roads and bridges, safety, environmental conditions and other relevant factors, it is the officers' recommendation that Council submits the following proposals or projects to the Department and seek funding eligibility approval.

Project Estimate for funding submissions (BRP & HVSP)

S. No	Project	Budget Estimate	SDRC Contribution	Program	Brief outcome
1	Cox Bridge, Victoria Street, Warwick	\$1,860,000	\$930,000	BRP Round 5	Provide better flood immunity and replace existing aged concrete pipe structure with a two-span bridge
2	Large Culvert replacement Connolly Dam Road	\$463,650	\$231,825	BRP Round 5	Replace and widen the current narrow failing reinforced concrete structure in a high crash area.
3	Floodway replacement with Bridge on Homestead Road	\$1,065,000	\$532,500	BRP Round 5	Replace a low-level floodway crossing with a bridge to improve access to a residential area that gets cut off during flood conditions.
4	Widen and Reconstruct Curtin Road (0 – 2.54km) to achieve 8m wide pavement construction	\$1,220,000	\$610,000	HVSP Round 7	Provide dual-lane sealed access to a large capsicum processing plant and numerous small-crops producers on this road network. Gravel roads spoil the crops and cause amenity issues for adjacent landholders.
5	Reconstruct Costanzo (0-2.34) and Ricca Lane (0.42 - 1.44km) to achieve 8m wide pavement construction	\$1,950,000	\$975,000	HVSP Round 7	Provide dual-lane sealed access to a large capsicum processing plant and numerous small-crops producers on this road network. Gravel roads spoil the crops and cause amenity issues for adjacent landholders.
TOTAL		\$6,558,650	\$3,279,325		

Budget Implications

Budget appropriations outlay over multiple financial years is give below.

		2020/21	2021/22	TOTAL
Cox Bridge, Victoria Street, Warwick	Budget/Expenditures	\$50,000	\$1,810,000	\$1,860,000
	Revenue/Funding	\$465,000	\$465,000	\$930,000
Large Culvert replacement Connolly Dam Road PRJ-00000262	Budget/Expenditures	\$60,000	\$403,650	\$463,650
	Revenue/Funding	\$115,912	\$115,913	\$231,825
Floodway replacement with Bridge on Homestead Road PRJ-00000300	Budget/Expenditures	\$75,000	\$990,000	\$1,065,000
	Revenue/Funding	\$266,250	\$266,250	\$532,500
Widen and Reconstruct Curtin Road (0 - 2.54km) to achieve 8m wide pavement construction	Budget/Expenditures	\$50,000	\$1,170,000	\$1,220,000
	Revenue/Funding	\$305,000	\$305,000	\$610,000
Reconstruct Costanzo (0-2.34) and Ricca Lane (0.42 - 1.44km) to achieve 8m wide pavement construction PRJ-00000222	Budget/Expenditures	\$50,000	\$1,900,000	\$1,950,000
	Revenue/Funding	\$487,500	\$487,500	\$975,000

Policy Consideration

Shaping Southern Downs

Connect Strategy: Active Transport

2.8 Facilitate and advocate for a transport network that provides adequate accessibility across the region, including throughout agricultural areas

2.10 Analyse current roads and other associated infrastructure to determine priorities

Community Engagement

Nil

Legislation/Local Law


Local Government Act and Regulations

Attachments

Nil

12.4 Water Contingency Plan

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Manager Water	ECM Function No/s: 31.112

Recommendation

THAT Council receive the Southern Downs Water Contingency Plan.

Report

Southern Downs Regional Council is continuing to explore all opportunities to ensure that there is a supply of drinking water to its residents and businesses. Whilst Warwick received rainfall in January and February extending the supply in Leslie Dam, Storm King Dam did not receive notable inflow, and the full carting of water from Connolly Dam which commenced mid-January will continue until at least 6 months' supply of water is available in Storm King Dam. Connolly Dam also received good inflow with enough water in the dam for carting to Stanthorpe through the 2020/21 wet season.

Council is working with key stakeholders from the State Government, other local government authorities, the community and businesses to undertake actions that ensure that drinking water remains available.

The State Government announced the water pipeline from Toowoomba to Warwick to connect Warwick into the South East Queensland Water Grid continues to be progressed by the State Government, who remains the lead agency on this project and will oversee the whole project with input from both Toowoomba Regional Council and Southern Downs Regional Council. The attached Water Contingency Plan provides an overview of the contingency actions that are being considered and implemented at present.

Budget Implications

Budget implications will be assessed on a monthly and quarterly basis.

Policy Consideration

Water and Wastewater Customer Service Standards 2014

Community Engagement

Nil

Legislation/Local Law

Water Supply (Safety and Reliability) Act 2008

Attachments

1. Southern Downs Water Contingency Plan [↓](#)

Southern Downs Water Contingency Plan

Southern Downs Regional Council is exploring all opportunities to ensure that there is a supply of drinking water to its residents and businesses. At the end of February, due to rainfall and reasonable runoff into the dam, the run out date for Leslie Dam was extended out to 30 months remaining supply of water for Warwick. Connolly Dam also received inflow with enough water in the dam for carting to Stanthorpe for 23 months. Storm King Dam received minimal inflow and as such remains on water supply from Connolly Dam. Trucking commenced full time for water supply to Stanthorpe in mid-January.

Southern Downs Regional Council continues to work with key stakeholders from the State Government, other local government authorities, the community and businesses to undertake actions that ensure that drinking water remains available.

In light of current circumstances and to give residents confidence that they have access to sufficient quantities of water to protect themselves against COVID-19 through good hygiene practices, Council relaxed water restrictions to 120 litres per person per day as of 18 March 2020.

The following is an overview of the contingency actions that are being considered and implemented at present.

Stanthorpe

Short term

- Use of the water supply in Storm King Dam for the supply of water in Stanthorpe ceased on 13 January 2020. From this date, raw water has been carted from Connolly Dam and treated at the Mount Marlay water treatment plant to supply Stanthorpe area.
- The April 2020 consumption level detailed that Stanthorpe is using 1.03 ML per day, 30.8 ML per month.
- The average resident in Stanthorpe is using 140 litres per person per day; the current restrictions have a target of 120 litres per person per day.
- Raw water is being transported to the tanks at Storm King Dam from Connolly Dam via standpipes at Rosenthal Road near the raw water pipeline. No water is being used from Storm King Dam.
- Water restrictions are currently at extreme level, 120 litres per person per day.
- Extreme level water restrictions will be strictly enforced with additional meter readings and enforcement as required.
- At this stage, Council does not intend to cart water from Coolmunda or Glenlyon Dams. These options may be re-opened in the future should these dams receive rain events that recharge their dam levels.
- Leak detection repairs have been completed and all detected leaks on public infrastructure continue to be repaired throughout the Stanthorpe reticulated network. Further work including hydraulic modelling is required to support further leak investigation work.

- Leak detection and pressure management work will continue with water network modelling for both Warwick and Stanthorpe
- De-silting of Storm King Dam (stage 1) is now complete and this work has restored some of the dam storage capacity
- Water restrictions for businesses have been relaxed and Council officers will continue to work with local businesses to promote water conservation as a permanent measure of their business operation.
- Council officers will continue to provide community and school education sessions.
- Council officers will continue to work with accommodation providers in relation to water conservation.
- Officers will continue to identify other potential sources of water.
- Water for road construction and other works continues to be brought into Stanthorpe from other sources.
- Work associated with sourcing emergency water supply for Wallangarra is now complete and can be brought online as required.
- The new raw water line from Storm King Dam to the water treatment plant was completed in August 2019.
- Council is seeking to make water tanks or bladders mandatory for all new houses, commercial and industrial developments.
- Leslie Dam water can be used from the filling stations for Stanthorpe supply if required.

Medium Term

- Issues associated with recycled water that is currently supplied to the effluent users to be finalised, so as water may be used for other purposes.
- Increase the quality of the recycled water to allow other applications (road construction, etc.).
- Planning (feasibility analysis) has commenced on increasing the capacity of Storm King Dam through raising the dam wall, and a funding submission has been applied for.
- Planning and investigations to commence in relation to establishing a pipeline from Connolly Dam and Storm King Dam in the long term.
- Planning and investigations to commence in relation the upgrade or relocation of the Stanthorpe Sewerage Treatment facility in the medium term to deliver high quality of recycled water.
- Permanent water conservation measures to be mandated, including water tank rebates where applicable.
- Additional water allocations to be identified and further investigated, such as Bookookoorara Creek.
- Option of water from Mole Creek in NSW is currently being further investigated with the State government.

Long term

- Subject to the planning and investigations seek funding for;
 - Increasing the capacity of Storm King Dam
 - Relocating or upgrading the Stanthorpe Sewerage Treatment Plant

- Establishing a connection between Storm King Dam and Connolly Dam
 - Upgrading of the recycled water facility to improve standard of the recycled water.
- Investigate opportunities associated with Emu Swamp Dam.
- Further investigate the opportunities for sourcing water from the Clarence River in a consortium with Toowoomba Regional Council, Western Downs Regional Council and Tenterfield Shire Council.
- Retain permanent water conservation measures.

Warwick

Short Term

- With rain received in February, and based on current consumption levels, the water supplies in Leslie and Connolly Dam are forecasted to be exhausted by December 2022 and April 2021 respectively, depending on the water quality as the dam levels reduce.
- Warwick, Allora and Yangan are all currently serviced by the Warwick Water Treatment Plant.
- Warwick's consumption in April 2020 was 3.8 ML per day and 116 ML per month.
- Allora's consumption in April 2020 was 0.14 ML per day and 4.3 ML per month.
- Yangan's consumption in March 2020 was 0.059 ML per day and 1.8 ML per month.
- The average resident in Warwick is using 124 litres per person per day, Allora is 111 litres per person per day and Yangan is 76 litres per person per day, the current restrictions have a target of 120 litres per person per day.
- The testing and cleaning of the Allora bores is now complete. There is a current allocation at Allora of around 670ML as there is carry over from the previous year allocation.
- Testing of all Council bores in the region has been undertaken with Allora bores likely to be the only bores which will yield adequate water.
- There may also be an opportunity to use Allora bore water to supplement the Warwick supply by sending it back through the existing pipeline to the Warwick Water Treatment Plant.
- Design of treatment plant at Allora and pipeline reversal to supply water from Allora to Warwick is now complete and is shovel ready for future use.
- Seek endorsement from the Dalrymple Water Committee Meeting (This has occurred and endorsement has been provided).
- Establish the necessary infrastructure to provide drinking water from the bores to Allora. Design of this is now complete.
- Separate Allora from the Warwick system thereby saving up to 5 ML per month that can be put back into the Warwick system.
- Leak detection has been completed in the Warwick reticulated system.
- Extreme Water Restrictions will be enforced with additional meter readings and enforcement as required

- Deliver the new infrastructure identified in the funding applications in regard to recycled water in the industrial estate and saleyards – this contract has been awarded and design completed.
- Construction work is underway to install approximately 5 kms of pipeline, a 2 ML reservoir and booster pump station with installation of 1.3 KMs of pipeline already complete.
- The State Government announced a feasibility study into the piping of water from Toowoomba to Warwick. This study is being led by Seqwater with both Toowoomba Regional Council and Southern Downs Regional Council working closely with Seqwater.
- The State Government in January 2020 announced the pipeline from Toowoomba to Warwick may be constructed by December 2020. This project will be managed and delivered by the State Government with input from both Toowoomba Regional Council and Southern Downs Regional Council.
- Commence discussions with the Great Artesian Basin Authority in relation to accessing the basin.
- Seek endorsement from DNRME for additional bores to provide stock water.
- Dead storage level established for Connolly Dam to allow consideration of de-silting or dredging once Connolly Dam water is not in use.
- Works at Connolly Dam intake tower and tunnel have been reviewed and a more efficient and cost effective option identified. Design work of a bypass system is now underway.
- Considering the viability of additional allocation of water being purchased from SunWater or irrigators at Leslie Dam.
- State Government Departments to review the application of recycled water or the quality of recycled water to be increased through additional processes.
- Council officers will continue to work with local businesses to improve water conservation.
- Council officers will continue to provide community and school education sessions.
- Council officers will work with accommodation providers in relation to water conservation.
- Council is seeking to make water tanks or bladders mandatory for all new houses, commercial and industrial developments.
- Council to exit water agreements with landholders around Leslie Dam in relation to expired water agreements.

Medium Term

- Desilting to be potentially undertaken based on reports and survey of dead storage levels at Connolly Dam
- Planning and investigations to commence in relation to establishing a pipeline from Connolly Dam and Storm King Dam in the long term.
- Complete renewal works at Connolly Dam.
- Permanent water conservation measures to be mandated, including water tank rebates where applicable.
- Continue to provide community education in relation to water conservation.

- Assess the capacity of the Killarney Water resources to supplement Warwick, potentially via Yangan.
- Planning and investigations to be commenced in relation to accessing water from the Great Artesian Basin.
-

Long Term

- Create a grid system to distribute water across the municipality.
- Source a connection into the South East Queensland Water Grid or a connection to Toowoomba.
- Establish production bores that have the capacity to drought proof Warwick.
- Increase the quality of and distribution network for the improved use of recycled water for industrial and farming purposes.
- Consider planning for an additional dam in the Elbow Valley region.

The Southern Downs Region

Short Term

- Continue to identify accessible water resources from outside the region for emergency supply.
- Ascertain the capacity of the Soak and the Beehive. Currently there is 18 months water supply is available for Wallangarra and part of Jennings.
- Testing of the bore around the Soak and the Beehive has been undertaken, although it only yields a small supply it will be adequate for Wallangarra supply. This project is now complete and bore supply was tested and commissioned and is now on standby to be utilised as required in future.
- Provide education to businesses and the broader community in relation to water conservation.
- Identify if possible options for the limited supply of water for livestock.
- Validate the capacity of bores in areas outside the urban centres (bores managed by Council with a relevant allocation have been tested).
- Explore options in relation to augmented water supplies from Killarney.
- Make water tanks or bladders mandatory for all new houses, commercial and industrial developments.
- Manage the expectations of people living in rural areas seeking water for livestock.
- Under a funding grant, water tanks for rural properties may soon be available.

Medium Term

- Formalise a network of bores based on the review of the allocations to Southern Downs Regional Council.
- Ensure all bores are being used effectively.
- Develop a long term strategy for water management in the rural areas.
- Provide incentives to residents and businesses to conserve water.
- Seek additional water allocations for Killarney.
- Develop a cross border project with Tenterfield Shire Council to ensure water security.
- Work with the State Government to ensure water permits are available for emergency water requirements including a new bore field.


Long Term

- Review the strategies that have been developed.
- Work with the rural sector to aim for the highest levels of water efficiency.
- Ensure the sustainability of the water supply for small towns across the region.

13. SUSTAINABLE DEVELOPMENT REPORTS

13.1 Material Change of Use – Corporation of the Roman Catholic Diocese of Toowoomba, 64A Guy Street, 47B-47C Wood Street, Warwick

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Planning Officer	ECM Function No/s: MCU\02118 & RC\01791

APPLICANT:	Corporation of the Roman Catholic Diocese of Toowoomba, St Mary's Parish, Warwick C/- Precinct Urban Planning
OWNER:	Corporation Of The Roman Catholic Diocese Of Toowoomba
ADDRESS:	64A Guy Street & 47B-47C Wood Street, Warwick
RPD:	Lots 1 and 2 RP64891, Lot 20 RP133205, Lot 82 W134636, Parish of Warwick, County of Merivale
ZONE:	Mixed use
PROPOSAL:	Service station
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	One (1) submission
REFERRALS:	Department of State Development, Manufacturing, Infrastructure and Planning
FILE NUMBER:	MCU\02118 & RC\01791

Recommendation Summary

THAT the application for Reconfiguration of a Lot (4 into 2 lots) and Material Change of Use for the purpose of a Service station on land at 64A Guy Street & 47B-47C Wood Street, Warwick, described as Lot 20 RP133205, Lot 82 W134636, Lots 1 and 2 RP64891, Parish of Warwick, County of Merivale, be approved subject to conditions.

Report



Figure 1: Subject land

The applicant seeks Development Permits for a Reconfiguration of a Lot (4 into 2 lots) and Material Change of Use for the operation of a Service Station on land described as Lot 20 RP133205, Lot 82 W134636 and Lots 1 & 2 RP64891.

The subject lots are located north of Wood Street and adjoin Guy Street to the west and Acacia Avenue to the east, adjoining residential properties north of the site. The lots have a total site area of 5,701 square metres.

Lots 1 and 2 RP64891 do not have vehicular access whereas, Lots 82 W134636 and Lot 20 RP133205 have dual access, from Wood Street and Acacia Avenue.

Currently Lot 82 W134636 and Lot 20 RP133205 are listed on the Local Heritage Register due to the significance of St Mary's Hall, which is located over both lots. The western portion of Lot 20 RP133205 and Lot 1 RP64891 are occupied by tennis and squash courts. The tennis courts have not been utilised for such use for some time, however the squash courts are still in operation.

Proposal

There are two aspects of the proposed development for assessment. The subject lots are proposed to undergo Reconfiguration of a lot, followed by the construction of a Service station on proposed Lot 3. The reconfiguration will be required to be resolved prior to the Service station commencing use.

Reconfiguring a Lot

The applicant has proposed to amalgamate two of the four lots and realign the boundaries; this aspect of the development is Code assessable. The proposed reconfiguration will allow for the heritage listed building, St Mary's Hall, to be wholly located on proposed Lot 4, and the proposed Service station to be located on proposed Lot 3 on the corner of Guy Street and Wood Street.

Proposed Lot 3 will maintain an area of 3,151 square metres, and proposed Lot 4 will have an area of 2,546 square metres. The common boundary of proposed Lots 3 and 4 will be obstructed by a building on Lot 20 RP133205. Prior to the sealing of the survey plan, the building encroachment will be rectified; no buildings will overhang from their respective lots.

The Realignment of Boundaries will result in St Mary's Hall setback from the common boundary by approximately 6.0 metres. The existing access from both Wood Street and Acacia Avenue are proposed to remain.

Material Change of Use

The applicant seeks approval to establish a Service station on proposed Lot 3. This aspect of the development is Impact assessable and therefore underwent public notification.

Details of the proposed Service station are as follows:

- Operating hours of 24 hours per day, 7 days a week.
- A gross floor area (GFA) of 250 square metres, total building footprint of 745 square metres.
- Contain four (4) two-sided fuel dispensers providing two vehicle fill points per dispenser.
- Truck canopy makes provision for one (1) one-sided fuel dispenser providing a high-flow diesel fill point for large vehicles.

The applicant has provided the following detail:

The proposed development will be single storey and have a maximum height of 8.05m above natural ground level. This maximum height is associated with a blade wall [pylon sign] that will be utilised for future signage. The shop component of the Service station will have a maximum height of 6m, whilst the proposed car fuel forecourts and truck canopy will have a maximum height of 5.6m and 6m respectively.

Proposed Lot 3 will contain three (3) 110 kilolitre fuel tanks: one (1) 110 kilolitre tank of diesel and two (2) 110 kilolitre tanks of unleaded.

The estimated number of employees to work onsite is 4-5 people.

As previously outlined, the site currently contains St Mary's Hall, four (4) other buildings and three (3) outdoor tennis courts. As part of the proposed development the four (4) other buildings and the tennis courts will be demolished. Although these buildings are not included on the Local Heritage Register, there is a sense of attachment from the community to these buildings and the use of them for sport and recreation uses and gatherings. The need to manage the process in considering community expectations surrounding these buildings, has been raised with the landowners. St Mary's Hall will not be structurally affected by the proposed development.

Vehicular access and manoeuvrability

The Service station will be accessible by a two-way crossover on Wood Street, with three (3) points of exit: two (2) via Guy Street and one (1) via the two-way crossover on Wood Street; all entry and exit movements are left turn only. The two (2) exits via Guy Street will allow for vehicles accessing the high-flow diesel to exit by a separate exit north of the site.

Council's Engineers have undertaken multiple site inspections to assess the manoeuvrability and visibility of the site and surrounding environment. Currently there are three (3) parallel car parking spaces along the Guy Street frontage of the proposed Service station, with two (2) existing street trees which are likely to impair visibility upon egressing from the site.

Council has recognised that the proposed left-in, left-out treatments are similar to a Service station previously approved along Albion Street at an intersection with traffic lights, which later proved to be unsuitable for the area. Access and egresses of the site were later altered to allow for exit only onto the State-controlled road. The point of difference between the previously approved development and the subject fuel station is the size of the lot and the inclusion of heavy vehicles in the subject application. Council officers have again made contact with the Department of Transport and Main Roads to discuss this previous approval and the subject application to ensure their satisfaction, prior to any approval. Furthermore the applicant has provided a Traffic Impact Assessment, Noise Assessment Report and Engineering and Stormwater Management Plan in support of the application, which has been endorsed by the State Assessment Referral Agency and Department of Transport and Main Roads.

Local Heritage Listing

Lot 82 W134636 and Lot 20 RP133205 are both identified as being a Local Heritage Place of significance due to St Mary's Hall being located over the two lots, as per Figure 1 and Figure 2. The place is significant as per the following statement, in accordance with the Southern Downs Local Heritage Register:

- *for its association with the local historical theme of the development of social and cultural institutions*
- *for its architectural value as a good representation example of a large ornate timber hall*
- *for its social value to the community as a focus of religious and recreational activity.*

The buildings located on the western portion of Lot 20 RP133205 to be removed (see Figure 5) are not heritage listed buildings nor fall within the definition of a Local Heritage Place in accordance with the Southern Downs Local Heritage Register. The buildings to be removed include the four (4) buildings as outlined in Figure 4 and Figure 5.

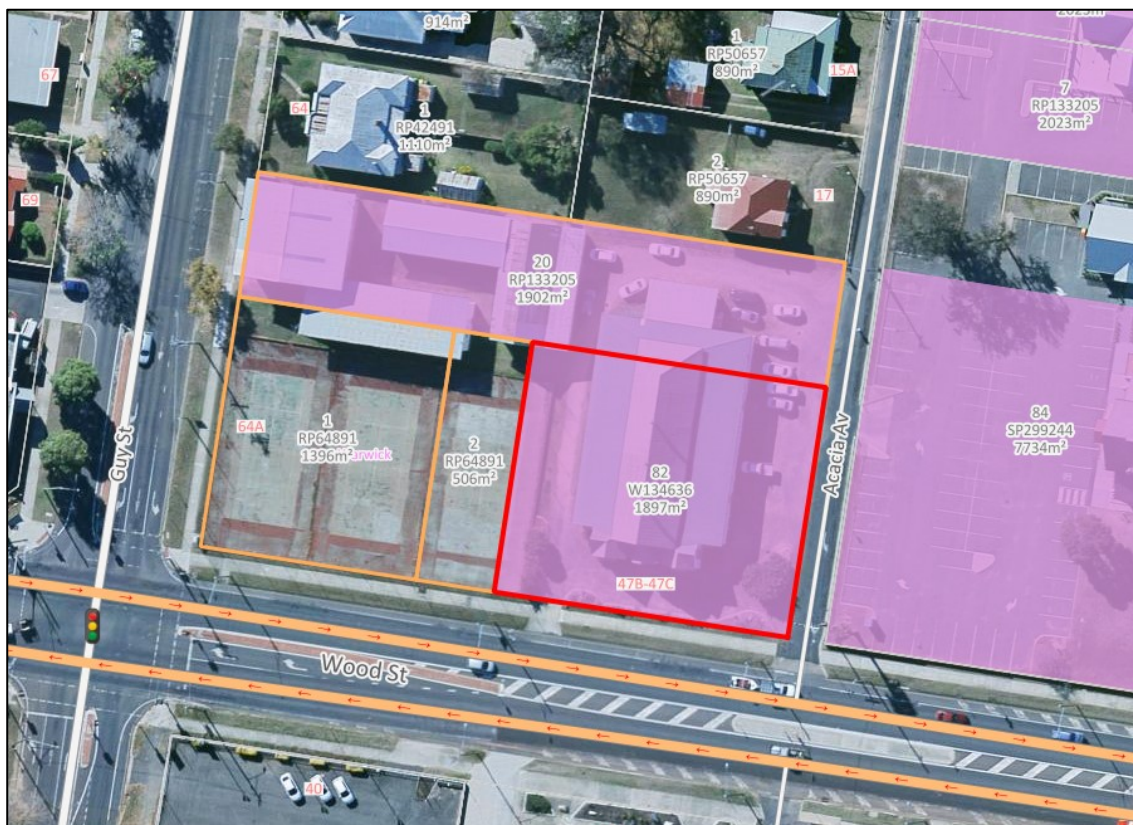


Figure 2: Local Heritage Overlay



Figure 3: Local Heritage Place - St Mary's Hall

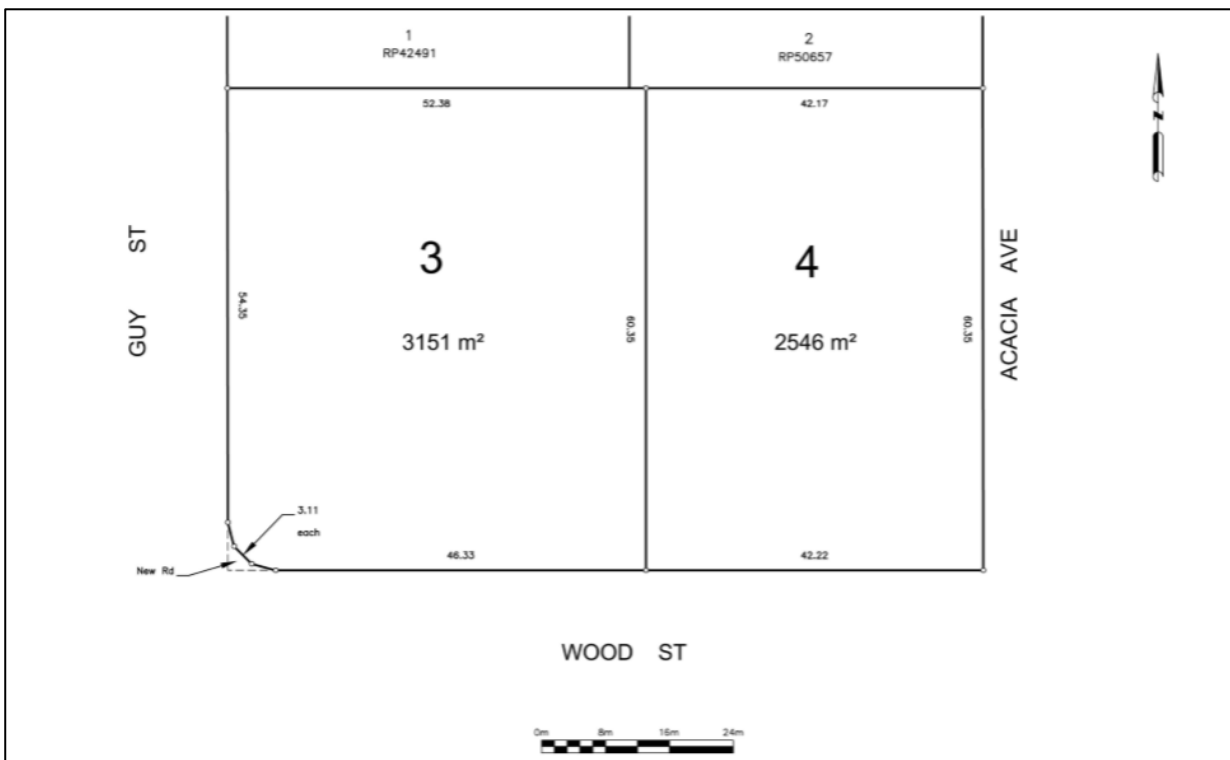


Figure 4: The four buildings proposed to be removed from Wood Street elevation



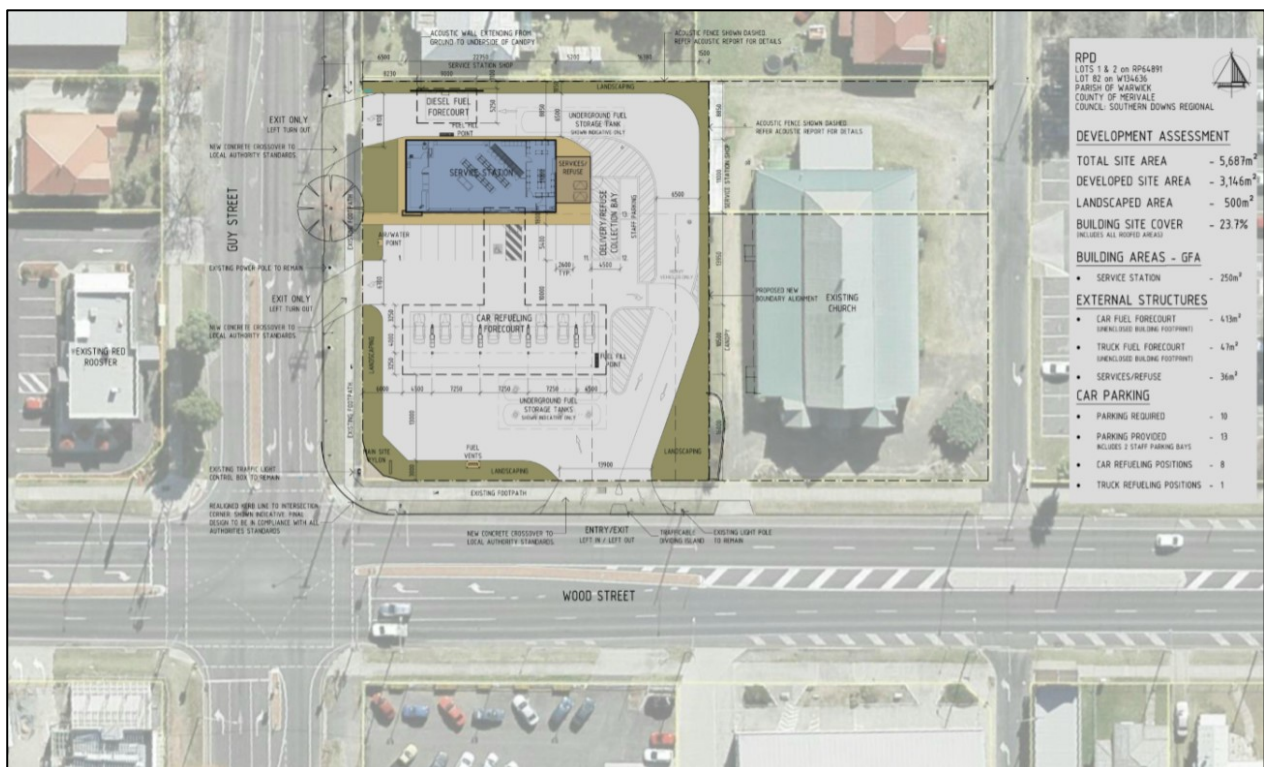
Figure 5: Buildings proposed to be removed from the site

Proposed Reconfiguration of Lots

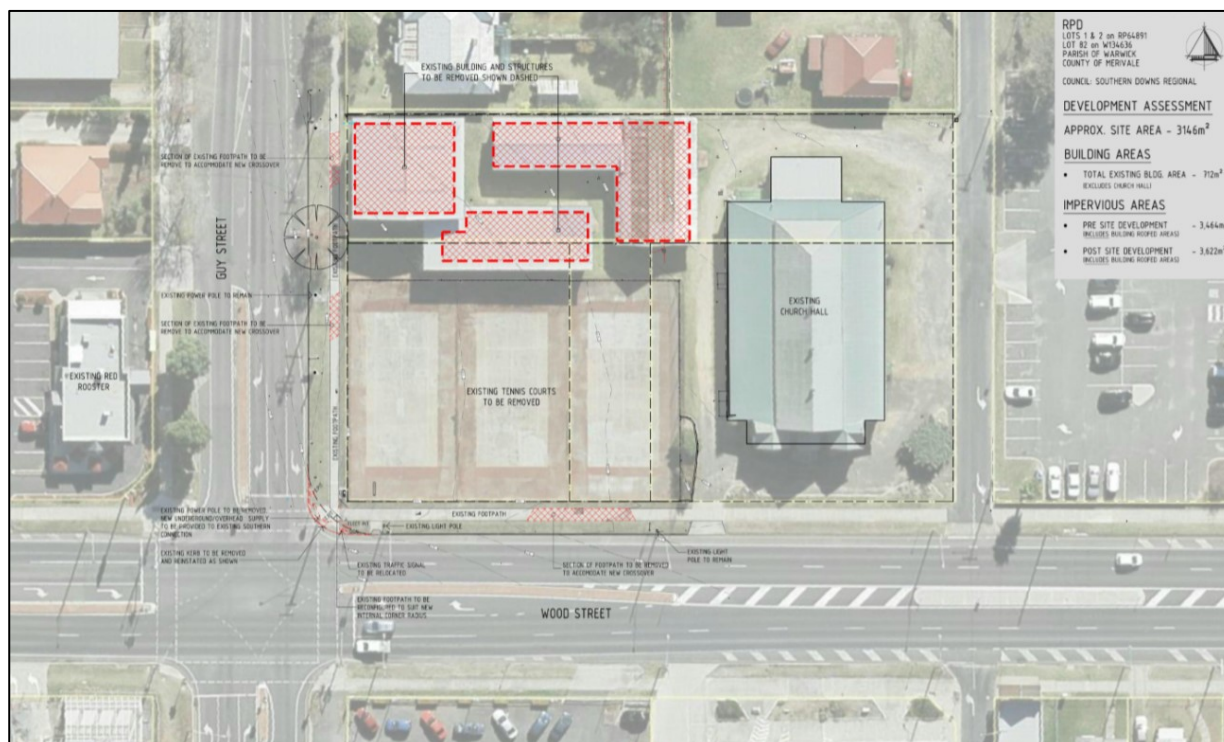




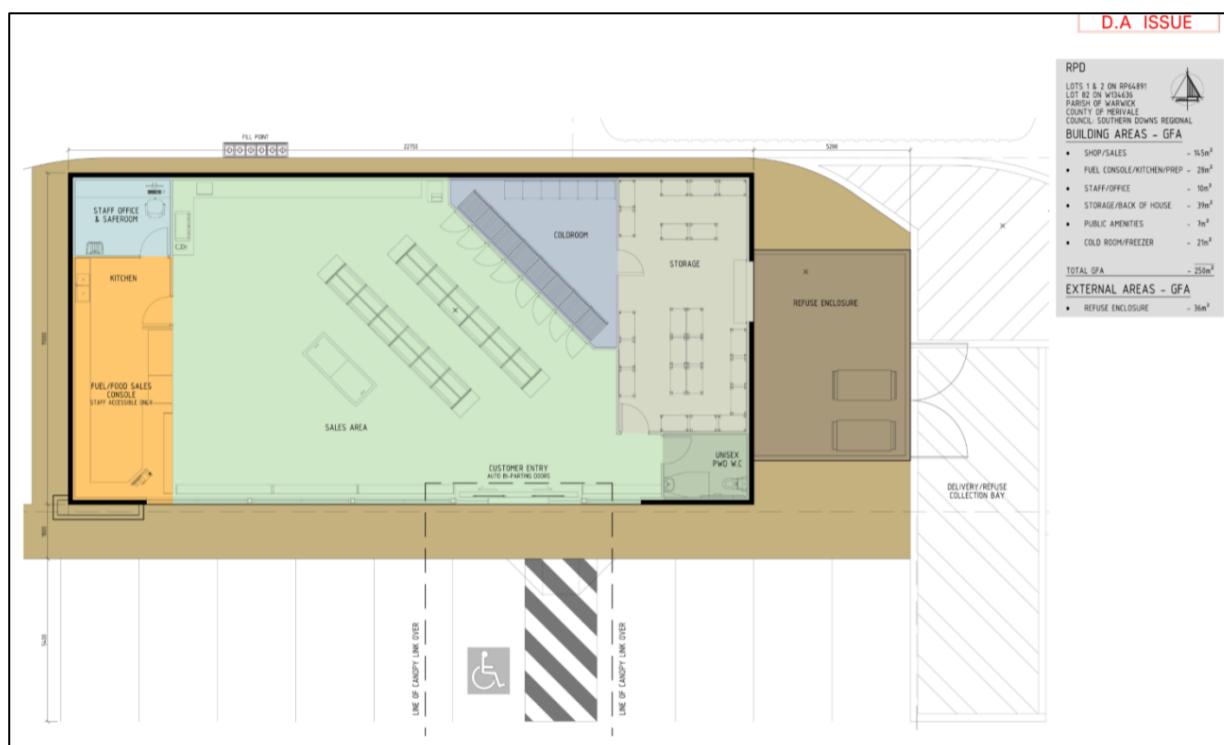
Proposed Material Change of Use – Site Plan



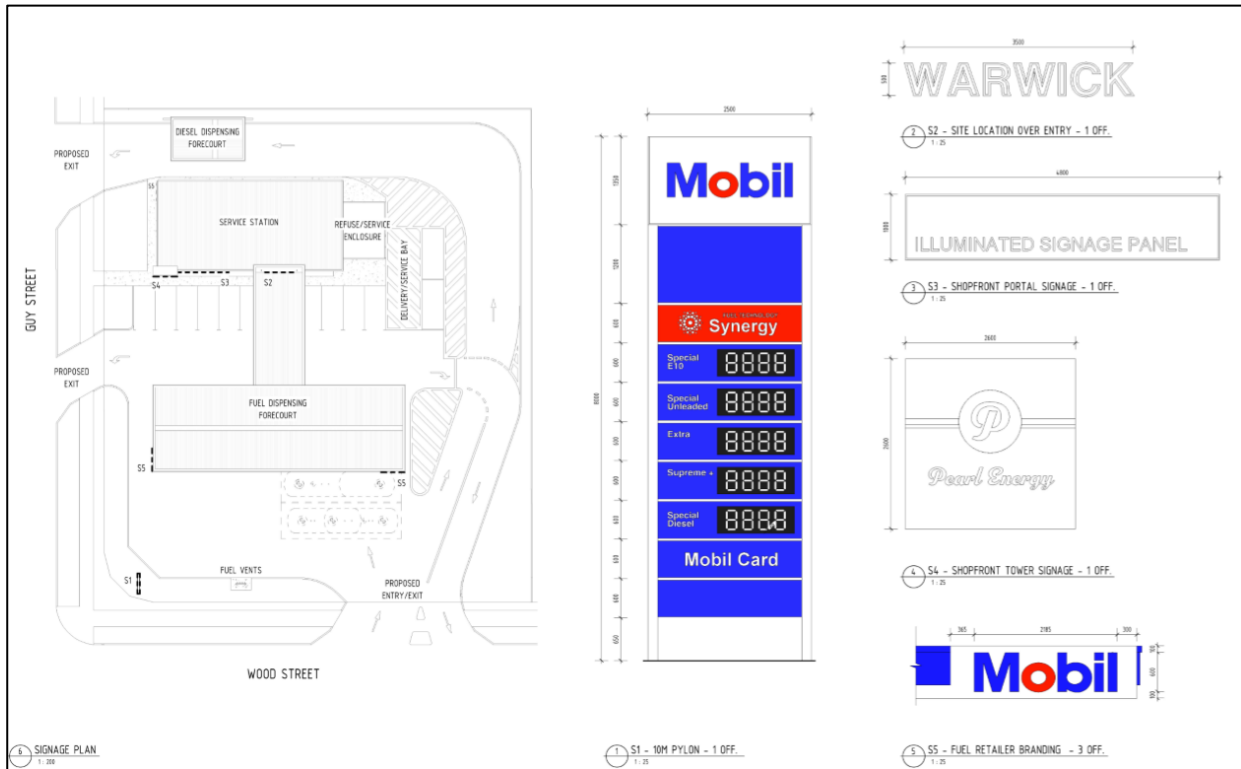
Proposed Demolition Works of the Four Buildings



Proposed Building Flood Plan



Signage Plan & Details



Building Elevations & Perspectives

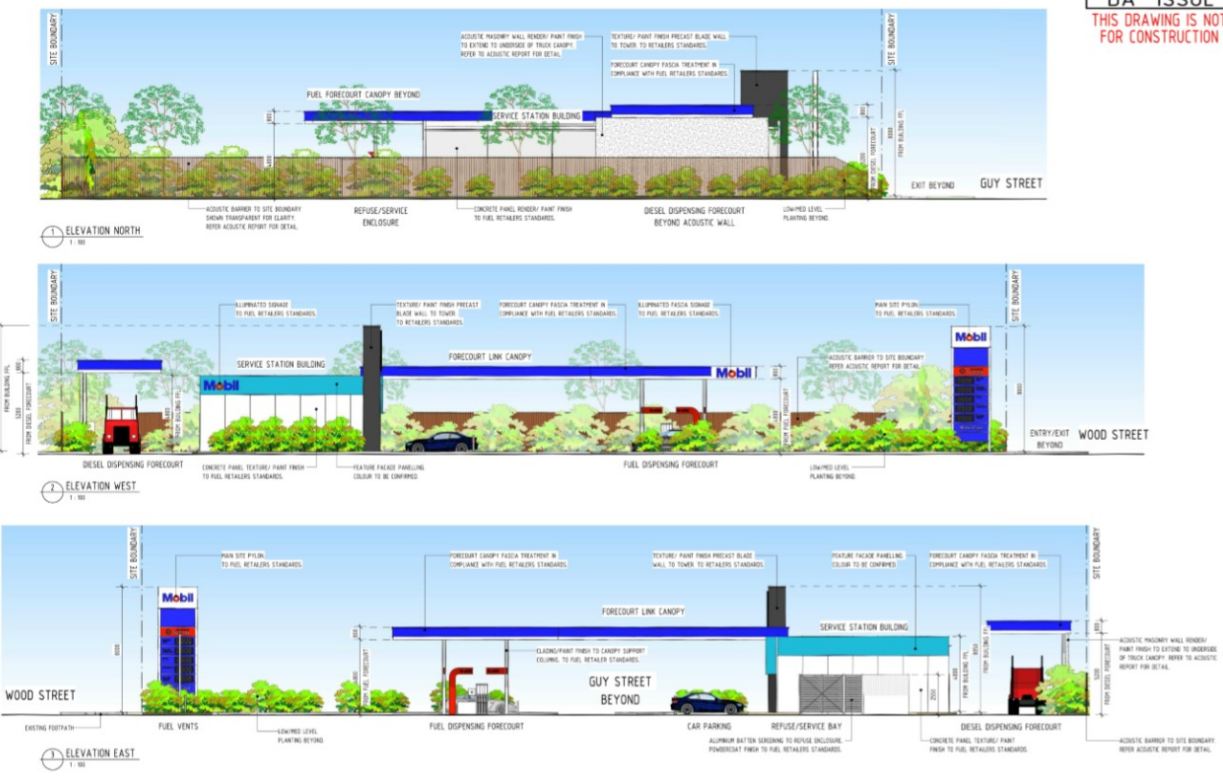




1 WOOD STREET PERSPECTIVE



2 GUY STREET ENTRY PERSPECTIVE



Wood Street Frontage



Referral

The application required referral to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) due to the subject lots being located within 25 metres of the State transport corridor and within 100 metres of an intersection with a State-controlled road, being Wood Street. The DSDMIP require conditions to be attached to any approval, see Schedule 3.

Submissions

The public notification period commenced on Monday, 17 February 2020 and ended on Monday, 9 March 2020. During the notification period one (1) properly made submission was received by Council.

The applicant has provided a response to the matters arising in submissions and is included in the response as relevant in *italic font*.

Matters Raised in Submissions	Response
General matters	
Noncompliance with Workplace Health and Safety Act as it is not at an acceptable level due to the proximity to occupied buildings, areas of public gathering and roadways.	Local governments are no longer responsible for the licensing and handling of flammable and combustible liquids since the repeal of the <i>Dangerous Goods Safety Management Act 2001</i> . The safe storage and handling of flammable and combustible liquids is now under the jurisdiction of the <i>Work Health and Safety Regulation Queensland</i> , which is regulated by Workplace Health and Safety Queensland. Therefore, the subject development application itself does not require assessment against the <i>Work Health and Safety Act 2011</i> .
Several academic articles demonstrate the need for "belts" to be established around petrol stations near sensitive receptors i.e. residential housing, vulnerable populations.	If separation distances were imposed in the Planning Scheme to reflect the 100 metre buffer this would likely require Service stations to be located on rural

<p>The establishment of 100 metre wide buffers are required to reduce health effects. Furthermore, trees and green space are provided within the buffer to assist in mitigation of the use.</p>	<p>land, reducing the accessibility of the use to local businesses and residents. Furthermore, it would fragment and reduce the rural productivity of the land.</p> <p>As reflected in the assessment of the application, a series of reports and management plans were drawn to ensure that the use can be adequately mitigated and not exceed a scale reasonable for the area.</p>
<p>There is no overriding need for a service station located on Wood Street.</p> <p>There were two service stations located along the road and they failed to continue over the past 25 years.</p>	<p>There are nine (9) existing Service stations operating in Warwick, located along the length of Wallace Street, Wood Street, Albion Street, Helene Street, New England Highway and the Cunningham Highway.</p> <p>The Strategic Intent of the Planning Scheme permits for development along the frontage of Wood Street servicing the visiting public and local residents. It is not Council's role to dictate the proposals which are lodged regarding the use of the land. It is Council's role to assess the application against the Planning Scheme. Provisions in relation to separation distances between Service stations could be a consideration for any new planning scheme.</p>
<p>Children utilising the footpath will have several access crossovers. The development is placing unnecessary risk on people, when considering the application is for an unnecessary facility.</p>	<p>The proximity to the childcare centre is a consideration for Council, particularly the pedestrian and vehicle movements during peak drop-off and pick-up times at both the childcare centre and the nearby school.</p> <p>Given the distances of separation between the crossovers and lines of sight, the development will not compromise the safety of pedestrians. Conditions will be imposed to ensure landscaping doesn't impair visibility.</p>
<p>The demolition of the squash courts will increase obesity rates and prevent exercise and activities; contra to health objectives of the government.</p>	<p>The tennis and squash courts are owned by the St Mary's Parish, Warwick and are hired to various groups and associations. <i>The school has recently constructed the Mackillop Centre which is utilised by the school for sporting functions, PE and Music lessons, cultural events and assemblies. Additionally, the Southern Downs Regional Council provides a range of sporting courts and fields within the Warwick area including Queens Park, St Marks Park and Morgan Park.</i> There remain numerous abilities for a person to undertake recreational activities in the region.</p>
<p>Should the Service station be unsuccessful as per previous fuel stations have been along Wood Street, the site will be an eyesore.</p>	<p>The applicant has proposed several measures to ensure that the development is sympathetic and consistent to the existing area.</p>
<p>Public and environmental health i.e. noise and odour</p>	

The operation of the service station, 24 hour a day, 7 days a week will result in constant noise, light and odour pollution to nearby uses.	The applicant has proposed a series of reports by noise and traffic engineers with a series of recommendations and how any potential nuisances can be appropriately addressed i.e. reduction of hours.
The construction of a wall will not prevent the effect of air pollutants blown by the elements to the residential buildings north of the site.	Fuel vents are proposed to be located along the frontage of the site. Odour associated with the refuelling of heavy vehicles will be mitigated through the following measures: erection of an acoustic wall, fences, landscaping and canopy over the fuel forecourt.
The location of trucks refuelling is within close proximity to a residential building i.e. 4.0 metres.	
There are environmental and health concerns regarding the proximity to residential and urban services i.e. Medical centre, Childcare centre.	
The refuelling of long-haul trucks within urban areas should not be permitted in the Planning Scheme, due to the pollutants contaminating the air quality.	The subject site's impervious area is currently greater than the proposed Service station. However, due to the varying nature of the existing and proposed uses the applicant has proposed to install a containment system which will be installed within the fuel dispensing areas. This will allow for contaminants to be captured using filtration technology to reduce the levels of contaminants to be discharged via stormwater infrastructure.
Stormwater runoff is likely to significantly increase pollution.	
Location of air conditioning compressors are proposed to be closely located to the residential property boundary, affecting quality of sleep.	Air-conditioning units are located east of the Shop component of the Service station with screening around the units. Acoustic fence will also assist in mitigating any noise associated the units or otherwise.
St Mary's Hall would fall well under the safety belt zone for fuel emissions, the elderly will be subject to the hazards.	<p>A series of conditions will be imposed to ensure that neighbouring lots are adequately buffered from the use.</p> <p><i>The proposed development has been designed and will be operated in accordance with applicable national fuel retailers' standards and regulations, and the recommendations provided within the Noise Impact Assessment and Engineering Report and Stormwater Management Plan to ensure that there are no significant impacts on the adjoining St Mary's Parish Hall.</i></p>
Traffic movements	
The location of the Wood Street crossover is likely to cause congestion and traffic with vehicles turning due to the traffic lights within close proximity of the crossover.	<p>A Traffic Impact Assessment was submitted with a report, including traffic counts and noise monitoring. This was undertaken on a weekday to ensure that the assessments would take into account movements on a school day.</p> <p>The Wood Street crossover will be conditioned for use as a left-in, left-out only. The site has been designed to allow for a 19 metre AV to enter from Wood Street and egress the site in a forward gear via Guy Street. Sighting from Wood</p>

	Street and Guy Street is consistent with Austroads Guidelines.
Inability to manoeuvre a heavy vehicle from the Guy Street exit without crossing lanes of traffic.	<p>A Traffic Impact Assessment was submitted alongside the development application. Recommendations were suggested, including works to be undertaken including the kerb widening, to allow for a 19m long AV to turn left from Guy Street onto Wood Street.</p> <p>To ensure that all vehicles are able to exit the site safely, line marking will be required to ensure the exit ways are kept clear when vehicles are queuing at the traffic lights.</p>
In favour of the development	
The placement of the fuel bowzers for the fuelling of cars facing the road is acceptable to a point.	

Assessment against the Planning Scheme – Reconfiguring of a Lot

Benchmarks applying to the development
<p>The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:</p> <ul style="list-style-type: none"> – 8.2.6 Heritage overlay code – 9.4.7 Reconfiguring a lot code

Heritage overlay code

AO5 Development does not:

- (a) reduce public access to the Local heritage place; or*
- (b) result in a Local heritage place being severed or obscured from public view.*

The proposed reconfiguration will allow for the heritage place to be located wholly on one lot. Neither the access nor public view of St Mary's Hall will be negatively impacted as a result of the reconfiguration.

Reconfiguring a lot code

PO6 Lots in zones other than the Low density residential, Medium density residential, Rural, Rural residential and Township zones are of sufficient size to accommodate uses and buildings and associated structures identified in the overall outcomes of the applicable zone codes.

The proposed development is located in the Mixed use zone, providing a transition area between the commercial centre and surrounding residential areas. The applicant seeks a change of use of the site for the purpose of a Service station following the reconfiguration of lots, the suitability of Service station on proposed Lot 3 will be further assessed against the Mixed use zone code to ensure the development meets compliance with the zone code. The proposed lot sizes of 3,151 square metres and 2,546 square metres achieves compliance with the PO, and the suitability of the proposed buildings and services to be located on the land will be further assessed in the report.

AO7 No existing building extends over more than one lot or is located closer to any boundary than required under an applicable code in this planning scheme or in the Building Code of Australia.

It is proposed that following the amalgamation of two of the lots, the boundaries will be realigned allowing for the Service station and St Mary's Hall to be wholly located on their respective lots. Currently one of the four buildings proposed to be removed to make allowance for the Service station will overhang the common boundary of the lots. Prior to the sealing of the survey plans a building approval is to be obtained for the demolition to achieve the desired boundary alignment as per plans prepared by Parkinson Surveyors, dated 19 November 2019. Conditions will be imposed

to ensure that prior to the sealing of the survey plan that all buildings are to be contained on each lot, without a building extending beyond their respective lot, achieving compliance with the AO.

AO14 *Where a site has a frontage to a road with a reserve width of 10 m or less the development provides a dedication of land along the full length of the frontage for road widening purposes. The area to be dedicated shall be that which falls within a minimum distance of 5 m from the centre line of the original road reserve boundaries.*

Acacia Avenue provides primary access to St Mary's Hall and will continue to do so. The Acacia Avenue road is approximately 6.1 metres in width, 3.0 metres from the centreline to Lot 82 W134636. In order to achieve compliance with AO14 approximately 2.0 metres of land will be required to be dedicated to Council for road widening purposes, achieving 5.0 metres in width from the centreline to proposed Lot 4.

AO16.1

(a) All lots in the Low density residential, Medium density residential, Rural residential, Principal centre, District centre, Specialised centre, Mixed use and Industry zones are connected to reticulated water.

AO16.2

(a) Except in Allora, all lots in the Low density residential, Medium density residential, Principal centre, District centre, Specialised centre, Mixed use and Industry zones are connected to the reticulated sewerage system.

The subject lots all have existing connections to reticulated water and sewer services. There is an existing wastewater infrastructure traversing Lot 20 RP133205. It will be a condition of any approval that an easement in favour of Council is to be established over the infrastructure to allow future access to Council's infrastructure and ensure no permanent structures are constructed over the sewer line.

Assessment against the Planning Scheme – Material Change of Use

The proposed Service station is required to be assessed against the entirety of the planning scheme, not limited to the specified to the Assessment Benchmarks listed in the Tables of Assessment, allowing for the strategic framework behind the implementation of the planning scheme to be taken into consideration in the assessment of the development.

Part 3 Strategic Framework

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

3.3 Settlement pattern

3.3.1 Strategic outcomes

(10) There is an effective, convenient network of centres providing business, commercial and retail services for the region. The central business districts of Warwick and Stanthorpe are the location for all higher order business, commercial and retail activity including large supermarkets, department stores and other commercial uses with a regional focus. The centres of Killarney and Allora support retail, office and community functions with a district focus. Local retail and business services are provided in the villages and in some suburban locations.

(13) The health, wellbeing, amenity and safety of communities and individuals are protected from the impacts of air and noise emissions, as well as hazardous materials.

3.3.4 Element – Commercial development

Commercial development meets the needs of the community for goods and services, provides for employment, culture and entertainment and in the case of the central business districts of Warwick and Stanthorpe provides a vibrant and exciting focus and strong sense of place for the community and visitors.

3.3.4.1 Specific outcomes

(4) The strong sense of place in the central business districts is supported by the continuing use and adaptive reuse of heritage buildings and the sympathetic respect for heritage character reflected in new development, street works and public places.

(7) Expanded opportunities for a range of business ventures, including home based businesses and alternative retailing is provided to ensure that the Southern Downs' urban and rural communities are provided with services, facilities and employment opportunities to meet their existing and future needs.

3.3.4.2 Land use strategies

(1) Adequate land is provided within the central business centres in Warwick and Stanthorpe to facilitate the use of these centres as the commercial and retail hubs of the Southern Downs. These centres provide comprehensive, convenient, safe and attractive commercial facilities in the northern and southern parts of the region. All significant government, retail and business development, excluding retailing of large and bulky goods, is located in these centres. Large supermarkets and department stores are located exclusively in these centres. The heritage character of the areas is retained by continuing commercial use and adaptive reuse of heritage buildings. Adjoining developments and public places are respectful and sympathetic to the heritage buildings.

(2) The areas adjacent to the central business areas of Warwick and Stanthorpe exhibit the mix of land uses traditionally found in city frame areas. This is a transition area of mixed commercial, retail, low impact industrial and residential uses. These areas provide for some extension of commercial and servicing functions but the existing character, mix of existing uses and the slow speed of land use change limits development in these areas to low impact, small scale uses. The character and type of development is significantly different within individual streets and neighbourhoods of the frame area, consequently land use planning for this area must be sensitive to local conditions and character. This area will not include major retail uses such as supermarkets or department stores but may include showrooms, low impact industry uses and limited business uses depending on the particular location. The amenity and functionality of these areas relies on control over the impacts of development to ensure a harmonious mix of uses.

(6) Provision is made for showrooms and large and bulky goods retailing in planned locations with good visibility and access and where they do not contribute towards ribbon development. Within these locations some tourist and low impact industry uses may locate to take advantage of the accessibility and visibility of the locality. The amenity and functionality of these areas relies on control over the impacts of development to ensure a harmonious mix of uses.

(8) The existing and planned commercial areas are promoted and protected to ensure that their viability and role as commercial and community centres is maintained. Unplanned and piecemeal expansion of the commercial areas, out of centre development and ribbon development will not occur.

The proposed development is located outside of the central business district of Warwick, fronting the section of Wood Street which provides connection between the Cunningham Highway and the New England Highway. The proposed development will service the touring public and local residents, conveniently located along the arterial road.

Given the variety of uses within close vicinity of the proposed Service station this indicates that the area supports a mix of activities which can be adequately mitigated to ensure that the amenity and functionality of these areas are not compromised.

Benchmarks applying to the development

The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:

- 6.2.8 Mixed use zone code
- 8.2.6 Heritage overlay code
- 9.4.2 Carparking and loading code
- 9.4.4 Landscaping code
- 9.4.6 Outdoor lighting Code
- 9.4.7 Physical infrastructure code
- 9.4.8 Stormwater management code

Mixed use zone code

6.2.8.2 Purpose

(1) The purpose of the Mixed use zone code is to provide for a mix of activities that may include business, retail, residential, tourist accommodation and associated services, service industry and low impact industry uses.

(2) The overall outcomes sought for the zone code are as follows:

(a) The zone provides a transition area between the commercial centre and the surrounding residential areas. The individual character of different parts of the zone is maintained by limiting the mix of uses in different localities within the zone to provide some continuity and meet the reasonable expectations of people living and working in the area. In various parts of the zone, subject to location, a range of appropriately scaled commercial, residential and industrial uses may be provided. These uses include multiple dwellings, small shops that service the surrounding area, shops selling large and bulky goods, outdoor showrooms for motor vehicles and equipment, restaurants, tourist accommodation and highway oriented service providers. Industrial uses are limited to small scale low impact industries and service industries.

(b) Non-residential development does not undermine the viability of the central business area contained in the Principal centre zone or District centre zone. Development does not compromise the viability of the centres hierarchy. The zone does not contain business activities such as supermarkets, shopping centres or other uses that are designed for a regional or district catchment.

(c) Uses are located, designed and managed in a manner that minimises external impacts.

(d) New development respects and enhances the streetscape of the surrounding area particularly in terms of scale, character and built form and incorporates a high standard of built design.

(e) Development does not adversely impact on the safety and efficiency of the road network including the State controlled network.

(f) The viability of both existing and future uses and operations in the zone are protected from the intrusion of incompatible uses.

(g) Where an area has a predominantly residential nature, such as west of Guy Street in Warwick, the character, scale and nature of the area is protected by limiting development to small scale office development and promoting reuse of existing residential buildings for commercial purposes.

(h) Retail uses are limited mainly to small shops to serve the needs of local residents and the people employed in the area, in all localities except on lots fronting Wood Street, Warwick, and High Street, Stanthorpe. On the eastern side of the Warwick central business area and in Stanthorpe (but not on sites fronting High Street) showrooms and shops selling large and bulky goods are appropriate.

(m) On sites with frontage to Wood Street or Albion Street, Warwick, or High Street, Stanthorpe, uses that service the travelling public such as tourist accommodation and fast food outlets are provided, and these developments are designed and operated to minimise impacts on the adjoining area while also ensuring traffic efficiency and safety.

The subject site is located on the corner of Wood Street and Guy Street, in the Mixed use zone. Surrounding uses provide a variety of uses such as Food and drink outlets, industry uses, residential properties and community uses. The proposed Service station is not considered to be unreasonable given the zoning and location along the state-controlled road network.

The location of the Service station is convenient for tourists and local residents. The use would not be more appropriately located within the central business district given the nature of the use. Whilst the use abuts two residential properties and a community hall, the use can be adequately mitigated to ensure the scale of the development is not out of the scope of the area.

PO3 The main roads through Warwick and Stanthorpe change the character of the adjoining area by increasing the amount of passing traffic. On sites fronting Wood Street, Warwick, and High Street, Stanthorpe, development is limited to highway oriented uses including food outlets, offices, restaurants, motels and other uses that provide services for the touring public. Consideration of these uses in this location is subject to assessment of the impacts of strip commercial development on the traffic flow and built form amenity of the area.

The development has frontage to Wood Street, which acts as a connector road between the New England Highway and Cunningham Highway and is therefore, subject to large volumes of traffic. The proposed use of a Service station will provide services for the local and touring public, such as fuel and basic convenience supplies. The use of the Service station is proposed to operate 24 hours a day, 7 days a week.

Nearby land uses to the proposed development offer a range of services, including food and drink outlets, a hall, residential uses, medical centres and a car dealership. Surrounding uses with the exception of the food and drink outlets, generally operate during the hours of daylight, the most susceptible nearby uses are likely to be the adjoining and surrounding residential properties.

A combination of mitigation measures will be conditioned to make certain that the impact to the area is acceptable given the nature of the Mixed use zone. This will include a reduction of operation hours from 6.00am to 10.00pm, comparable to the hours of Hungry Jacks, Red Rooster and Development Permits issued within close vicinity to the development for the purpose of a fuel station, all in which adjoin at least one residential property. Not only will the reduction of hours ensure consistency in the area, it will assist in achieving compliance with the Performance outcome.

Furthermore, an acoustic wall will be constructed immediate to the diesel fuel forecourt and acoustic fencing will also be provided along the northern and eastern boundaries of the proposed lot, assisting in reducing noise associated with the use itself. The planting of trees and shrubs will also assist in framing the development and reducing any amenity concerns. The development can be conditioned to comply with the Performance outcome.

PO6 Premises are of a type and scale consistent with the built form and character of the adjoining area. The appearance and siting of buildings, other structures, car parking areas or signage is compatible with the local streetscape character, the style and design of nearby buildings and is respectful and sympathetic to any Local heritage place.

The proposed building work will involve the construction of the Shop component of the Service station, two fuel dispensary areas, and erection of signage. The Shop will achieve a height of 4.8 metres and the upper most point of the forecourts will achieve a height of 6 metres. This is taking into account the height of the canopy and the acoustic wall of the diesel forecourt. The pylon sign will be located approximately 53 metres west of the heritage building and will achieve a height of 8.0 metres. The height of the sign is neither considered out of character for the area nor uncommon for the proposed use.

Furthermore, acoustic fencing and landscaping will be provided along the eastern boundary, adjoining St Mary's Hall, and along the northern boundary, to assist in reducing potential light and

noise impacts, maintaining high levels of amenity between the two lots. The car fuelling forecourt and service counter are located behind the St Mary's Hall's building line, not dominating the streetscape. The proposed development achieves compliance with the Performance outcome.

PO7 *The height, site cover and setbacks for buildings all combine to respect or enhance the character and amenity of their streets and neighbouring premises via a built form that:*

- (a) creates comfortable pedestrian environments;*
- (b) closely relates the building to the streets, public spaces and pedestrian routes; and*
- (c) retains the existing predominant streetscape character.*

The applicant has provided the following commentary:

The proposed development has been designed to ensure the height, site cover and setbacks for buildings all combine to respect and enhance the character and amenity of the streetscape and surround area. The built form:

- Creates a comfortable pedestrian environment;*
- Integrates with existing public space and pedestrian routes where possible; and*
- Retains the existing building design and landscaping.*

The proposed service station will have Gross Floor Area (GFA) of 250m² and a total building footprint (including forecourts and refuse storage) of 745m², equating to a total site coverage of 23.6%.

Buildings are located in excess of the required building setbacks and the design and layout of the development is sympathetic to the existing environment. Conditions will be imposed to ensure that the proposed use will not dominate the streetscape or surrounding area.

AO9 *A 6m wide landscaped area adjoins the primary street frontage and a 3m landscaped area adjoins any other street frontage.*

PO9 *Landscaped setbacks to all uses create an attractive, consistent streetscape that retains the existing streetscape character.*

The applicant has proposed to provide a 3.0 metre landscaped area along the Guy Street and Wood Street frontages, not in compliance with AO9. Development surrounding the site generally has reduced landscaping areas due to the state-controlled road and nature of the uses. As a result of the site having been used for the purpose of sporting courts, there was no current landscaping provided along either road frontages due to the courts having a large impervious area. Considering the use is located on an intersection with a collector and arterial road it is essential that whilst the amenity of the site is upheld that the functionality of the site is not compromised. The reduced landscaping width along Wood Street is not considered to be of detriment, the landscaping is considered to satisfy the Performance outcome.

AO10.2 *Landscaping frames the development but does not screen the development from the street.*

There is no fencing to be provided along either the Guy Street or Wood Street frontages, the planting of trees and shrubs will be provided as an alternative. The planting of trees and shrubs along the Guy Street and Wood Street frontages are not to grow to a height in excess of a metre within proximity to the vehicle crossovers, as this will protect the visibility of customers entering and exiting the site. Acoustic fencing will be provided along the northern and eastern property boundaries, reducing in height when within six metres of the road boundary to ensure a clear line of sight upon entry and exit.

The proposed fencing will achieve a maximum height of 3.2 metres along the northern and eastern property boundaries, similar in height to the existing tennis court fencing. Landscaping will incorporate fencing to the site to ensure that it does not dominant the streetscape. Prior to commencing building works the applicant will be condition to supply further detail in regards to fencing materials, ensuring that the fence will be sympathetic in design to the adjoining residence and hall. The proposed landscaping will not wholly screen the development from the street, maintaining safe and secure pedestrian movements.

AO12

- (a) Access to car parking areas and service areas is via rear access lanes wherever possible;*
- (b) Parking and service areas are situated at the rear of the site;*
- (c) Shared driveways are used to minimise the number of separate vehicle crossovers.*

PO12 *Car parking areas, service areas and access driveways are located where they will not unduly intrude upon pedestrian use of footpaths and will not dominate the streetscape.*

All vehicular access to the site must be from the Wood Street crossover only. Car parking areas are accessible via the car refuelling forecourt from the Wood Street crossover. The site will have three (3) crossovers; entry from Wood Street, two exits via Guy Street, and a third via the Wood Street crossover.

The Wood Street crossover has a pedestrian island located centre to the crossover ensuring that should pedestrians and vehicles utilise the network at the same point in time there is a place of refuge.

There is the possibility that traffic may attempt to enter the site via the Guy Street exits, the applicant has proposed signage as per Figure 6. However, this does not ensure that vehicles approaching from the north will see signage prior to entering the site; a condition will be imposed to ensure signage is visible upon approaching the site.

The Guy Street heavy vehicle exit will cease the use of three (3) existing car parking spaces on the street. It is reasonable to assume the parking spaces were in association with the use of the squash and tennis courts, therefore the decrease in car parking spaces along Guy Street will not adversely impact on the operation of Guy Street.

As a result of the distances of separation between the Wood Street and Guy Street crossovers, and the proposed pedestrian island the driveways are not considered to unduly intrude upon pedestrian use of footpaths. Proposed landscaping and fencing works are considered to adequately buffer the use from the street to ensure the use does not dominate the streetscape.

PO13 *Development incorporates satisfactory servicing, access, circulation and parking arrangements for private, public transport and emergency vehicles.*

The applicant has lodged a Traffic Impact Assessment as part of the application, as has the application required referral to the State Assessment Referral Agency (SARA) due to the proximity of the use to the state-controlled road; conditions from the referral agency are shown in Schedule 3 of the Development Permit.

To ensure seamless traffic circulation and movements it is recommended in the traffic report that signage and line-marking should be installed, as indicated in Figure 5. Additionally keep clear line markings over the Guy Street exits will be required to allow for any vehicle type to safely manoeuvre to their desired lane. Conditions will be imposed to ensure that clear, directional signage is provided.

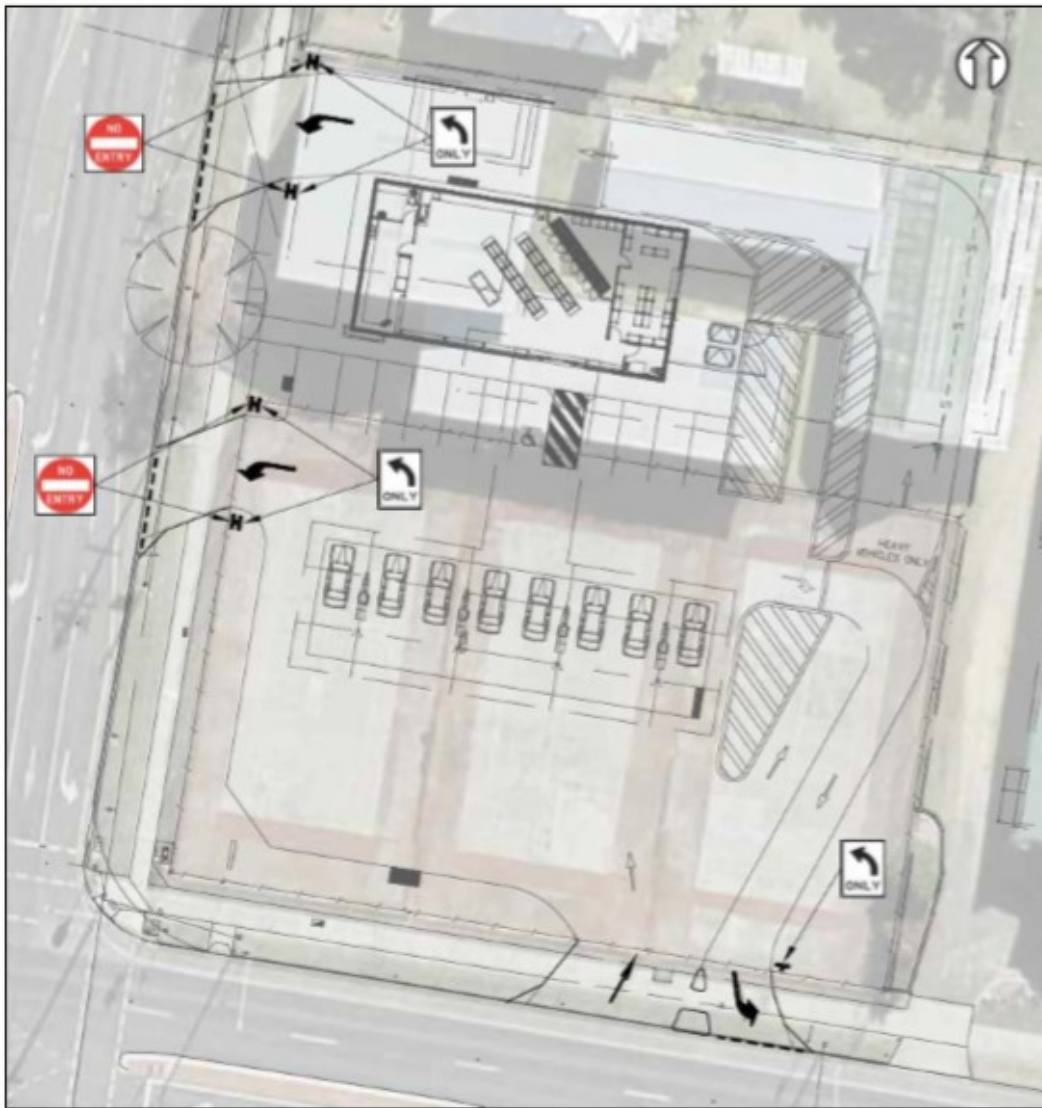


Figure 6: Proposed signage plan, prepared by PTT Traffic and Transport Engineers

PO16 All uses are designed and operated to preserve or improve the physical conditions of the adjoining area including noise, light, air quality, vehicle and pedestrian generation and flow.

Upon conducting a site visit, a Council Officer identified some visibility concerns likely to be of impact to the site and surrounding vehicle and pedestrian movements. Upon exiting from the Guy Street crossovers customers will have reduced vision of oncoming traffic from the north due to a street tree and parallel parking spaces outside of the neighbouring residence.

Figure 7 demonstrates the visibility upon exiting the site from the heavy vehicle exit should a vehicle be parked in this space. Whilst, vehicles exiting from the high flow diesel fuel court are likely to be heavy vehicles and therefore their sight position would be elevated, precautions should be made to ensure adequate sighting for a standard passenger vehicle. Conditions will be imposed regarding the removal of the existing tree beyond proposed Lot 3 and for the most southern parallel car parking space to be decommissioned; this will improve the site and flow of vehicles and pedestrians.

A likely source of light pollution is the proposed pylon sign to be located on the southwestern corner of the lot, the levels of illumination will be required to be in accordance with the Outdoor lighting code and not exceed 8 lux from 1.5 metres from the outside boundary. By restricting hours of operation this will also therefore reduce the hours of illumination, and the potential noise and odour impacts. The development can be conditioned to comply with the Performance outcomes.



Figure 7: Sight vision from Guy Street upon exiting the site

PO17 Where a proposed development adjoins land used for residential purposes the development is designed and operated to mitigate any adverse impacts on the amenity of the residential use.

Following the Reconfiguration of Lots the proposed development will adjoin three (3) lots; two (2) residential properties (see Figure 8) and one (1) lot used as a community purposes – St Mary's Hall. All lots will be buffered by landscaping and an acoustic fence. The dwelling at 64 Guy Street, Lot 1 RP42491, the most vulnerable to nuisances such as noise, light, and odour, is proposed to have an acoustic wall buffering the residence and the diesel fuel forecourt for the use of heavy vehicles.



Figure 8: Adjoining residential property - 64 Guy Street, Warwick

PO18 All uses are located, designed, oriented and constructed to minimise nuisance caused by noise, vibration and dust emissions generated by the State controlled road network.

The proposed use triggered referral to SARA due to the proximity of the use to the state-controlled road; conditions have been imposed as reflected in Schedule 3 of the conditions.

Heritage overlay code

AO1.1

- (a) The use retains or restores the original use of the Local heritage place; or
- (b) The use is respectful of the original purpose of the Local heritage place.

The land west of St Mary's Hall has previously been utilised for sport and recreation purposes, currently the tennis courts are in a state of disrepair and are an eyesore in their current condition. The buildings located to the west of Lot 20 are used as squash courts, fitness classes and other community activities, and storage, which are proposed to be removed from the site. The removal of the courts and buildings to the west of Lot 20 will allow for increased amenity of the site and has been designed in consideration of the heritage place. This is evident through landscaping, fencing and the proposed building setbacks. The lot in its current state is not well-maintained; the application seeks to provide a development that is integrated with its surroundings and remain respectful to the heritage place.

AO1.2 The development:

- (a) Does not require significant modification of the Local heritage place; or
- (b) Will ensure the conservation of the Local heritage place; or
- (c) Is undertaken in accordance with The Burra charter: The Australian International Council on Monuments and Sites (ICOMOS) charter for places of cultural heritage significance; or
- (d) Is undertaken in accordance with an approval or exemption certificate issued under the Queensland Heritage Act.

The development will not require modification to the Local heritage place. The proposed development will allow for the neighbouring site to have increased amenity, not taking away from the significance of the building and its place within the region. As per the Local Heritage Register,

the Local Heritage Place is associated with the hall itself and its building footprint; an exemption certificate is not required as no building work will be subject to the building.

AO2 All new buildings are setback from all street frontages at least the same distance as the Local heritage place.

Proposed building work is setback beyond the building line of St Mary's Hall.

AO4.1 Development has a height equal to or less than the adjoining Local heritage place.

PO4 The built form is respectful to and sympathetic to the adjoining Local heritage place.

The applicant has provided the following justification:

The shop component of the Service station will have a maximum height of 6m, whilst the proposed car fuel forecourts and truck canopy will have a maximum height of 5.6m and 6m respectively.

The proposed built form has been designed and located to ensure greater setbacks and lower building heights than the adjoining Local heritage Place to ensure the buildings are subservient to and do not detract from the character values of the St Mary's Hall.

It is to be noted that the pylon sign will achieve a height of 8.0 metres beyond the height of the Local Heritage Place however, given the location of the sign in the southwest corner of proposed Lot 3; the sign will not be of detriment to the Hall. The development satisfies the Performance outcome.

Carparking and loading code

AO1.1 *The number of parking and loading spaces is not less than the minimum number specified in Table 9.4.2.4. Where the calculation of applicable parking rates results in a fraction, the number required will be the next highest whole number. Council may accept an alternative to providing the required spaces on the development site in accordance with Planning Scheme Policy – Off Street Carparking.*

Table 9.4.2.4 stipulated that for use of a Service station, 1 space per 25 square metres of gross floor area is required to achieve compliance with the AO, incurring 10 car parking spaces. The applicant has detailed that 13 car parking spaces are proposed, in excess of the requirement.

AO2 *Except in the case of a dwelling house, parking spaces, manoeuvring areas, queuing areas, loading, set down and pickup areas and driveways meet the design requirements of Australian Standard AS 2890.1 – Parking facilities - Off-street car parking and AS 2890.2 Parking facilities - Off-street commercial vehicle facilities.*

PO2 *The layout of the development provides adequate, clearly defined and easily accessible on site vehicle parking and manoeuvring areas and loading and manoeuvring areas for delivery and service vehicles.*

The applicant has provided a Traffic Impact Assessment prepared by PTT Traffic & Transport Engineering, the following commentary was provided relevant to the design requirements – of Australian Standard AS 2890.1 and AS 2890.2:

The proposed left-in / left-out driveway on Wood Street would be located approximately 30m from the Wood Street / Guy Street signalised intersection. This separation distance complies with:

- *Australian Standards AS2890.11, which requires that access driveways be located a minimum of 6m from the kerb tangent point*
- *common practice for an access driveway on a major road (i.e. Wood Street) to be located a minimum of 30m from the property boundary of the intersecting major road (i.e. Guy Street) and to be clear of all queuing areas and turn lanes associated with the intersection*

To enable simultaneous usage of the Wood Street access by an entering articulated vehicle (AV) and an exiting passenger vehicle, a 14m wide crossover is proposed. The crossover would be generally in accordance with a Type D (left-in / left-out) driveway design as per the Institute of Public Works Engineering Australasia (IPWEA) Standard Drawing RS-051(F).

Figure 3.2 show swept paths of a 19m AV entering the site with a passenger vehicle (B99) going in the other direction.

The design and layout of on-site car parking is generally consistent with the requirements of Council's Planning Scheme and Australian Standard AS2890.1:2004 Parking Facilities Part 1: "Off-Street Car Parking" (AS2890.1) in terms of bay dimensions, aisle widths, vehicle circulation and manoeuvring. This is typified by:

2.6m wide by 5.4m long customer parking spaces 2.4m wide by 10.8m wide staff tandem parking spaces 2.4m wide by 5.4m long PWD spaces with 2.4m wide by 5.4m long adjacent shared space parking aisles in excess of 6.2m wide

The signage is to be installed based upon the recommendation of the Traffic Impact Assessment is shown in Figure 6. Allowance has been made as reflected in vehicle swept paths and the applicants response, that the layout of the development will allow for access to parking spaces and adequate area for manoeuvrability satisfying the Performance outcome.

AO3 Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed in accordance with Planning Scheme Policy – Carpark Construction.

Operational Works will be required as the number of carparks to be provided is greater than 10 spaces. Car parking areas will be sealed, suitably laid, lined and marked as detailed in the Planning Scheme Policy – Carpark Construction.

AO6

...(b) Only one footpath crossing is provided for each frontage to the site. Design of the driveway across the footpath is in accordance with IPWEAQ Standard Drawings for residential and commercial driveways.

(d) Footpath and kerb crossovers are located clear of existing stormwater inlet structures, water and sewerage infrastructure fittings, any other existing utility infrastructure and street trees.

PO6 Vehicular accesses:

(a) are appropriate for:

- (i) the capacity of the carpark;
- (ii) the volume, frequency and type of vehicle usage; and
- (iii) the function and configuration of the access road; and

(b) minimise any potentially adverse impact on:

- (i) the safety and efficiency of the road;
- (ii) the integrity of any infrastructure within the road reserve; and
- (iii) the safety of access to adjacent properties.

Vehicle accesses are located and designed in accordance with AS2890.1, as per the Traffic Impact Report. The subject site will have three (3) footpath crossovers, which is not in accordance with AO6 (b). The Wood Street crossover is 13 metres in width; the applicant has proposed a pedestrian island to ensure that manoeuvrability is not compromised. Given the separation distances between the crossovers, the vehicle accesses are not considered to compromise the safety of pedestrians and the functionality of the site. Furthermore, speed bumps along the Guy Street crossovers have been recommended to slow vehicles exiting the site to queue at the traffic lights, increasing the safety of pedestrians and users; the development can be conditioned to comply with the Performance outcome.

AO7 Approval from the Department of Transport and Main Roads is obtained for any works (including property access) for:

- Work within boundaries of a State-controlled road; and
- Direct access to a State-controlled road.

The application was referred to SARA as previously detailed, and a pre-lodgement meeting was held with SARA and representatives for the Department of Transport and Main Roads. The road accesses are to be constructed in accordance with Council's Standards and the Department of Transport and Main Road's Planning & Design Manual, as Schedule 3 details. A condition of

approval from SARA includes the need to widen the kerb near the Guy Street, Wood Street intersection on the recommendation from the Traffic Impact Assessment.

AO9

...(c) Vehicles being unloaded or loaded with goods stand completely on site and do not impede vehicle access to more than 10 parking spaces.

(d) Service vehicles enter and leave the site in a forward gear.

In accordance with Schedule 3, road access locations are to be designed and constructed in accordance with Southern Downs Regional Council requirements and the Department of Transport and Main Road's Planning & Design Manual. Conditions will be imposed to ensure that all vehicles leave the site in forward gear and that during periods of delivery and unloading parking spaces are not affected.

Landscaping code

PO1 *Development is landscaped in a manner which:*

- *Makes a positive contribution to the streetscape and enhances the appearance of the facility;*
- *Integrates natural landscape features such as rock outcrops and existing large trees and existing native vegetation;*
- *Enhances buffer areas around property boundaries;*
- *Compliments the relative size and nature of the development;*
- *Screens the view of service, carparking and loading areas;*
- *Enhances the appearance of screens and acoustic fences; and*
- *Ensures the functionality of outdoor space.*

AO1 *In partial fulfilment of the PO –*

Landscaping is carried out in accordance with a planting plan prepared by a suitably qualified landscape designer that:

(a) incorporates all proposed planting, paving, fences, recreational facilities and other landscape elements necessary to meet the performance outcomes; and

(b) incorporates the following information:

- (i) Location and species of existing trees, including street trees;*
- (ii) Location and species of proposed plants and a schedule of plants and plant size;*
- (iii) Soil type;*
- (iv) Location of drainage, sewerage and other underground services and overhead power lines;*
- (v) Irrigation details;*
- (vi) Proposed surfaces;*
- (vii) Fence height and material;*
- (viii) Location of doorways and windows of buildings on the site;*
- (ix) Location of any existing or proposed solar collectors on the site;*
- (x) Contours or spot levels as required;*
- (xi) Scale and north point.*

A landscaping plan is required to be drawn to ensure the planting of trees and shrubs within the development will adequately buffer the use, complement the amenity of the site and surrounding uses, in particular the neighbouring Local Heritage Place. Conditions will be imposed for the landscaping plan to be provided to Council prior to building work having commenced.

Outdoor lighting code

AO1.1

...(b) All outdoor lighting complies with AS 4282 Control of obstructive effects of outdoor lighting.

AO1.2 *The level of illumination 1.5 m outside the boundary of the site from any source, direct or reflected, shall not exceed 8 lux measured at any level upwards from the ground exclusive for the road frontage.*

Conditions will be to reflect the AO1.1 and AO1.2, ensuring that surrounding uses are not compromised.

Physical infrastructure code

PO5 *All noise sensitive uses are located, designed, oriented and constructed to minimise nuisance caused by noise, vibration and dust emissions generated by the State controlled road and rail network.*

As previously detailed, noise sensitive uses such as residential uses are proposed to have acoustic fencing and an acoustic wall installed, the reduction of hours will also assist in achieving compliance with the Performance outcome.

PO7 *Adequate access is provided to all sewers, stormwater drains and water mains for future maintenance.*

There is an existing wastewater infrastructure traversing Lot 20 RP133205. A condition of approval will be imposed to require an easement in favour of Council over the infrastructure to allow future access to Council's infrastructure and ensure no permanent structures are constructed over the sewer line.

The applicant has proposed to connect to the existing stormwater line on Acacia Avenue. A condition for an easement over the stormwater line is also required.

AO9 *Where a site has a frontage to a road with a reserve width of 10 m or less the development provides a dedication of land along the full length of the frontage for road widening purposes. The area to be dedicated shall be that which falls within a minimum distance of 5 m from the centre line of the original road reserve boundaries.*

Acacia Avenue provides primary access to St Mary's Hall and will continue to do so. Acacia Avenue from eastern property boundary is approximately 6.1 metres in width, 3.0 metres from the centreline to Lot 82 W134636. In order to achieve compliance with AO9, approximately 2.0 metres of land will be required to be dedicated to Council for road widening purposes, achieving 5.0 metres in width from the centreline to proposed Lot 4.

Stormwater management code

AO1 *Stormwater drainage design:*

(a) *Ensures that the development flows leaving the site are discharged to a lawful point of discharge without causing any actionable nuisance (in general terms this implies no worsening as a result of the discharge);*

(b) *Maximises the use of natural overland drainage paths through their identification, and minimises earthworks that will result in stormwater run-off being redirected;*

(c) *Ensures stormwater management complies with Table A (Construction phase - stormwater management design objectives) in Appendix 2 of the State Planning Policy.*

Note: Applicants may be requested to prepare a site based stormwater management plan to demonstrate compliance with the performance outcome.

The proposed development will result in reduced impervious area in comparison to the lot as it stands. The land does gradually fall to the east by approximately 0.5 metres over 50 metres. The applicant has proposed: *...that stormwater runoff from the proposed Service station development will discharge into a new gully pit at the rear of site which will connect to the existing stormwater infrastructure at Acacia Avenue.*

Water runoff from the service station will fall to a containment system, such as SPEL Stormwater Stack, to capture and retain flows from the fuel dispensing areas. SPEL will allow for contaminants within the fuel dispensing areas to be captured, using filtration technology to reduce the levels of contaminants to be discharged via stormwater infrastructure.

AO2.1 *An erosion and sediment control plan (ESCP) demonstrates that release of sediment-laden stormwater is avoided for the nominated design storm, and minimised when the nominated design storm is exceeded, by addressing design objectives in Table A (Construction phase - stormwater management design objectives) in Appendix 2 of the State Planning Policy for:*

- *Drainage control;*
- *Erosion control;*
- *Sediment control;*

- *Litter, hydrocarbons and other contaminants;*
- *Waterway stability and flood flow management;*
- *Temporary drainage works; and*
- *Emergency spillways on temporary sediment basins.*

Addressing the design objectives may include enhancing the achievement of some objectives if achievement of other objectives is impractical.

AO2.2 *Erosion and sediment control practices (including any proprietary erosion and sediment control products) are designed, installed, constructed, operated, monitored and maintained, and any other erosion and sediment control practices are carried out in accordance with local conditions and appropriate recommendations from a suitably qualified person.*

The applicant has provided the following commentary regarding the need to undertake an erosion and sedimentation control plan:

Using the International Erosion Control Association's (IECA) Erosion Hazard Assessment Procedure AustIECA, 2016a), we believe the proposed development site represents a low erosion risk as no trigger values were equalled or exceeded and resulted in a total score of only 11 (Refer Appendix B for Erosion Hazard Assessment Form). IECA requires that a preliminary Erosion and Sediment Control Plan (ESCP) be submitted to the local government for approval during the planning phase if the development obtains a total point score of 17 or greater or when any trigger value is scored or exceeded.

The proposed site will only be exposed for a minimal amount of time during the earthworks required for service trenching and constructing the building platforms. The trenches will only be exposed while the services are being installed and then will be covered by the proposed building works. Appendix C shows the International Erosion Control Association Australasia standard drawings and control notes applicable to this development.

The construction contractor is responsible for ensuring that soil and debris does not leave the site as well as the confines of the construction zone and is not deposited on external roads or existing in-use areas due to the proposed earthworks and construction activity.

The applicant's response is considered to satisfy AO2.1. In order to achieve compliance with AO2.2 a Site Based Management Plan will be imposed to ensure that all necessary precautions and actions are place should any complaints be received during the construction and operation of the use.

Infrastructure Charges

In accordance with the Adopted Infrastructure Charges Resolution (No.2) 2015, following the proposed reconfiguration of lots the premise will attain a credit as the land is located in the Mixed use zone. The Mixed use zone *is to provide for a mix of activities that may include business, retail, residential, tourist accommodation and associated services, service industry and low impact industry uses*, the scope of which the proposed Service station falls within.

The Resolution details that the credit for commercial or industrial land or the like, the amount that would be payable if the land was developed, based on a gross floor area (GFA) of 40% and an impervious area of 90%. As the use of the site will not exceed the assumed amount of 40% site coverage and 90% impervious area, there is no additional infrastructure charge applicable.

Recommendation

THAT the application for Reconfiguration of a Lot (4 into 2 lots) and Material Change of Use for the purpose of a Service station on land at 64A Guy Street & 47B-47C Wood Street, Warwick, described as Lots 1 and 2 RP64891, Lot 20 RP133205, Lot 82 W134636, Parish of Warwick, County of Merivale, be approved subject to conditions.

Schedule 1 - Southern Downs Regional Council Conditions for the purpose of Reconfiguring a Lot

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 Reconfiguration (4 into 2), Sheet 1 of 2, prepared by Parkinson Surveyors	14463	19 November 2019
Proposed Reconfiguration (4 into 2), Sheet 2 of 2, prepared by Parkinson Surveyors	14463	19 November 2019

2. Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.
3. All conditions of Schedule 1 of this Development Permit must be complied with prior to the signing of the Plan of Subdivision.

Building and Site Design

4. A Building Approval is required prior to the removal of any buildings on the site.
No existing building is to extend over more than one lot or is to be located closer to any boundary than required under an applicable code in the Planning Scheme or in the Building Code of Australia.

Dedications

5. An area of land 2.0 metres wide, along the Acacia Avenue frontage of proposed Lot 4 is to be dedicated for road purposes at no cost to Council. Any fencing or other private infrastructure is to be removed from within the dedicated area.

Easements and Covenants

6. A 3.0 metre wide easement for sewerage purposes is to be provided over proposed Lot 3 in favour of Council. A copy of the easement documentation is to be submitted to Council for approval prior to the use of the site commencing.

Fencing, Landscaping and Buffers

7. All structures and their foundations must be wholly contained within private allotments. (see advisory note).

Advisory Notes

- (i) **Building Approval is to be obtained** for the demolition of any buildings in accordance with the *Planning Act 2016* for the proposed 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.
- (ii) 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*.

- (iii) The General Environmental Duty under the *Environmental Protection Act 1994* 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.
- (iv) 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*.

Aboriginal Cultural Heritage

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

Approval Times

- (vi) In accordance with the *Planning Act 2016*, this approval will lapse four years from the day the approval takes effect, unless the Plan of Subdivision is submitted to Council within the currency period. **Council will NOT approve the plan unless all conditions of this approval have been complied with to the satisfaction of Council and within the currency period of the approval.**
- (vii) The approved Plan of Subdivision must be lodged for registration in the Office of the Registrar of Titles within six months of the date of Council’s Compliance Certificate and approval of the Plan of Subdivision. If the Plan of Subdivision is not registered within this timeframe, Council’s approval of the Plan of Subdivision will lapse. Council may reapprove the Plan of Subdivision subject to payment of the applicable fee.

Schedule 2 - Southern Downs Regional Council Conditions for the purpose of a Material Change of Use

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
Existing Site Plan prepared by Verve Building Design Co.	19011-DA01-A	17 December 2019
Proposed Site Plan prepared by Verve Building Design Co.	19011-DA02-A	17 December 2019
Proposed Building Floor Plan prepared by Verve Building Design Co.	19011-DA06-A	17 July 2019
Building Elevations and Perspectives prepared by Verve Building Design Co.	19011-DA03-A	17 December 2019
Building Elevations and Perspectives prepared by Verve Building Design Co.	19011-DA04-A	17 December 2019
Building Elevations and Perspectives prepared by Verve Building Design Co.	19011-DA05-A	17 December 2019
Signage Plan and Details prepared by Verve Building Design Co.	19011-DA7-A	17 December 2019
19 AC Swept Paths prepared by PTT Traffic &Transport Engineering	SK-001	10 December 2019
RCV Swept Paths prepared by PTT Traffic &Transport Engineering	SK-002	10 December 2019

19M AV Swept Paths with Kerb Widening prepared by PTT Traffic & Transport Engineering	SK-003	10 December 2019
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2. Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.
3. All conditions of Schedule 1 of this Development Permit must be complied with prior to commencing the use.

Easements and Covenants

4. A 3.0 metre wide easement for stormwater purposes is to be provided over proposed Lot 3 in favour of Council. A copy of the easement documentation is to be submitted to Council for approval prior to the use of the site commencing.

Land Use and Planning Controls

5. This approval allows for the use of the site for the following uses only:
 - Service station and shop ancillary to the use, on proposed Lot 3.
 - Fuel quantities are not to exceed three (3) 110 kilolitre fuel tanks.
 This Development Permit does not allow for any maintenance, servicing or washing of vehicles onsite.
6. The Material Change of Use the subject of this Development Permit must be completed within a period of 6 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.
7. The development shall generally operate between the hours of 6.00am to 10.00pm, Mondays to Sundays, including public holidays.

Building and Site Design

8. All drainage (including sewer connections, stormwater drainage and interallotment drainage) and services (including electricity and telephone) associated with the existing buildings on the land are to be decommissioned and capped off.

ALTERNATIVELY,

All drainage (including sewer connection, stormwater drainage and interallotment drainage) and services (including electricity and telephone) associated with the existing buildings on the land are to be relocated so that they are wholly contained within proposed Lot 3, or easements provided over this private drainage and services. A plan, drawn by a suitably qualified person, showing all drainage and services associated with the existing dwelling is to be submitted to Council to demonstrate compliance with this requirement.

9. Any public conveniences such as toilets, telephones, outdoor seating and car parking areas are to be well lit, well maintained and clearly visible.
10. All buildings are to be setback at least 6.0 metres from the eastern property boundary.
11. All buildings are to be located behind the building line of St Mary's Hall from Wood Street.
12. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
13. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

14. During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at the Warwick Waste Facility.
15. The loading and/or unloading of delivery and other service vehicles (including general waste

collection vehicles) is limited between the hours of 7.00am and 7.00pm, Monday to Saturday, and between the hours of 9.00am and 6.00pm on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.

16. 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. A waste collection contractor must be engaged to supply suitable waste and recycling receptacles and service waste and recycling receptacles.
17. 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.
18. 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.
19. Advertising Devices relating to the Service station may **only** be erected on the subject land, i.e. proposed Lot 3. 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.

Advertising Devices in excess of 2.0 metres high and wider than 1.2 metres will require Building Approval i.e. pylon sign.
20. Any external lighting must be installed so that light shines down and away from adjacent properties and roads, and does not exceed 8 lux at the property boundary.
21. **A Site Based Management Plan (SBMP) must be submitted to and approved by Council, prior to the use of the site commencing.** The approved SBMP is to be implemented. The SBMP must identify all sources of environmental nuisance and/or environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental nuisance and/or environmental harm being caused. The SBMP must also provide for the review and continued improvement in the overall environmental performance of all activities that are carried out.
22. The underground fuel tank and delivery vehicle shall be fitted with "Vapour Recovery System" equipment in accordance with Australian Standard (AS) 1940 2004, AS 2809.2:2008, AS 4897:2008 and AS 4977:2008.

Fencing, Landscaping and Buffers

23. A 3.2 metre high solid, acoustic fence shall be erected along the north and eastern side boundaries, to mitigate noise and provide visual screening. This fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the road boundary.
24. An acoustic wall along the northern side of the diesel fuel forecourt, extending from the ground to the underside of the canopy is to be constructed to a height of 5.1 metres facing the forecourt, with a truck canopy extending towards the south over the diesel fuel court.
25. The design, colours, materials and treatments of fencing along the northern and eastern property boundary of proposed Lot 3 are to be in accordance with the area, considering the adjoining residence, and sympathetic to the neighbouring Local Heritage Place. **Details of the design, colours and materials of fencing and treatments are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The fence is to be constructed in the approved design, colours and materials.
26. Retaining structures, fencing and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure.
27. All earthworks, including batters must be fully contained within the site.
28. Landscaping along the Wood Street and Guy Street frontages is to achieve a width of no less

than 3.0 metres.

Landscaping of trees and shrubs are not to exceed a height of 1.0 metre within 1.5 metres of the vehicle crossovers along the Wood Street and Guy Street frontages.

29. The existing street tree outside of Lot 1 RP42491 is to be removed to improve sight distance. The disturbed area is to be appropriately backfilled, levelled to match the surrounding ground level and seeded.
30. Landscaped areas are to be provided on the site in accordance with Plan No. 19011-DA02 – A, dated 17 December 2019, prepared by Verve Building Design Co.
31. **A Landscaping Plan is to be submitted to and approved by Council's Planning Department prior to the commencement of the use.** 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 3.0 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

32. All vehicular access to the site must be via the Wood Street entrance only.
33. The designs of the left-out exits from Guy Street are to be angled to discourage vehicles using these access points for entry movements.
34. Signage reading 'No Entry' is to be visible upon approaching the Service station from the north.
35. Speed bumps are to be provided at both of the Guy Street exits to reduce of the speed of exiting vehicles. The speed bumps are to be provided wholly within the property, in close proximity to the boundary.
36. 'KEEP CLEAR' road marking is to be provided on Guy Street in line with the new access points, prior to the use commencing.
37. All vehicles movements to and from the site are to be in forward gear, this includes all service vehicles.
38. The internal driveways are to be designed and constructed to allow a 10.4 metre service vehicle to enter and leave the site in forward gear.
39. The most southern parallel carpark outside of Lot 1 RP42491 is to be decommissioned prior to the use commencing. This includes the removal of the line marking associated with the car park.
40. Car parking shall be provided on site in accordance Plan No. 19011-DA02-A, dated 17 December 2019 prepared by Verve Building Design Co. All car parking, driveway and loading areas shall be constructed, sealed, line marked, drained, laid out and regularly maintained.
41. All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
42. Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
43. All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
44. 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"*.

45. 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. A vehicle loading area with associated driveway and access to accommodate a semi-trailer/B-Double must be provided on site in accordance with AS2890.2 – 2002 (Off-street parking - Commercial vehicle facilities).

Roadworks

46. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Infrastructure Services.
47. 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

48. The design, construction and operation of the stormwater drainage system must comply with the water quality objectives stated in the Assessment Benchmarks – Water Quality and Appendix 2 of the State Planning Policy.
49. 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

50. A reticulated water supply system, up to and including water meters, is to be provided to service the building. This system is to be connected to Council's water supply system.
51. A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.
52. The development is to comply with Council's policy *Works Near Water Supply and/or Sewerage Infrastructure Policy*, which requires an application to be submitted to Council for approval, prior to the commencement of the works. It is not desirable to build over the infrastructure; alternative arrangements should be sought.

Electricity, Street Lighting and Telecommunications

53. Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
54. LED street lighting shall be provided in accordance with AS/NZS 1158 - Lighting for Roads and Public Spaces.

Operational Works

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

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Sustainable Development, 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 *Planning Act 2016* 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) The operator must at all times comply with the *Environmental Protection Act 1994*.
- (v) **Building Approval is to be obtained** for the demolition of any buildings in accordance with the *Planning Act 2016* for the proposed 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.
- (vi) 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*.
- (vii) The General Environmental Duty under the *Environmental Protection Act 1994* 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.
- (viii) 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*.
- (ix) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of a Service station. 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.
- (x) **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.
- (xi) **Building Approval is to be obtained** for a Class 6 building and the acoustic fencing in accordance with the *Planning Act 2016* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing**.
- (xii) 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.
- (xiii) 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.

- (xiv) 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*.
- (xv) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Planning Act 2016*. This application must be submitted with the following:
 - DA Form 1;
 - 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, and proposed signage and line marking;
 - Stormwater Management Plan;
 - A geotechnical report addressing the filling of the site and make recommendations as to how it will be possible for such filling to achieve compliance with AS3798-2007 (as amended) "*Guidelines on Earthworks for Commercial and Residential Developments*".

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.

- (xvi) An Erosion and Sediment Control Plan (ESCP) must be submitted for approval with the application for Operational Works. The ESCP must demonstrate that release of sediment-laden stormwater is avoided for the nominated design storm, and minimised when the nominated design storm is exceeded, by addressing the objectives in Table A (Construction phase - stormwater management design objectives) in Appendix 2 of the State Planning Policy for drainage control, erosion control, sediment control and water quality outcomes.
- (xvii) 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.
- (xviii) 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.
- (xix) 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.
- (xx) Any retaining structures above one metre in height must be separately certified for structural adequacy by a Registered Professional Engineer of Queensland at design submission and also on completion of construction for compliance with the design.

A detailed inspection and as constructed record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.

The approved design and/or construction of the retaining walls must not be modified or altered without Council's prior written approval.

Aboriginal Cultural Heritage

- (xxi) 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.datsip.qld.gov.au

Schedule 3 - Department of State Development, Manufacturing, Infrastructure and Planning's conditions as a Concurrence agency

2001-14886 SRA

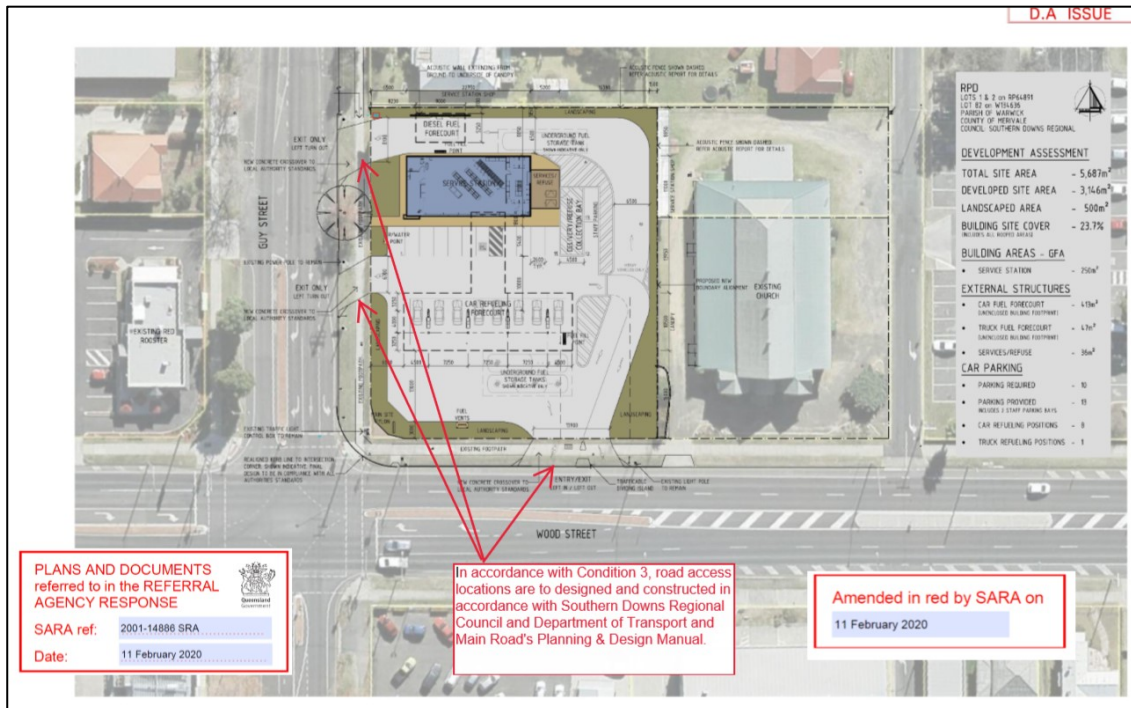
Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use - Service Station. Reconfiguring a lot for – four (4) into two (2) lot boundary realignment		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1; Schedule 10, Part 9, Division 4, Subdivision 2, Table 1; Schedule 10, Part 9, Division 4, Subdivision 2, Table 3; Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Transport and Main Roads (DTMR) to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road or the land supporting this infrastructure, or cause similar adverse impacts.	At all times.
2.	(a) The development must be generally in accordance with the 'Engineering Report & Stormwater Management Plan' prepared by Vt Consulting Engineers Pty Ltd, dated 12/12/2019, reference Document No. 19042-ENG-B (Revision B).	At all times.
3.	(a) The road access locations are to be located generally in accordance with the Proposed Site Plan prepared by Verve Building Design Co dated 17.12.2019, reference Drawing No. 19011-DA02. (b) The road accesses must be designed and constructed in accordance with the applicable commercial access/crossover standards of Southern Downs Regional Council and DTMR Road Planning & Design Manual (2nd Edition).	(a) At all times. (b) Prior to the commencement of use.
4.	Signage and line marking are to be installed in accordance with the Traffic Impact Assessment prepared by Pekol Traffic & Transport dated DEC-19, project number 19-288 (Rev. B), specifically: <ul style="list-style-type: none"> Figure 3.4 (Signage and Line Marking) Signage must be in accordance with the DTMR's Manual of Uniform Traffic Control Devices.	Prior to the commencement of use.
5.	(a) Road works comprising kerb widening must be provided generally in accordance with the Traffic Impact Assessment prepared by Pekol Traffic & Transport dated DEC-19, project number 19-288 (Rev. B), specifically: <ul style="list-style-type: none"> Section 5.0 (Road Safety Assessment) Figure 5.2 (Proposed Kerb Widening at Wood Street / Guy Street Intersection). (b) The road works must be designed in accordance with DTMR Road Planning and Design Manual (2nd Edition) and any other design material referenced therein.	Prior to the commencement of use.
6.	(a) A truncation area of 6 metres x 6 metres at the south-western corner of the site (corner of Wood Street and Guy Street) must be kept clear of any permanent buildings, structures and improvements (including car parks, landscaping and advertising signs) above and below ground at all times.	(a) At all times (b) Prior to submitting the Plan of Survey to the local government

(b) The truncation area is to be dedicated as road reserve.

for approval.



Attachments

1. Submission [↓](#)

INFORMATION SHEET:
Submissions



Properly Made Submission Form

NOTE: ** Mandatory information

NOTE: Please be advised that information is not confidential and will be posted on the SDRC website

FULL NAME **	PETER I FRIIS
ADDRESS**	11 LANSDDWNE ST NEWMARKET 4051
EMAIL**	Friisfam@optusnet.com.au
PHONE NUMBER	0414527614
DEVELOPMENT APPLICATIONS DETAILS	
APPLICATION REF.	COUNCIL REF MCU\02118 & RC\01791
ADDRESS	64A GUY ST & 47B-47C WOOD ST WARWICK
DESCRIPTION	MATERIAL CHANGE OF USE - SERVICE SAT/DY/RECONFIGURING
ATTACHMENTS	YES <input checked="" type="checkbox"/> (Attach all relevant documents) NO <input type="checkbox"/>
SIGNATURE **	

Please include any grounds of the submission, and the facts and circumstances relied upon in support of these grounds. **

Please ensure all relevant documents are attached and submitted with this form.

Attached Pages 1-4

Version No. 2: November 2019

Southern Downs Regional Council
PO Box 26, Warwick Qld 4370

mail@sdrc.qld.gov.au
www.sdrc.qld.gov.au

t 1300 697 372
f 07 4661 0333

Objection to the change of use:

64A Guy Street Warwick and 47B-47C Wood Street Warwick

Council Ref: MCU\02118 & RC \01791

Service Station & Reconfiguring a Lot (4 Lots into 2 Lots)

The proposal appears to have satisfied building/engineering requirements as set by Queensland Government. However, my objection concerns the environmental impact to properties at 64 Guy Street and 17 Acacia Ave, and those working in the medical centre directly opposite, those in the Childcare centre two blocks further down Guy Street, and those in the fast food takeaway on the corner. More broadly, as a new purpose development, and the current wave of evolving environmental concerns, then the allocation of urban space for service stations is considered by many world authorities to be unhealthy on a number of levels.

Workplace Health and Safety Qld Act

REG 2011 requires the risk from hazardous material be at an acceptable level, including:

Location of the site, in particular, **proximity to occupied buildings**, roadways and **areas of public gathering**. This site has all three within VERY close proximity. Therefore, it appears to be unsuitable according to the act.

Is there a need for yet another service station noting that there are already 8 within the city precinct? Historically two service stations in the past 25 years have failed to continue to trade and it took five years for the underground storage tank to be removed where Zaraffas is now a coffee shop. This was an eyesore for the city for a very long time.

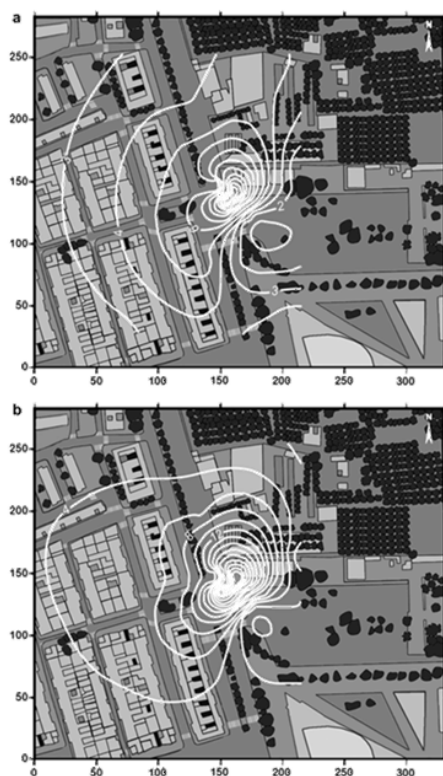
The UK has plans in place to only allow new cars to be electric after 2035. Europe is legislating for diesel free CBD. Australia has been forced to admit emission reduction is policy. How does this project comply with best practice? Diesel long haul transport re fuelling at least should be allocated to areas away from population density. Moving forward, service stations will become electric car charging bays.

Environmental Pollution:

Toxicity

The placement of the bowzers for car fuel facing the road is acceptable to a point. The placement of the truck diesel refuel is however, allocated next to my investment house (Guy Street duplex). This appears to be within 4 metres of the bedroom windows. Research published in Journal of Environmental Management 91 (2010) 2754-2762, has stated that that a "belt" should be established around petrol stations where housing or vulnerable populations and activities such as those in schools, hospitals and community centres should be restricted.

Using the concentration curves (example below taken from original research text) for benzene and hexane mapping confirms the concentration of volatile compounds reduces over an area of 75m.

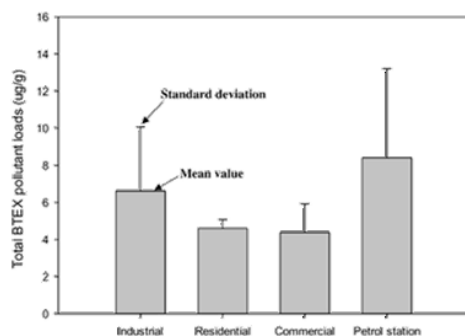


Given that prevailing weather conditions can influence this a 100-metre buffer is needed to reduce health effects. You will note that in this planning, trees and green space provide this buffer before occupied buildings become contaminated.

In another review in Air Qual Atmos Health (2018) 11:181–196, black carbon trends were investigated. Black carbon (BC), a component of particulate matter (PM) emitted by diesel and gasoline vehicles. PM constituents such as carbonaceous materials may be significantly more important as a health risk including black carbon (BC), elemental carbon (EC), and organic carbon (OC) than previously thought. These will be produced during refuelling but more importantly from the starting diesel engines outside the bedroom windows of 64 Guy Street.

A wall will not remove the effect when blown by the elements such as the wind. Black Carbon is an important air quality metric and it is generally now established that populations living, working and going to school near major roads have adverse health risks.

The argument is strong for town planning to not allow new applications for fuel station, and in particular long-haul diesel refuelling in urban areas. Studies examining the characteristics of the ambient air around petrol service stations has found more than 50 kinds of volatile organic compounds.



confirmation seen in the graph above.

Does the planning committee consider it is reasonable to electively subject their residents to compounds that may have genotoxic, mutagenic, and carcinogenic effects? Road stormwater runoff pollution has also received an increasing attention since road runoff generally includes a range of pollutants, which are primarily generated from urban traffic and in this case cumulative in the region of a petrol station. Science of the Total Environment 619–620 (2018) 938–945 reports this exact concern with

Noise:

It is proposed to utilise the facility 24/7. The statement that a wall will act as a noise buffer noted and challenged on efficiency and effectiveness. Doors slamming, people talking at all hours, engines idling and starting up and other 24-hour noise that is not there at the moment, will affect sleep quality at 64 Guy Street. The air conditioner compressors are also planned close to the boundary. These will no doubt be cutting in and out over 24 hours per day. Noise pollution has also been well researched and found to be detrimental to health.

Refs:

1. Burden of disease from environmental noise WHO 2011
Guidelines for community Noise
2. www.who.int/docstore/peh/noise/Co_noiseExec.htm
A study of noise pollution 01/02/2017
3. www.researchgate.net publication nos:308640301
The health effects of environmental noise DOH 201 Pub Nos: 12214 Canberra

Danger to life:

Accessing the service station immediately after the traffic lights will mean that cars and trucks accelerate and then have to decelerate quickly. This could cause a number of rear end accidents. It is a major highway through Warwick and increasing the number of exits may cause excessive delays and incidents.

Guy Street is busy, particularly during school hours, with the Catholic school traffic from Acacia Avenue. Cars are often lined up waiting for the light change (past 64 Guy St) most mornings. It will be impossible for large vehicles to exit the service station as they will need to drive over the two lanes in order to do so. Turning at this point is hazardous. School children walk down Guy Street and this will be a hazard and increase danger to these young children.

Reduction of Social use of facilities in Warwick

The squash courts have been there for 30 years that I know of. With the government trying to reduce obesity rates and encourage exercise and activity, the reconfiguring of this parcel of land to a non-activity purpose is surely contra to the health objectives of the government.

The tennis courts were well used until they were left to fall into disrepair.

St Marys hall is utilised by the church and community. This would fall well under the safety belt zone for fuel emissions and presumably as this health risk information becomes evident the elderly who rely on social activities held at the hall will need to ask why the council has made this decision.

If you wish to discuss this further please phone my wife on 0414527614.

Yours Sincerely,

Dr. Peter Friis


11 Lansdowne Street

Newmarket Qld4051

17/02/2020

13.2 Material Change of Use – Consideration of Change Representations – Adapt Planning Pty Ltd, 19 Church Road, The Summit

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Planning Officer	ECM Function No/s: MCU\02114

APPLICANT:	Adapt Planning Pty Ltd
OWNER:	Ian W & Christine L Robins
ADDRESS:	19 Church Road, The Summit
RPD:	Lot 1 RP157889, Parish of Stanthorpe, County of Bentinck
ZONE:	Rural (Granite Belt)
PROPOSAL:	Change representations – Roadside stall
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Six (6)
REFERRALS:	Nil
FILE NUMBER:	MCU\02114

Recommendation Summary

THAT Council refuse the change representations made in relation to the application for a Material Change of Use for a Shop, Community care centre and Roadside stall on land at 19 Church Road, The Summit, described as Lot 1 RP157889, Parish of Stanthorpe, County of Bentinck.

Report



On 25 March 2020 the subject application was decided at a Council Meeting in response to the proposal for a Shop, Community care centre and Roadside operating on land at 19 Church Road, The Summit, described as Lot 1 RP157889. It was resolved to approve in part only, subject to conditions. Approval was granted for the Roadside stall aspect of the development.

The Shop and Community care centre aspects of the development were refused for the following reasons:

The combination of the uses functioning on the lot will result in a development unable to operate without arising great concern to residents in close proximity and conflict with the Planning Scheme. The proposed uses of a Shop and Community care centre generate activity, behaviour and amenity concerns not compatible with the area; the lot is not of a size or built form to meet the demand of the proposed development. Conditions cannot be applied which will adequately mitigate the potential impacts associated with the Shop and a Community care centre.

Access to and from the property whether by pedestrian or vehicle is not clear, safe or effective. Drivers generally park on the roadside of Church Road to access uses available within the access handle, which compromises the functionality of the road, as the road is not of a capacity nor does it permit for parking on the shoulders due to steep table drains. Despite the available parking space further south in the access handle, customers continue to place undue impact on the network.

There is no overriding need for the proposed uses of a Shop and Community care centre within the Rural zone and there are amenity concerns on neighbouring properties. The uses would be more appropriately located within a town or village centre.

Given the nature of the proposed uses and the location of the uses within the access handle of Lot 1 RP157889, direct impact is placed on the two neighbouring properties, which are not subject to any surveillance of customers coming to and from the land. This raises great concern for the safety and security of people and property, concluding that the proposed uses are unable to co-exist alongside the established uses and reasonable conditions could not be imposed to mitigate the concerns.

The approval of all three uses, being a Roadside stall, Shop and Community care centre, will generate an environment that is not able to be undertaken on the lot, compliance with the Planning Scheme cannot be achieved.

Background

The land owners operate a business onsite, *Purple Dove Awareness Group Inc.*, which is a not-for-profit community organisation. It is operated from a residential property on rural land, providing services to people of low socioeconomic status in the region.

The applicant seeks planning approval for the operation for the not-for-profit business, providing those who are financially struggling, homeless and/or less fortunate with food, clothing and household items. The business has several volunteers and conducts working bees throughout the year to assist with the operation of the charity.

The applicant has detailed *that generally their work comprises the following activities:*

- *Operating a 'Food is Free' roadside stall, with free produce grown onsite and donated non-perishable packaged goods;*
- *Distribution of free emergency donated non-perishable food items;*
- *Drop off , storage and collection of household items, clothing and non-perishable food which are distributed to those in need;*
- *Community support through arts and craft, for instance weaving sleeping mats for the homeless;*
- *Preparing toiletry bags for the homeless; and*
- *On-site garage sales (max. 6-8 per year).*

A series of complaints have been received from the public in relation to the operations having commenced without a Development Permit. Council officers carried out an onsite inspection following the complaints received in February 2019.

Following a series of face to face meetings with Council staff and the operators a non-compliance letter was later issued on 8 March 2019, followed by a Show Cause Notice issued on 20 March 2019. This was due to the property continuing to operate a Roadside stall, Community care centre and Shop without planning approval.

The subject application was submitted on 11 December 2019. As part of the application the applicant opted to waive the ability of Council to issue an Information request. This voided the ability of Council to seek further information following the lodgement of the development application.

During the Public Notification stage of the development application it is to be noted that an inappropriate post was made by Purple Dove on social media in particular reference to Council having fully supported the unlawful operations and that making a submission would be void. Once this was brought to Council's attention the post was later rectified, removing all provocative text.

It was brought to Council's attention that there was a large portion of goods having been stored on the patio of the Dwelling house. Upon later inspection the storage of goods has been relocated indoors to avoid amenity concerns in regard to the open storage.

Proposed Change Representations

The applicant has provided the following representations:

The applicant accepts the reasoning outlined in the decision notice that the combination of the potential uses is considered too intense for the locality. In this regard, the applicant does not wish to proceed with the community care centre in order to limit the number of uses on site. Being an engaged, caring and active member of the community is not a land use. Should friends get together within the existing dwelling house to do craft activities, prepare hampers and help vulnerable members of the community, again this is not an assessable land use. It is merely a hobby that is focussed on helping others where needed.

As mentioned in the original application, Purple Dove Awareness Group provides unique, charitable uses which are difficult to define appropriately under the Planning Scheme.

Unfortunately, the proposal for a garage sale falls under a higher impact use such as a Shop. The applicant merely proposed 4-6 garage sales per year. Given the proposal is charitable and is considered to support the needs of the local community, we respectfully request that the Council give due consideration to approving the garage sales only, but specifically only allowing garage sales 4-6 times a year. The applicant is happy to accept the conditions which limit the number of sales per year and the preferred operational days and hours. Purple Dove would like to place some temporary signage in accordance with local laws.

We also welcome a condition requiring the applicant to advise Council 7 days prior to garage sale occurring. That way Council has a record of how many they're doing and so they know they're not exceeding 6 per year.

Purple Dove would like to place some temporary signage up at a few key locations around town 7 days prior to a garage sale. The approval allows signage in accordance local laws. I couldn't see any guidelines around temp garage sales signs.

We, therefore, recommend the application be approved as:

Development Permit for Material Change of Use (Shop - Garage Sales only 4-6 per year), ~~community care centre~~, and Roadside Stall).

Council's comment: In accordance with section 60 of the *Planning Act 2016* - *If an assessment manager approves only part of a development application, the rest is taken to be refused. Under section 75 of the Planning Act 2016 the applicant may make representations to the assessment manager, during the applicant's appeal period for the development approval.*

As this application was approved in part only, matters raised in the representations regarding the Shop and Community care centre aspects of the development will not be considered further, as it was these aspects which were refused. Matters raised in the representations against the Roadside stall, which the development approval relates to, can be considered.

Proposed amendment to Condition 4:

4. *All structures in association with the uses of the Shop and/or Community care centre are to be removed or the associated use of the structures is to cease.*

The applicant has detailed the following:

There is no need to remove the existing house and shed from the property. These structures are of a domestic nature only and it is not reasonable for the Council to ask for the removal of any building from the land.

Council's comment: Condition 4 stipulates that all structures associated with the existing unlawful uses of a Shop and/or Community care centre are to be removed or the associated use of the structures is to cease. Neither the uses of a Shop or a Community care centre were approved.

The building or structures may include the following:

- The use of the caravan for storing of clothes and belongings for members of the public to take, the caravan is not associated with the Roadside stall and will not be able to be made available for the public to search through.
- Structures intended for use on the site which is not for private/residential uses or associated with the Roadside stall i.e. structures housing any products other than perishable goods grown either on-site or off-site are to be removed from site or cease use.

Condition 4 will not be deleted, however to ensure clarity, structures which do not function in relation to the Roadside stall (as per the Planning Scheme's definition) can cease operation as a Shop and or a Community care centre are to be removed. It is to be reiterated that it is not the intent of the condition for the existing house or outbuildings used for agricultural purposes to be removed or the residential or agricultural use of the site to cease. To provide further clarity to Condition 4 it will be amended in Schedule 1 of the Development Permit to include the following commentary:

This does not include structures for use on the site for private and/or residential uses.

STATEMENT OF REASONS

Reasons for the Decision

Notwithstanding the details that have been provided, not all benchmarks have been achieved and development conditions cannot be imposed to achieve compliance. Therefore part of the development does not achieve compliance with the Southern Downs Planning Scheme.

Reasons for Approval Despite Non-Compliance with Assessment Benchmarks

The development has been assessed against the relevant benchmarks specified above, and has been approved in part only, despite non-compliance with the specific benchmarks for the following reasons:

Assessment benchmark	Comments regarding compliance with assessment benchmark
Roadside stall code	
AO1.1 The roadside stall has a total area of no more than 9 m ² and is fully located within the site.	There are several structures within the access handle which are utilised for the display and sale of produce grown on and off-site, as well as the availability of non-perishable goods, such as books. Due to there not being a designated space for the stall, the total use area is for the Roadside stall. Conditions can be imposed to ensure a limitation of the area utilised.
AO1.3 The roadside stall is setback a minimum of 6 metres from side boundaries. PO1 The roadside stall is a small structure that is visually and functionally integrated with the surrounding area.	The Roadside stall is not setback 6 metres from the eastern side boundary. The structures and activities associated with the Roadside stall are not considered to be adequately buffered by the existing vegetation between adjoining landowners. Should the use be approved a 1.8 metre high screen fence should be constructed along the access handle of the property alternatively, landscaping is to be provided as a visual buffer to ensure integration with the surrounding area.

Additional Relevant Matters for Impact Assessable Development

Not applicable

Matters Raised in Submissions

Matters raised in submissions	Response
General matters	
Economic inability does not demonstrate any reason for approving departure from prescribed land use plan regulation. <ul style="list-style-type: none"> Section 25(5)(b) of the <i>Planning Act 2016</i> 	This was not taken into consideration in the assessment of the application. Application fees were waived in accordance with Section 109 of the <i>Planning Act 2016</i> .
There is availability of commercial space available for lease within close proximity to the site and multiple facilities in the CBD.	Whether there is overriding need in the area for the proposed uses is assessed in the Strategic Intent of the report.
Significant lack of detail included in the development application.	The applicant did not agree to receive an Information Request under Part 3 of the

Matters raised in submissions	Response
There has not been any assessment against the Strategic Framework or all of the relevant assessment benchmarks.	Development Assessment Rules. Therefore, Council, the assessment manager did not have the opportunity to seek further information through an Information Request. Should the proposed development be approved, conditions will be imposed restricting operations.
The Roadside stall code is in relation to produce grown onsite whereas, the applicant has included the supply of non-perishable food which has not been grown or prepared onsite.	The definition of a Roadside stall is as follows: <i>Premises used for the roadside display and sale of goods in rural areas.</i> This includes produce grown on and offsite; this is what has triggered the application to incur Code assessment in accordance with the Tables of Assessment. The display and sale of goods on the premise, such as non-perishable goods also is covered by the use definition of a <i>Shop</i> .
The applicants have not proposed a traffic impact assessment in relation to the suitability of the 4 metre road width.	The applicants have provided limited information in relation to the road network and the potential impact on the road. Council was not able to seek further information from the applicant due to the applicant not agreeing to an Information Request as per Part 6 of DA Form 1. Several site inspections were undertaken by Council staff in assessment of the site and network and how they interact with the combination of the uses.
Public notification was not completed in compliance with section 53(5) of the <i>Planning Act 2016</i> . The standard postage from the applicant (consultant) to adjoining landowner's location would take 3-4 business days. The applicant posted the letters notifying the adjoining landowners on the day before public notification commencing not leaving adequate time for the letter to be received.	In accordance with the <i>Planning Act 2016</i> section 53, Council, the assessment manager has concluded that the notification to neighbouring residents via a letter having been delayed has not conflicted with section 53 (3).
The Summit is a residential area.	The subject site is zoned Rural in accordance with the Planning Scheme whilst, the uses on the land within The Summit are generally residential.
If approved it will set precedence for charity organisations to operate in residential areas.	Any proposals to commence operations within a zone not supported by the Planning Scheme will become assessable development.
Rates will increase if the development application is approved.	Should rates increase, this will not be as a result of the development.
<i>Future accommodation of homeless/desperate</i> persons raise security concerns.	Should the development application be approved, this will not permit for any accommodation onsite. If the operators wish to expand the use this will trigger a secondary application to be reassessed.
Will result in over population of the area.	There is going to be no increase of population to the area, no accommodation will be provided onsite as result of the subject application.
Incompatibility with the area	

Matters raised in submissions	Response
Development is not complementary and compatible with the dominant agricultural land uses.	Any nuisances such as the amenity and noise which the development would place on the surrounding area have been taken into consideration in the report.
A 'Shop' use is not supported outside of the Principal Centre and District Centre zones.	This is why the Shop has triggered Impact assessment, requiring the development to be open for public notification.
There is existing access to social, economic support on Sundays with recently established drought relief water and food support facilities on the Highway at the Industrial Estate to which Purple Dove could link up with.	Due to the application trigger Impact assessment, the application is assessed against the entire Planning Scheme rather than just singular codes. This allows for the assessment of the Strategic Intent as well, commentary has been made as whether there is overriding need in the area for the proposed uses and their services.
The proposed uses are located outside of the nearest commercial node, there is no clear planning need for expansion.	
The proposed development is unplanned and piecemeal expansion of the commercial areas, causing ribbon development.	
Access and parking	
There is no on-street parking available for safe vehicular movements.	Concerns regarding the limitations of the lot and driver/customer behaviour in relation to parking and movability matters have been taken into account throughout the assessment of the application.
Singular vehicular access to the site.	
There is a steep table drain along Church Road not permitting for safe parking.	
Church Road is narrow in width, with poor road shoulders.	
Visitors to the site generally park in the driveway and reverse out onto Church Road.	
Alternative parking and manoeuvring onsite is not considered by the Planning Scheme and should not be considered as a practical outcome.	
When there are onsite <i>garage sales</i> there is not enough room for circulation on the site as the driveway is one-way.	
Parking on the shoulders of Church Road has been causing the condition of the road to degrade.	Alternative solutions have been further explored by Council, which includes the provision of on-site parking.
Works to road kerbing and footpath is required.	
The location of the development is discriminating against people, who do not have vehicle access, Stanthorpe CBD would be more appropriate.	Accessibility to the site for all patrons or potential patrons is a matter for the business operators to consider. Council's role is to assess the use of the site.
Public health and safety	
There are no proposal plans submitted with the application i.e. detailing parking areas, ablution facilities, pedestrian paths, or plans of retail shop building is presented.	As outlined previously, as the applicant opted to not receive an Information Request, as per Part 6 of DA Form 1, there was no ability for Council to request this information. Council is required to assess and decide the application

Matters raised in submissions	Response
No information has been provided in relation to whether the existing onsite water supply nor has effluent disposal infrastructure meet the demands of the development.	with the information supplied. .
There have been several police incidents due to the behaviours of customers to the site. If the development was located in the central business district there would be adequate surveillance not requiring police to visit a rural property.	Due to the Roadside stall and aspects of the Shop use not being visible from the residential dwelling, this does raise security and privacy concerns, as the operators are not always aware when there are customers' onsite. The risk associated with the safety and privacy of the uses is discussed later in this report.
Concerns have been raised regarding the safety of people and property adjoining the premise.	
Amenity, built form, streetscape	
A roadside stall is not able to 'visually and functionally' integrate with the surrounding area due to the 20 metre access handle, as it dominates the street frontage.	There is some hedging along the frontage of the site. The limitations of the uses having been located within the access handle has been further assessed in the report.
The Roadside stall is not setback the required 6 metres from property boundaries.	The inability to meet compliance with a series of Acceptable outcomes specified in the Planning Scheme has been further assessed later in the report. Conditions of any approval would require the implementation of mitigation measures, such as fencing, landscaping and operating hours, to ensure impacts to adjoining residents is reduced.
Due to the shape of the block there is the inability to meet compliance with landscaping requirements when a retail use adjoins the Rural zone.	
No landscaping plans have been supplied to ensure, that if approved, how noise, odour or emissions would be managed.	
The development has not been designed to minimise, visual noise, odour or lighting impacts on the adjoining properties.	Conditions of any approval would require the implementation of greater buffers, fencing and landscaping.
In favour of the development	
No issue with garden.	

Recommendation

THAT Council refuse the change representations made in relation to the application for a Material Change of Use for a Shop, Community care centre and Roadside stall on land at 19 Church Road, The Summit, described as Lot 1 RP157889, Parish of Stanthorpe, County of Bentinck, for the following reasons, with Condition 4 be amended:

1. To amend the approval to include the wording 'Shop – garage Sales only 4-6 per year' in the approval.

The wording should remain '*Development Permit for Material Change of Use (Shop –Garage Sales only 4-6 per year), community care centre, and Roadside Stall*'

Reason: In accordance with section 60 of the *Planning Act 2016* - If an assessment manager approves only part of a development application, the rest is taken to be refused. This application was approved in part only to accommodate the Roadside Stall and matters raised in the representations regarding the Shop component of the proposed development will not be considered further.

2. To delete Condition 4.

Reason: The request for Condition 4 of the Development Permit to be deleted would result in uncertainty as to whether the existing unlawful uses remain in operation or cease to operate. Council would be required to proceed with investigations indefinitely to ensure that the refused proposed uses of a Shop and Community care centre do not continue to operate.

Should the condition be removed and the refused activities continue, conflict with the Planning Scheme and matters of health and safety as raised by submitters would be likely to further escalate to the issuing of an Enforcement Notice.

Condition 4 will be amended only, the condition will not be deleted as requested. To ensure there are no uncertain interpretations of the condition, Condition 4 will be amended as per Schedule 1 of the Development Permit.

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.
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.

Land Use and Planning Controls

3. This approval allows for the use of the site for the following uses only:
 - Roadside stall; produce grown on and off-site only.
4. All structures in association with the uses of the Shop and/or Community care centre are to be removed or the associated use of the structures is to cease.

This does not include structures for use on the site for private and, or residential uses.

Building and Site Design

5. The Roadside stall shall not exceed 9m² in total area.

Amenity and Environmental Controls

6. Advertising Devices relating to the Roadside stall may **only** be erected on the subject land, i.e. Lot 1 RP148790. 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.
7. A daily inspection is to be conducted of all perishable items within the Roadside stall. Any expired goods are to be disposed of appropriately so as to not create an odour nuisance.
8. 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.
9. Any external lighting must be installed so that light shines down and away from adjacent properties and roads, and does not exceed 8 lux at the property boundary.

Car Parking and Vehicle Access

10. There is to be clear signage on-site to direct customers along the driveway to onsite car parking.

Fencing, Landscaping and Buffers

11. The side boundaries of the access handle of Lot 1 RP157889 are to be densely planted with trees and shrubs suitable to grow to heights of between half a metre and two metres at maturity and are to be maintained to form an effective visual buffer. The existing vegetation can be utilised as part of the buffer, but additional plantings may be required to ensure an appropriate buffer.

ALTERNATIVELY,

A screen fence of 1.8 metres high shall be erected along the side boundaries of the access handle of Lot 1 RP157889, to provide visual screening. This screen fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the road boundary.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Sustainable Development, 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 *Planning Act 2016* 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) The General Environmental Duty under the *Environmental Protection Act 1994* 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.
- (v) **Building Approval may need to be obtained** for a Class 10 in accordance with the *Planning Act 2016* for the proposed building work. Once plans of the Roadside stall have been finalised, advice is to be sought from a qualified building certifier in relation to the requirement for Building Approval. If required, the building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the

commencement of the use. A **Form 21 (Final Inspection Certificate)** must be issued for the building works prior to the use commencing.

Aboriginal Cultural Heritage


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

Attachments

1. Submissions (Excluded from agenda - Provided under separate cover) (Confidential - Provided to Councillors only)

13.3 Material Change of Use – Consideration of Change Representations –Adapt Planning Pty Ltd, 55 Chapman Lane, Amiens

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Planning Officer	ECM Function No/s: MCU\02102

APPLICANT:	Adapt Planning Pty Ltd
OWNER:	John T Barker & Carmel F Morello
ADDRESS:	55 Chapman Lane, Amiens
RPD:	Lot 1 RP142500, Parish of Marsh, County of Bentinck
ZONE:	Rural (Granite Belt)
PROPOSAL:	Medium impact industry, Transport depot
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Nil
REFERRALS:	Nil
FILE NUMBER:	MCU\02102

Recommendation Summary

THAT Council approves in part only with the change representations made in relation to the application for a Material Change of Use for the purpose of a Medium impact industry, Transport depot on land at 55 Chapman Lane, Amiens, described as Lot 1 RP142500, Parish of Marsh, County of Bentinck.

Report



On 3 April a Development Permit was issued for the purpose of a Medium impact industry (soil screening) and Transport depot on land at 55 Chapman Lane, Amiens, Lot 1 RP142500. The subject application was subject to public notification as it was Impact assessable. No submissions were received during the notification period; the application was approved subject to conditions by Delegated Authority.

The applicant now seeks to negotiate a series of conditions imposed. As it is recommended to refuse part of the change representations, the matter is being presented to Council.

Background

The subject land is zoned Rural and is located within the Granite Belt precinct. Lot 1 RP142500 has frontage to Chapman Lane which is gravel constructed to approximately 4.0 metres in width. There are two existing vehicular accesses to the property. Currently the property contains a dwelling, cropping and grazing activities, and the uses subject to this application.

On 8 October 2018 a non-compliance letter was issued due to the site operating as a Transport depot and Extractive industry without a Development Permit. The landowner later engaged a consultant to lodge an application for the purpose of a Transport depot and Medium impact industry for the screening of soil, not extracted onsite.

A large portion of the property is recognised with Regulated vegetation. The State Assessment Referral Agency confirmed with the Department of Natural Resources, Mines and Energy on 22 October 2019 that the proposed development for 55 Chapman Lane, Amiens does not require referral under Schedule 10 of the *Planning Regulation 2017*, as the proposed development does not involve clearing that is Assessable Development.

Proposal

The proposed uses are in association with an earth moving business involving the storage of vehicles and machinery on the property and the screening of soil onsite for private and commercial jobs. Soil is sought from registered quarries or is soil left over from job sites, later screened on the premises to be recycled for landscaping jobs, rehabilitation around the house and/or used to develop more farming land.

The quantities of soil to be screened are proposed to vary, up to 1,000m² per month.

The existing shed (approximately 200 square metres) will be utilised and an additional 800 square metre shed will be constructed at a later date in association with the Transport depot i.e. storage and servicing of vehicles/machinery associated with the Medium impact industry.

All waste will be transferred or collected to a waste management facility.

The proposed use will be carried out by two employees, between the hours of 7.00am to 6.00pm, Monday to Friday.

The Transport depot aspect of the operation is estimated to result in two to six traffic movements per day, using a truck and/or truck and dog. During periods when soil screening is to occur onsite, movements would be expected to be more frequent i.e. six to ten movements per day. The times of soil screening is variable throughout the year, depending on demand.

Change representations

The applicant has requested for Condition 3 to be amended and Conditions 6, 7, 32, 34 and 35 to be deleted from Schedule 1 of the Development Permit.

In accordance with section 75 of the *Planning Act 2016*, *change representations are to be assessed against and having regard to the matters that must be considered when assessing a development application, to the extent those matters are relevant.* Conditions which are not considered a relevant matter to the change representations cannot be further assessed as part of the subject application.

Condition 3 states as follows:

3. *This approval allows for the use of the site for the following uses only:*
- *Medium impact industry (soil screening only) not exceeding an annual throughput of product of 10,000 tonne; and*
 - *Transport depot for the storage of vehicles, machinery and equipment associated with the soil screening operation.*
- No extraction of material on the property is permitted.*

The applicant has provided the following justification to delete the words “associated with the soil screening operation” from the Condition:

The transport depot includes water trucks and other machinery associated with a vehicle depot land use. To remove any doubt the vehicle depot is its own land use and is not solely linked to the soil screening activity. It also actively conducts water cartage which has been a vital function for the region of late and this should not be limited by Council.

Comment: The information provided by the applicant was not included in the original planning application submitted to Council. However, considering that water carting does not introduce a new use to the land, and can operate under the proposed use definition of a Transport depot the amendment is considered acceptable. It is to be noted that the carting of water of a potable standard is required to meet compliance with Council’s Local Law.

The requested amendment to Condition 3 will be reflected in Schedule 1 of the Development Permit.

Condition 6 states as follows:

6. *A Disaster Management Plan is to be submitted to and approved by the Planning Department prior to the commencement of the use. The Disaster Management Plan is to*

address prevention and evacuating procedures for flood, and to ensure employees are adequately sheltered during emergency situations such as fierce storms. The Disaster Management Plan must include emergency contact information.

The applicant has provided the following justification:

The recently completed dwelling house will be the evacuation area during floods. The preparation of a management plan is not required. The recently completed dwelling house is well above Q100 and will be open for refuge by the business during a flood event and the business is run home-based in any case.

We request Condition 6 to be deleted.

Comment: The vast majority of the lot and a portion of Chapman Lane are identified in the Flood hazard overlay in accordance with State (QRA) Interim Flood Plain mapping. To ensure that the development does not compromise the safety of people or property, the condition of a Disaster Management Plan was imposed. Given that the intensity of the flooding is not detailed in the overlay, and the applicant has detailed an alternative way to manage the site in the event of a flood, Condition 6 will be removed. However, to ensure that the safety of the persons associated with the approved uses are not at risk in the event of a flood or fierce storm, Advisory Note (xii) will be amended to reflect the change representations as follows:

- (i) Council does not have accurate flood information for this property and therefore cannot determine the height of a Defined Flood Event (DFE). Therefore there is no guarantee of flood immunity.*

Council has noted that the Dwelling house will be used as a place of refuge for any employees onsite in the event of a flood or fierce storm.

Condition 7 states as follows:

- 7. A Bushfire Management Plan is to be submitted to and approved by the Director Sustainable Development within 120 days of the date of the Development Approval. The Bushfire Management Plan is to be prepared by an appropriately qualified person, and must address prevention and containment of potential bushfire events.*

The applicant has provided the following justification:

The recently completed dwelling house will be the evacuation area during a bushfire. The preparation of a management plan is not considered necessary. The recently completed dwelling house has all fire breaks established (approximately 50m from the south) and will be open for refuge by the business during a flood event and the business is run home-based in any case.

We request Condition 7 to be deleted.

Comment: Condition 7 was imposed to achieve compliance with AO3.1 of the Bushfire hazard overlay code.

The subject lot is recognised in the Bushfire hazard overlay as having *medium bushfire intensity* as a result of the vegetation on and surrounding the site. The property to the south of Lot 1 RP142500 is heavily vegetated should a bushfire ignite the subject property and surrounding environment would be quickly inundated by fire and smoke. A clear path of evacuation and prevention procedures by an accredited bushfire planning practitioner will ensure that the development will not compromise the safety of people or property from bushfire.

The request to delete Condition 7 should not be approved.

Conditions 32 and 35 state as follows:

- 32. Prior to the use commencing, from the Cannon Creek Road intersection to the entrance of Lot 1 RP142500 at chainage 0.550km, the road is to be constructed to a minimum width of 6.0 metres formation, with drainage.*
- 35. All operational works are to be accepted on-maintenance prior to the use of the land commencing. (See advisory note below).*

The applicant has provided the following justification:

The existing road and pavement are perfectly suited low scale home-based industrial activity. Less than six properties have frontage to Chapman Lane. The existing surface treatment, width and drainage is sufficient for the low scale activity. The capacity of the road has not been reached and will not be reached as a result of the subject approval.

We request Condition 32 and Condition 35 be deleted.

Comment: Council's Contract Engineer and Development Engineer attended the site to undertake an assessment of Chapman Lane regarding the level of roadworks required for the uses to operate, without further degrading the network or increasing risk to users. The applicant has detailed that the number of truck movements per day when operating at full capacity will reach 10 per day. Requiring the network to be sealed from the intersection to the access of Lot 1 RP142500 for the purpose of the proposed uses would not be considered a reasonable condition for this development. Roadworks will be required to achieve compliance with Performance outcomes 1 and 4 of the Rural uses code and Performance outcome 2 of the Industry uses code, which state as follows:

Rural uses code

PO1 *The rural or natural environment character of the land is retained. Uses established in the Rural zone do not conflict with rural land uses or the natural, scenic and community values of the area. No development is to proceed within the area defined as the proposed Emu Swamp Dam.*

PO4 *The safe and efficient operation of roads and access is maintained having regard to the nature of vehicles using the road, the location of uses that may be adversely affected by noise or dust generated by the use of the road and the location and design of access.*

Industry uses code

PO2 *The site is accessed via a road that is of a standard to adequately cater for the traffic generated by the use without causing traffic hazards, damage to the road or dust nuisance to persons or property not connected with the use.*

Currently the road maintains a width of 4.0 metres which inhibits the ability for two vehicles to pass one another, which reduces the roads ability to operate in a safe and efficient manner. Road widening to a width of 6.0 metres will allow for traffic movements associated with the approved uses of a Medium impact industry and Transport depot to continue, with the existing traffic load on the network.

The request to delete Conditions 32 and 35 should not be approved.

Condition 34 states as follows:

34. *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 the 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.

The applicant has provided the following justification:

Stormwater will continue to be drained to the existing drainage channel through the site. There is currently no Council stormwater infrastructure in the locality and therefore this condition should be deleted. Roof water will be collected in tanks as per the existing

condition. Overflow will connect to the existing natural drainage system, dams and the like. There will be no change in the amount of hand

Comment: Condition 34 was imposed to ensure that the industrial use is managed so as not to increase the volume of sediment or contaminants discharged from the site due to stormwater or flood events. Upon further review of the conditions, site stormwater runoff can be managed in a manner that does not increase the quantity or concentration of stormwater leaving the site, and has no worsening effect on adjoining properties, as a result of a combination of Conditions 12-17.

Condition 34 is to be deleted as per request.

Statement of reasons

Reasons for the decision

Notwithstanding the details that have been provided, not all benchmarks have been complied with, but by imposing conditions, compliance with the Southern Downs Planning Scheme is achieved.

Reasons for Approval Despite Non-Compliance with Assessment Benchmarks

The development has been assessed against the relevant benchmarks specified above, and has been approved despite non-compliance with the specific benchmarks listed below for the reasons noted.

Assessment benchmark	Comments regarding compliance with assessment benchmark
Rural zone code	
<p>PO1 <i>The rural or natural environment character of the land is retained. Uses established in the Rural zone do not conflict with rural land uses or the natural, scenic and community values of the area. No development is to proceed within the area defined as the proposed Emu Swamp Dam.</i></p> <p>PO2 <i>Rural activity on land is protected from conflict with other uses that are not rural uses.</i></p>	<p>The subject land is located in the Rural zone and is 18.9 hectares in size. The surrounding environment is largely under rural operations for the purpose of cropping or grazing within a highly vegetated environment. The closest residential property is located north of the subject site, in excess of 300 metres from the place of screening. Additionally, there is no infrastructure associated with the proposed uses visible from the roadside.</p> <p>The potential impacts associated with the proposed uses are associated with noise and traffic movements. The applicant has detailed the following in response to how the development will be appropriately mitigated to ensure surrounding uses are not in conflict of the development:</p> <p><i>Given the relatively isolated location, and significant surrounding vegetation to the west, south and east there is no discernible effects that may cause a nuisance in these directions. There is only one neighbour to the north. This property is some 300m away, and is buffered by an onsite vegetated granite outcrop near the shed, and a vegetated buffer either side of Chapman Lane.</i></p> <p><i>This separation will serve to abate noise generated onsite and justify the low-intensity servicing and maintenance of vehicles and machinery to be undertaken. We would expect most of this work to occur in the shed to the rear of the site.</i></p> <p><i>In regards to dust, Chapman Lane has low traffic volume that is typically localised traffic. Dust on an unsealed road will be unavoidable for truck movement from the site, as it will be for any other localised movement. Vehicles leaving 55 Chapman Lane will travel east to the sealed Cannon Creek Road, a distance of approximately 500m. Both Chapman Lane and Cannon Creek Road are in a good state of</i></p>

	<p><i>repair.</i></p> <p><i>The only property potentially affected is to the north, 52 Chapman Lane. The existing structures are set back some 70m from Chapman Lane, and buffered by vegetation adjacent to the road. These structures are approximately opposite the applicant's driveway, so it would be reasonable to expect any movement to the subject site would be at a relatively slow speed.</i></p> <p>The uses are located on previously cleared areas of land and no infrastructure associated with the uses is visible from the roadside. The applicant has proposed hours of operation to be from 7.00am to 6.00pm Monday to Friday. To ensure that operations do not exceed a scale acceptable for the area or rise conflict with existing uses hours will be restricted to 5.00pm. Quantities of soil to be screened are proposed to vary from 0m³ to 1000m³ a month. Hours of operation and quantities of soil to be screened is to be stipulated in the conditions of the approval to ensure the development does not exceed to a scale beyond reasonable for the area without impeding on the surrounding environment and values; compliance with PO1 and PO2 can be conditioned to comply with.</p>
<p>AO4.2 <i>Uses other than Dual occupancy, a Home based business or Short-term accommodation (not exceeding 12 guests) have access to the Region's road network via fully constructed sealed roads from the property boundary.</i></p> <p>PO4 <i>The safe and efficient operation of roads and access is maintained having regard to the nature of vehicles using the road, the location of uses that may be adversely affected by noise or dust generated by the use of the road and the location and design of access.</i></p>	<p>Chapman Lane is a gravel constructed road providing direct access to five lots, with one of the five lots (other than subject lot) having been used for residential purposes. The applicant has detailed that the number of truck movements per day when operating at full capacity movements will reach 10 per day. Requiring the network to be sealed from the intersection to the access of Lot 1 RP142500 for the purpose of the proposed uses would not be considered a reasonable condition for this.</p> <p>Council's Development Engineer has undertaken a site inspection to measure and assess the condition of the road. Currently the road maintains a width of 4.0 metres, which inhibits the ability for two vehicles to pass one another. In order for the road to operate in a safe and efficient manner in compliance with the Performance outcome, roadworks will be required, so two vehicles can safely pass one another, particularly given the volume of traffic which the proposed use could generate. In addition to roadworks required, directional and truck turning signage will be required to be erected near the intersection of Chapman Lane and Cannon Creek Road, having been located on a bend of the road. Conditions will be imposed for the road to achieve a minimum width of 6.0 metres and for signage to be erected to ensure safe vehicle movements on Chapman Lane and connecting roads. Conditions will be imposed to achieve compliance with the Performance outcome. Should the development increase in operations or require any changes to conditions imposed, further assessment will be required to be undertaken by Council which may warrant the sealing of the road.</p>
<p>PO6 <i>All uses are located, designed, oriented and constructed to minimise noise, dust, odour or other nuisance from existing lawful uses including rural and industry uses.</i></p>	<p>Existing uses within close proximity to the premise include land utilised for rural operations, and a residential property. The proposed uses are not visible from the roadside. There could be potential impact from noise and dust nuisance, however conditions could be imposed regarding hours of operation and buffering to reduce the impact and to</p>

	satisfy PO6.
<p>PO9 Land identified as Agricultural Land Classification (ALC) Class A and Class B is conserved for rural use in accordance with the State Planning Policy.8 The productive capacity of the land is protected and maintained.</p>	<p>The categorisation of vegetation and land identified as ALC on the site do not accurately correlate. Vegetation categorised as High-value regrowth (as portions of the site is) restricts the ability for an intensive horticulture, aside from grazing of animals on the land. Given the mapping of the vegetation, ALC and the existing cropping, grazing of cattle in previously cleared areas of land; development is not considered to further inhibit the use of the property for rural uses.</p>
<p>PO19 Uses are limited to uses that do not conflict with or reduce the productive capacity, or scenic values of the land. In particular – (a) The use is located, constructed and operated so it is not likely to cause conflict with agricultural practices; (b) The use has low visual impact particularly where located on highways, main roads or tourist routes; (c) The development is located on cleared land and there is no proposed clearing of remnant vegetation; (d) Development is sited on the least productive, lower agricultural quality parts of the site.</p>	<p>The location of the proposed uses, along with proposed conditions referring to hours of operation and quantities of soil to be screened onsite, are considered to uphold the values of the area without placing adverse nuisance. Furthermore, the applicant has provided a site plan detailing the uses on the land, including cropping and grazing operations, therefore demonstrating the continuing primary rural operations on the land. No clearing of vegetation will be permitted in associated with this Development Permit nor will any clearing of vegetation to occur onsite without applicable approvals to do so. The proposed development is not considered to conflict with or further reduce the productive capacity on the land.</p>
Biodiversity areas overlay code	
<p>AO1.2 Areas showing signs of degradation are rehabilitated having regard to: (a) the use of native plant species that support the habitat needs of any rare or threatened species; (b) replication of the species and structure of adjacent remnant habitats, including understorey vegetation. Note: A rehabilitation plan may be required to demonstrate the ability to comply with this criterion or as a condition of approval.</p> <p>PO1 Development protects Biodiversity areas and is designed and constructed to avoid significant impacts on Biodiversity areas.</p>	<p>There is dense vegetation on the property providing connectivity through the lot, acting as an environmental corridor to neighbouring properties and to the environmental conversation area east of Cannon Creek Road. It is evident through aerial imagery that there are areas of degradation on the site. However, as the Biodiversity areas overlay has not identified the whole corridor as an area of significance, it is not considered reasonable for conditions to be imposed for further planting and rehabilitation of the habitat as the mapped areas do not demonstrate connectivity itself. The main area of more recent degradation is within the area not included within the Biodiversity areas overlay. The proposed development is not located in Biodiversity areas and conditions imposed are considered to adequately mitigate the scale and runoff of the proposed uses in compliance with the Performance outcome.</p>
Bushfire hazard overlay code	
<p>AO3.1 The use is sited on land that is determined as not having a bushfire hazard by a site specific bushfire hazard assessment.9 OR (a) The use is sited on locations of lowest hazard on the lot (where the whole of an allotment is identified as having the same level of bushfire hazard, all locations are taken to be of lowest hazard on the lot); (b) The use is setback at least 1.5 times the predominant mature canopy tree height or 20 metres (whichever is the greater) from hazardous vegetation; (c) The use is sited at least 10 m from any retained vegetation strips or small areas of</p>	<p>The site is identified as having Medium bushfire hazard across the majority of lot, however aerial imagery illustrates that there has been clearing on the land, in particular where the uses are located, indicating that the mapped hazard is not an accurate representation of bushfire risk.</p> <p>The Site Plan provided with the application illustrates the area of land used for screening of soil and area occupied by the Transport depot is clear of vegetation and is setback a distance of 20 metres from vegetation. Compliance with AO3.1 cannot be fully met due to part of the uses located in the Medium bushfire hazard. A combination of water supply and the drafting of a Bushfire Management Plan by an accredited bushfire planning practitioner to ensure that development will not compromise the safety of people or property from bushfire, in</p>

<p>vegetation;</p> <p>(d) The use is sited so that the elements of the development least susceptible to fire are located closest to the bushfire hazard;</p> <p>(e) The use has on site water storage, of not less than 10,000 litres for each building, that is kept exclusively for firefighting purposes and, if a tank, is fitted with approved firefighting fittings;</p> <p>(f) Efficient, practical access to buildings and water supply for firefighting appliances is constructed and maintained; and</p> <p>(g) The occupants of the development have more than one effective and reasonable route of escape by standard motor vehicle once they have exited the subject site.</p> <p>PO3 Any proposed use does not compromise the safety of people or property from bushfire.</p> <p>AO3.2 Development complies with a Bushfire Management Plan for the premises.</p> <p><i>Note - Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition on a previous development approval or by incorporating it in the planning scheme or a planning scheme policy), the development proponent will be expected to prepare such a plan to the satisfaction of the assessment manager.</i></p>	<p>compliance with the Performance outcome.</p>
<p>Flood hazard overlay code</p>	
<p>AO3 ...<i>(c) Material, manufacturing equipment and containers are located above the adopted flood level or where the flood level is not adopted they are located on the highest part of the site to enhance flood immunity.</i></p> <p>PO3 Development avoids the release of hazardous materials into floodwaters.</p>	<p>Lot 1 RP142500 is identified within the Flood hazard overlay under the QRA flood mapping study, flood depths are not specified. The applicant provided further indication as to where soil screening is to be undertaken onsite following Council having issued an Information Request. Soil screening is proposed to be carried out on a portion of land in the Flood hazard overlay. As previously detailed to assist in any water runoff and amenity concerns, a physical barrier will be required to be constructed along three sides of the holding pits. The physical barriers may include the use of sandstone blocks, concrete slabs/blocks etc. This will assist in managing any potential release of material in flood waters, meeting compliance with the Performance outcome.</p>
<p>Industry uses code</p>	
<p>AO1.1 The land is not included in the area shown as Flood hazard area on the Flood hazard overlay maps.</p> <p>AO1.2 The land is not in a Bushfire hazard area as shown on the Bushfire hazard overlay maps.</p> <p>PO1 The physical characteristics of the land are suitable for industrial use.</p>	<p>The land is identified as having been susceptible to both bushfire and flood, and therefore not in compliance with AO1. The hazards of the lot do not necessitate for the refusal of the proposed uses, the uses can be conditioned to be complied with the Bushfire and Flood hazard overlay codes, as previously outlined.</p>
<p>PO2 The site is accessed via a road that is of a standard to adequately cater for the traffic generated by the use without causing traffic hazards, damage to the road or dust nuisance to</p>	<p>Chapman Lane is a gravel constructed network, sealing of the network would be not be a reasonable requirement to impose given the quantities of soil and traffic movements associated with the development. Furthermore, the road provides</p>

persons or property not connected with the use.	access to five lots, one of the five lots is used for the purpose of a residential dwelling. Currently Chapman Lane is insufficient in width to allow for two vehicles to safely pass. With the increase of traffic on the network associated with the proposed use, roadworks are required along Chapman Lane to improve safety and visibility, and achieve compliance with the Planning Scheme; this work will require the lodgement of an operational works application.
AO7.1 Industry development does not result in removal of remnant vegetation or disturb or redirect any natural watercourse.	<p>The land slopes from the southern boundary to the gully along the frontage of the lot. Areas of storage for soil to be screened are located partially in the Flood hazard overlay. To ensure that there is no disturbance of any natural watercourses in regards to the area of screening in particular, physical barriers will be required to be erected along three sides of the holding pits.</p> <p>Should any vegetation be removed following the day this approval takes affect without any applicable approvals from the Department of Natural Resources, Mines and Energy further action may be taken.</p> <p>The development can be conditioned to comply with the AO.</p>
PO8 Stormwater is controlled to minimise the environmental impacts of runoff from the industry use on the water quality of surface and ground water.	A portion of the area utilised for the screening of soil is located within the Flood hazard overlay. The risk of having the screening of soil located within the Flood hazard overlay is that there is a risk associated with flood waters reaching the area of screening and contaminating the low lying areas. A condition will be imposed for a physical barrier to be provided alongside the holding pits, this will assist in mitigating soil run off in the event of a flood.
Carparking and loading code	
<p>AO1.1 The number of parking and loading spaces is not less than the minimum number specified in Table 9.4.2.4. Where the calculation of applicable parking rates results in a fraction, the number required will be the next highest whole number. Council may accept an alternative to providing the required spaces on the development site in accordance with Planning Scheme Policy – Off Street Carparking.</p> <p>PO1 Sufficient carparking is provided to accommodate the number and type of vehicles likely to be generated by the development having regard to the following:</p> <ul style="list-style-type: none"> (a) the nature and operation of the use; (b) the likely number of users including residents and employees; (c) the hours of operation and the peak parking demand periods; (d) the availability of alternative parking in the vicinity including on street car parking; (e) in the case of residential development, the proximity to the Principal centre zone and the facilities contained within that zone; (f) the feasibility of physically providing parking on site including access restrictions and size of the site; and (g) The provisions of Planning Scheme Policy – Off Street Carparking. 	It has been detailed that there is adequate parking available alongside the shed, which is partially used for the storage of machinery and equipment associated with the proposed use, for the use of employees. In accordance with the Carparking and loading code, the Code requires 10 spaces plus 1 space 200m2 total use area in excess of 1,000m2. Having regard to the nature of the use, the number of employees and the size of the operation, the existing car parking allowance alongside the shed is considered acceptable. A minimum of four (4) carparking spaces is required to be provided and clearly defined by a low physical barrier.

Recommendation

THAT Council approve in part only with the change representations made in relation to the application for a Material Change of Use for Medium impact industry (soil screening) and Transport depot on land at 55 Chapman Lane, Amiens, described as Lot 1 RP142500, Parish of Marsh, County Bentinck, as Condition 3 and Advisory Note (xii) be amended, Conditions 6 and 34 be deleted, and Conditions 7, 32 and 35 remain unchanged for the following reasons:

Condition 7

Condition 7 was imposed to ensure that the approved uses of a Medium impact industry and Transport depot do not compromise the safety to people or property. The environment which the approved uses are subject to is recognised in the Bushfire hazard overlay as is the surrounding area; should a bushfire start the area would quickly be inundated by fire and smoke.

The condition was imposed to ensure that the proposed uses will be adequately managed, reducing risk to people or property in the event of a bushfire. The surrounding environment is highly vegetated and is recognised with bushfire hazard. A clear path of evacuation and prevention procedures by an accredited bushfire planning practitioner will ensure that the development will not compromise the safety of people or property from bushfire.

Conditions 32 and 35

Chapman Lane is not of a grade or width to meet the demand of the uses of a Medium impact industry or Transport depot without compromising the safety and manoeuvrability of vehicles, and the effective operation of the road. Given the volume of traffic proposed and the weight of the vehicles carrying soil and machinery, the roadworks stipulated in Condition 32 remain applicable. Operational Works in accordance with Conditions 32 and 35 is required to be undertaken prior to the uses commencing.

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

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

Plan Name	Plan No.	Date
Proposed Site Plans submitted by ADAPT Planning Pty Ltd	-	Submitted on 5 September 2019

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.

Land Use and Planning Controls

3. This approval allows for the use of the site for the following uses only:
 - Medium impact industry (soil screening only) not exceeding an annual throughput of product of 10,000 tonne; and
 - Transport depot for the storage of vehicles, machinery and equipment ~~associated with the soil screening operation.~~

No extraction of material on the property is permitted.

4. The material change of use the subject of this development permit must be completed within a period of 6 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.
5. The development shall generally operate only between the hours of 7.00am to 5.00pm, Monday to Friday, and not at all on weekends or public holidays.

6. ~~Deleted. A Disaster Management Plan is to be submitted to and approved by the Planning~~

~~Department prior to the commencement of the use. The Disaster Management Plan is to address prevention and evacuating procedures for flood, and to ensure employees are adequately sheltered during emergency situations such as fierce storms. The Disaster Management Plan must include emergency contact information.~~

7. A Bushfire Management Plan is to be submitted to and approved by the Director Sustainable Development within 120 days of the date of the Development Approval. The Bushfire Management Plan is to be prepared by an appropriately qualified person, and must address prevention and containment of potential bushfire events.
8. No new buildings are permitted to be constructed within the Flood hazard overlay as a result of the Development Permit.

Building and Site Design

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

Amenity and Environmental Controls

11. All material stockpiles and storage areas must be maintained using all reasonable and practicable measures necessary to minimise the release of windblown dust to the atmosphere. Reasonable and practicable measures may include but are not limited to:
 - (a) using water sprays and/or a water truck;
 - (b) adopting and adhering to speed limits; and
 - (c) using dust suppressants and wind breaks.
12. The operator shall have a Site Based Management Plan (SBMP) drawn by a suitably qualified person to address potential nuisance generated from the site, including the following:
 - i. Provide details of sources of environmental nuisance and/or environmental harm, including but not limited to impacts on noise and air quality.
 - ii. Identify the measures and work practices to be implemented ensuring such emissions do not cause an 'environmental nuisance' (within the meaning of that term set out in the *Environmental Protection Act 1994*) at any sensitive receptor.
 - iii. Identify the procedures to be adopted for monitoring and reporting emissions.
 - iv. Provide details of complaint response procedures that will be adopted.
 - v. Identify the procedures to be adopted for revision and review of the SBMP.

The Site Based Management Plan is to be provided to Council for approval by the Director of Sustainable Development prior to the use commencing or within 120 days of the date of the Decision Notice, whichever comes first.

13. The storage of material in the holding area must comply with the following requirements as a minimum standard:
 - (a) the holding area must be walled, to a height of 2 metres;
 - (b) each enclosure within the holding area must have three sides;
 - (c) material to be stored in the holding area must not be loaded to within 0.5 metres of the top of the enclosure walls or the open end of the enclosures; and
 - (d) material stored in the holding area must be maintained to prevent a dust nuisance, during the delivery, storage and movement on site of the material.
14. Any load of soil coming onto the site or leaving the site must be fully covered so as to prevent a dust nuisance.
15. Any liquid spills must be cleaned up immediately and disposed of in an appropriate manner that ensures environmental harm does not occur. An appropriate spill kit for the management of wastes and hazardous liquids associated with the activity must be readily available at the site, and staff must be trained in the use of the spill kit.

16. 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.
17. All servicing and maintenance of machinery and equipment, which is stored on site in association with the soil screening use, must be conducted within the confines of the workshop.
18. Advertising Devices relating to the uses approved by this decision may only be erected on the subject land, i.e. Lot 1 RP142500. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.
19. All material stored on site shall be stored as to not:
 - (a) provide a harbourage or attraction for pests and vermin;
 - (b) provide a breeding place for mosquitos; and
 - (c) be unsightly.
20. Any hazardous materials must be stored in a covered and bunded area.
21. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
22. 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.
23. Any external lighting must be installed so that light shines down and away from adjacent properties and roads, and does not exceed 8 lux at the property boundary.
24. Two truck turning signs are to be erected in the road reserve of Cannon Creek Road, prior to the Chapman Lane intersection, visible when travelling from either the north or south, to the satisfaction of the Director of Infrastructure Services (see advisory note).
25. A single barrier sign is to be erected in the road reserve of Cannon Creek Road, adjacent to Chapman Lane (see advisory note).

Fencing, Landscaping and Buffers

26. All earthworks, including batters must be fully contained within the site.
27. All vegetation between the subject uses and Chapman Lane is to be retained to form an effective visual buffer to Chapman Lane.

Car Parking and Vehicle Access

28. The internal driveways are to be designed and constructed to allow for vehicles to and leave the site in forward gear.
29. At least four (4) car parking spaces are to be provided on site. Provision is to be made for disabled parking.
30. The car park area is to be defined by a low physical barrier along the edge of the car parking area and driveways.
31. No B-doubles are to access the site in association with use.

Roadworks

32. Prior to the use commencing, from the Cannon Creek Road intersection to the entrance of Lot 1 RP142500 at chainage 0.550km, the road is to be constructed to a minimum width of 6.0 metres formation, with drainage.

Water Supply and Waste Water

33. The buildings utilised for the purpose of a Transport depot must be provided with a water storage reservoir having a minimum of 10,000 litres of water for emergency firefighting

purposes. Such storage must be provided in addition to the water supply capacity required for the existing residential 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 firefighting 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 10,000 litre point; and
- (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

Stormwater Drainage

~~34. Deleted. 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 the 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.~~

Operational Works

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

Advisory Notes

- (ii) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Sustainable Development, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (iii) 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 *Planning Act 2016* and would have to comply with the requirements of the Planning Scheme.
- (iv) 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.
- (v) The General Environmental Duty under the *Environmental Protection Act 1994* 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.

The operator must at all times comply with the *Environmental Protection Act 1994*.

- (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) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Planning Act 2016*. This application must be submitted with the following:
 - DA Form 1;
 - 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 proposed road construction plan in accordance with Condition..
- A signage plan showing the location and dimensions of signage to be erected i.e. barrier and trucking turning signage.

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.

- (viii) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2018* 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.
- (ix) **Building Approval is to be obtained** for a Class 7a for the purpose of a Transport depot in accordance with the *Planning Act 2016* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**
- (x) 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.
- (xi) 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 21 of the *Planning Regulation 2017*.
- (xii) Council does not have accurate flood information for this property and therefore cannot determine the height of a Defined Flood Event (DFE). Therefore there is no guarantee of flood immunity.

Council has noted that the Dwelling house will be used as a place of refuge for any employers' onsite in the event of a flood or fierce storm.
- (xiii) Prior to constructing or upgrading an access, an application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011.
- (xiv) 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.
- (xv) Any retaining structures above one metre in height must be separately certified for structural adequacy by a Building Certifier i.e. physical barrier framing holding pits.

Aboriginal Cultural Heritage


- (xvi) 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.datsip.qld.gov.au

Attachments

Nil

13.4 Submission to the National Natural Disaster Arrangements Royal Commission (Bushfire Royal Commission)

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Director Sustainable Development	ECM Function No/s: 14.20.01; 09.16

Recommendation

THAT Council resolve to endorse the submission made to the National Natural Disaster Arrangements Royal Commission.

Report

The Royal Commission into National Natural Disaster Arrangements (the Bushfire Royal Commission) was established on 20 February 2020 in response to the extreme bushfire season of 2019-20. The Bushfire Royal Commission will examine coordination, preparedness for, response to and recovery from disasters as well as improving resilience and adapting to changing climatic conditions and mitigating the impact of natural disasters.

Officers prepared and made a submission (Attachment 1) to the Bushfire Royal Commission, which closed on 28 April 2020. Due to the timeframe for submissions to the Bushfire Royal Commission, the submission was made noting that Council had not yet considered its content. Council's retrospective endorsement is therefore now sought.

Budget Implications

Nil.

Policy Consideration

Corporate Plan 2019-2024

3.11 Lobby State and Federal Governments on issues of concern to the regional community.

Community Engagement

The submission to the Bushfire Royal Commission was informed by learnings captured by a series of debriefs involving Council staff and the Local Disaster Management Group.

Legislation/Local Law

Disaster Management Act 2003

Attachments

1. Southern Downs Regional Council Submission to the National Natural Disaster Arrangements Royal Commission [↓](#)

Southern Downs Regional Council

Submission to:

National Natural Disaster Arrangements Royal Commission (Bushfire Royal Commission)

<p>1. In your experience, what areas of the bushfire emergency response worked well?</p>	<ul style="list-style-type: none"> • Partnerships – local emergency services, volunteers, agency and Council staff worked collaboratively and cooperatively, which was enabled through relationships built via local disaster management planning. • Alerts – emergency SMS alerts, coupled with targeted, reactive property visits by emergency services reached the vast majority of people in areas at risk and enabled large-scale evacuations. • Resource management – alternative water sources were identified and sourced by Council and emergency services to negate the need to use scarce town water supplies. • Safety – despite the loss of property and damage to natural areas, there were no injuries or loss of human life in the Southern Downs Region. • Recovery – <ul style="list-style-type: none"> ○ The move to recovery was undertaken very early by the local disaster management group, with a number of targeted sub-groups established and resourced by agencies, volunteers and other organisations. ○ Council established a community hub via a shopfront presence in the Stanthorpe CBD. The hub was manned by Council and agency staff and afforded the community ease of accessibility to information on recovery assistance. The hub worked extremely well and was very well accepted by the community. Information was also provided to affected residents by way of Council's mobile library service. ○ Support by State and Federal agencies and political figure heads, including the Queensland Reconstruction Authority (QRA) was very positive and having visits to fire affected businesses and volunteer groups helped recognise the important work that these entities undertake. Return visits six month on to monitor progress and recovery is paramount to ensure authenticity and ongoing community support. • Evacuation – evacuation centres were established in Stanthorpe and Warwick, to cater for the closure of the New England Highway by the bushfire. That is, evacuated residents could be directed to an evacuation centre according to the locality of their residence and the status of the highway.
<p>2. In your experience, what areas of the bushfire</p>	<ul style="list-style-type: none"> • Alerts – a level of confusion exists in the community as to the messaging contained in emergency alerts.

<p>emergency response didn't work well?</p>	<p><i>Watch and act</i> alerts advising residents to <i>leave now</i> caused confusion.</p> <ul style="list-style-type: none"> Resource management – critical water shortages across the Southern Downs meant that access to water for fire fighting purposes was a very real concern, particularly as though drinking water supplies are typically drawn upon for fire fighting. Evacuation – <ul style="list-style-type: none"> Some confusion resulted from there being two evacuation centres and alert messaging at times conflicted with the status of the New England Highway for travel. Well-meaning community organisations advertised the availability of their grounds for evacuees and their domestic animals, which confused evacuation messaging. Evacuation centre facilities were found to be lacking in some areas, particularly the lack of a back-up power supply to the Stanthorpe centre. Recovery – <ul style="list-style-type: none"> Some residents were unable or unwilling to leave their home or attend the community hub to access recovery assistance information. Illustrating gaps in the provision of information to impacted residents, a joint visit by QRA and Council staff six months on from the Stanthorpe bushfires revealed that a resident whose property was directly impacted had not received any support or contact from any level of government since the bushfires occurred. Existing agency funding and loans packages were used for business recovery, rather than tailoring specific packages that catered to the impacts of the bushfires. This resulted in reduced uptake by business due to incompatible eligibility criteria. Some residents did not identify with the names that were used to describe locations, so they missed out on funding packages or help. For example an overall suburb name was used, rather than the smaller discrete township or locality names which locals would use and know. A lack of data on biodiversity condition meant it was not possible to accurately measure the level of impact on the natural environment, which confounded planning for recovery. Long delays in time between commitments for funding and the delivery / execution of funding agreements meant that several opportunities to harness recovery efforts dissipated.
<p>3. In your experience, what needs to change to improve arrangements for preparation, mitigation, response and recovery coordination for national</p>	<ul style="list-style-type: none"> Training – further emphasis needs to be placed on the delivery of training in disaster management roles, functions and operations during times outside of disasters. Alerts – emergency alerts need to be localised to illustrate the location of the fire front in order for residents to gain a better understanding of the proximity of the fire. Messaging in emergency alerts needs to be consistent and simplified so residents better understand the intent of the alert. Resource management – water sustainability for regional communities such as those in the Southern


<p>natural disaster arrangements in Australia?</p>	<p>Downs is a critical issue in terms of the sustainability of communities and business. The capacity to effectively respond to bushfire disasters further highlights the need for water sustainability solutions to be identified, facilitated and implemented by all levels of government.</p> <ul style="list-style-type: none"> • Evacuation – <ul style="list-style-type: none"> ○ Disaster planning needs to include community organisations to clarify roles in the provision of evacuation facilities for people and domestic animals. ○ Designated evacuation centres need to be numerous enough and in locations that provide contingencies for incidents such as the Stanthorpe bushfires that closed the national highway. They must have adequate facilities, including back-up power supplies. Ongoing funding programs for local governments to upgrade and maintain evacuation centres should be considered. • Recovery – <ul style="list-style-type: none"> ○ Funding and loans packages provided to business and industry must be tailored to bushfire recovery to enable greater access by impacted business. ○ Funding should be delivered early and agreements executed within reasonable timeframes to avoid long delays. ○ Community hubs should be established immediately following the standing up of recovery, as a proven model that affords the community ease of accessibility to information on recovery assistance. Other strategies need to be implemented in concert, to cater for those residents unable or unwilling to attend community hubs, such as mobile services. ○ Community hubs may be needed for longer than the initial two week periods, as it takes people time to emerge and be ready to engage with support services following disasters. ○ Recovery plans need to also encapsulate ideas that help enliven and lift spirits of communities who have experienced bushfires and severe ongoing drought. ○ Funding for event opportunities needs to be made available in the short-term to support existing community celebrations. ○ In many cases as part of the recovery process volunteer networks are established and operate in demanding circumstances with extreme need. Over a prolonged period of time this can lead to volunteer burn out and fatigue. This requires careful and collective management. • Preparation & mitigation – <ul style="list-style-type: none"> ○ A lack of contemporary and consistent data on biodiversity condition on the local, regional, State and national scale confounds effective planning to prepare for and mitigate impacts to areas of high conservation value and the natural environment as a whole. A comprehensive
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	<p>data collection effort is required by the Queensland and Australian Governments so local governments can be armed with contemporary and high-quality data upon which to base land management and development planning.</p> <ul style="list-style-type: none"> ○ Landowners generally lack knowledge in how to manage their land to reduce fuel loads, particularly in the face of a changing climate and altered fire regimes. Controlled burning is ad hoc and piece meal at best when considering bushfire risk mitigation at the landscape scale. Traditional land and fire management practices of Indigenous Australians should be incorporated into training practices that are made widely available to landowners, regardless of the way in which they use their land. ○ Incentives for employing sound land and fire management practices should be provided to encourage greater uptake by landowners and could be implemented through the Australian Government's Biodiversity Stewardship and/or Agricultural/Biodiversity Certification programs. ○ Mapping of firebreaks needs to be improved and contemporised. Coordination of data held by different agencies needs to be centralised and shared. <ul style="list-style-type: none"> ● Planning – <ul style="list-style-type: none"> ○ Better planning needs to occur in areas of high bushfire risk. Areas such as those impacted by the Stanthorpe bushfire in September 2019 should not be subject to new residential development, including rural residential. Roads should not be constructed in these areas i.e. a no through road up a heavily treed hill, adjoining an extensive State forestry. Further cul-de-sacs should also not be permitted to be constructed from this no through road, as doing so only increases the number of residences which are subject to a potential impact, with no alternative access routes. Any cul-de-sacs in these areas should also be reduced in length, to reduce the nature of the impact and ability to be aware of the situation at hand. Existing areas of high bushfire risk, where there is only one route in and out, should be provided with a lawful, alternative route, which is passable by a passenger vehicle. ○ A full reticulated water supply should be provided to all rural residential properties, particularly where they are subject to a high bushfire risk. Where reticulated water isn't available or the property is within the Rural zone, then an appropriate water storage, only for fire fighting purposes, should be available, i.e. a tank fitted with the appropriate couplings, which cannot be used for residential supply. ○ Appropriate fire breaks should be established, maintained and protected around any existing areas of high density rural residential development, where they adjoin State forest, by the responsible State agency.
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4. Is there anything else you would like to tell the Royal Commission?	This submission has been prepared by officers of the Southern Downs Regional Council. At the time of making the submission, it has not been endorsed by Council due to misalignment between the timeframe for submissions to the Royal Commission and Council's meeting schedule. Council will consider this submission at its 27 May 2020 General Meeting and advise the Royal Commission that the submission has been either endorsed, amended or withdrawn.
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13.5 Funding Submission - Wildlife and Habitat Bushfire Recovery Program

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Director Sustainable Development	ECM Function No/s: 15.02

Recommendation

THAT Council resolve to endorse submission of a funding application to the Australian Government's Wildlife and Habitat Bushfire Recovery Program.

Report

The purpose of the Wildlife and Habitat Bushfire Recovery Program is to support immediate survival and long-term recovery and resilience for fire-affected Australian animals, plants, ecological communities and other natural assets and their cultural values for Indigenous Australians. The program will fund on-ground bushfire recovery actions for species, ecological communities or other natural assets that can be delivered by 30 June 2021. The minimum grant amount that can be applied for is \$100,000 and the maximum is \$1 million. Tranche 2 of the grant opportunity closes on 28 May 2020.

It is proposed that a submission is made seeking \$350,000 to fund the employment of two (2) bush care officers within Council in 2020/2021 and to obtain baseline environmental data. The role of these officers is proposed to be to support local landholders to better manage their land to protect biodiversity, as well as improving management outcomes on land for which Council is responsible. The roles would also enable implementation of the Southern Downs Environmental Sustainability Strategy, which is currently under development and set to be delivered in 2020/2021, as well as contributing to the delivery of the 2019/2020 bushfires disaster recovery plan, within the guidelines of the funding program.

Budget Implications

The amount proposed to be sought in the funding submission is anticipated to be sufficient to cover wages, vehicle, on costs and specialist contractors and as such there is no budget implication for Council, except for in kind costs.

Policy Consideration

Corporate Plan

4.5 Protect the natural environment of reserves under Council control via strategic natural resource management

4.8 Continue to promote, educate and implement awareness and best practice waste collection, recycling, environmental health and environmental protection strategies

4.9 Encourage the use of renewable energy sources, such as wind and solar power to protect the environment

4.11 Manage invasive animal and pest plants throughout the region to ensure the continued protection of valuable agricultural land

Shaping Southern Downs

- 4.4.3.1 Develop policies, programs and management plans, aimed at increasing the biodiversity and conservation value of land within the region.
- 4.4.3.2 Conserve and protect valued natural resources, including water, land, flora and fauna.
- 4.4.3.3 Investigate renewable energy options and investments.
- 4.4.3.5 Identify green spaces throughout the region.

Community Engagement

There is strong support within the community for the establishment of the bush care officer positions within Council in the 2020/2021 budget.

Legislation/Local Law

Local Government Act 2009


Biosecurity Act 2014

Attachments

Nil

13.6 COVID-19 Conservation and Land Management Jobs Stimulus Package Proposal

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Director Sustainable Development	ECM Function No/s: 15.02

Recommendation

THAT Council:

1. Resolve to express its support for State and Federal government investment in a jobs-rich conservation and land management stimulus package as part of the economic response to COVID-19; and
2. Write to our local Federal and State Members of Parliament expressing Council's support for this proposal.

Report

Pew Charitable Trusts is coordinating national advocacy to State and Federal governments for a local government-led conservation and land management jobs stimulus package in response to COVID-19. The proposal has the support of over 70 farming and conservation groups from around Australia and Pew Charitable Trusts is now requesting the support of local governments. Council received the proposal (Attachments 1 and 2) on 13 May 2020. In summary, the proposal states:

- In light of the current and anticipated impacts of COVID-19 across every sector of society, it is clear that decisive action and unprecedented investment is needed to temper the worst social and economic impacts of this crisis.
- Over 70 farming and conservation groups around Australia, including Landcare, the National Farmers Federation, NRM Regions Australia, the Australian Land Conservation Alliance and the Australian Association of Bush Regenerators, have come together to call on state and federal government to invest in a jobs-rich conservation and land management stimulus package as part of the economic response to Covid-19.
- Such a program presents important opportunities for safe, meaningful and socially beneficial work as part of the 'bridge to recovery', while leaving enduring benefits for the environment, tourism and farm businesses.
- Local Governments play a pivotal role in delivering conservation and land management work, such as controlling weeds, protecting and restoring habitat, and managing public land and are ideally placed to manage a surge in effort for on ground conservation work.

Budget Implications

Nil.

Policy Consideration

Corporate Plan

3.11 Lobby State and Federal Governments on issues of concern to the regional community.

4.8 Continue to promote, educate and implement awareness and best practice waste collection, recycling, environmental health and environmental protection strategies.

Shaping Southern Downs

4.4.3.1 Develop policies, programs and management plans, aimed at increasing the biodiversity and conservation value of land within the region.

Community Engagement

The Pew Charitable Trusts proposal has broad support from community and industry groups from across Australia, including Southern Queensland Landscapes NRM Group.

Legislation/Local Law

Biosecurity Act 2014

Attachments

1. Pew Charitable Trusts Letter to Prime Minister [↓](#)
2. Pew Charitable Trusts Briefing Note [↓](#)



The Hon Scott Morrison MP
Prime Minister of Australia
House of Representatives
Parliament House
Canberra ACT 2600

Sent by email: dlo@pm.gov.au
CC: Andrew.Hutchinson@pm.gov.au
NCCCEnquiries@pmc.gov.au

2 April 2020

Dear Prime Minister,

Re: Potential COVID-19 economic stimulus measures in conservation and land management

In light of the current and anticipated impacts of COVID-19 across every sector of society, it is clear that decisive action and unprecedented investment is needed to temper the worst social and economic impacts of this crisis. We recognise the important measures taken by federal, state and territory governments to date, particularly in relation to the immediate health and economic threats posed by the rapid spread of the disease.

The road to recovery will be a long one, which will require each sector of society to contribute in its own way. We stand ready to help in any way we can.

Right now, hundreds of thousands of workers have lost their job across the country and we write in the interest of assisting government to find ways to give these people security of employment over the next couple of years.

It is in this spirit that we share these ideas on the role that the conservation and land management sector could play in immediate, medium and long-term economic stimulus efforts.

Investment in a jobs-rich conservation and land management program, as part of broader economic stimulus measures, presents important opportunities for safe, meaningful and socially beneficial work during the period of economic crisis, while leaving enduring benefits for the environment, tourism and farm businesses.

The sector is ready to be part of the 'bridge to recovery' and can take on an expanded workforce once social distancing measures are eased. During the period of economic recovery, there is scope for tens of thousands of skilled and unskilled workers to be employed in the conservation and land management sector in roles that are:

- practical and labour intensive;
- located in both regional and metropolitan areas;
- appropriate for temporarily repurposing existing workforces which are under pressure, including tradespeople and workers in the tourism and small business sectors;
- contributing to building Australia's natural capital, through helping improve land condition and resilience;
- supportive of long-term sustainability of food and fibre production;
- will not create long-term structural commitments in the budget.

Please find **attached** a briefing note outlining a proposed \$4 billion combined federal and state economic stimulus package. This would provide jobs to **24,000 workers** at its peak to undertake **practical conservation activities** such as weed and pest control, river restoration and bushfire recovery and resilience.

Developing this package early will allow for **good program design** and the opportunity to learn the lessons of past programs. If funding is committed, then projects can be developed, partnerships formed and positions advertised, so that the program can hit the ground running as social distancing measures are eased.

We would welcome the opportunity to collaborate with government in designing this program.

If you have any questions or would like to organise a meeting, please contact Jack Gough, National Pastoral Conservation Manager at the Pew Charitable Trusts on 0427 713 101 or by email jgough@outback.org.au.

Yours sincerely,

Representing national organisations:



Emma Jackson
Chair, NRM Regions Australia



Nerida Bradley
CEO, Australian Land Conservation Alliance



Tony Mahar
CEO, National Farmers Federation



Doug Humann AM
Chair, Landcare Australia



Phil Harrison
CEO, Conservation Volunteers Australia



Pepe Clarke
Deputy Director, Outback to Oceans, The Pew Charitable Trusts



Andrew Cox
CEO, Invasive Species Council



Patrick O'Connor
Chair, National Landcare Network



Rich Gilmore
Country Director, Australia
The Nature Conservancy



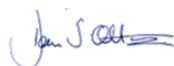
Heather Campbell
CEO, Bush Heritage Australia



Kelly O'Shanassy
CEO, Australian Conservation Foundation



Brendan Foran
CEO, Greening Australia



Dean O'Hara
CEO, Field and Game Australia



Richard Francis
President, Vertebrate Pest
Managers Association of Australia



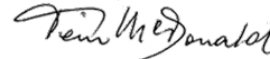
Tim Allard
CEO, Australian Wildlife
Conservancy



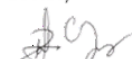
Darren Kindleysides
Australian Marine Conservation
Society



Dermot O'Gorman
WWF-Australia



Dr Tein McDonald AM
President, Australian Association of
Bush Regenerators



Patrick O'Leary
Country Needs People



Tim Hughes
Director, South Endeavour Trust

Representing Queensland organisations:



Chris Norman
CEO, NRM Regions Queensland



Steve Lacey
CEO, Queensland Trust for Nature



Michael Guerin
CEO, AgForce Queensland



Darryl Ebenezer
Executive Officer, Qld Water & Land
Carers



Louise Matthiesson
Director, Queensland Conservation
Council



Lucy Graham
Director, Cairns and Far North
Environment Centre



Branden Barber
CEO, Rainforest Rescue



Katrina Dent
CEO, Reef Catchments



Elyse Riethmuller
CEO, Fitzroy Basin Association

Sheila Charlesworth
CEO, Burnett Mary Regional
Group

Zoe Williams
CEO, Northern Gulf Resource
Management Group

Paul McDonald
CEO, Southern Queensland
Landscapes

Leanne Kohler
CEO, Desert Channels Queensland

John Gavin
CEO, Cape York NRM

Andrew Maclean
CEO, Southern Gulf NRM

Scott Crawford
CEO, NQ Dry Tropics

Julie McLellan
CEO, Healthy Land and Water

Representing NSW organisations:



Adrian Zammit
CEO, Landcare NSW



Peter Arkle
CEO, NSW Farmers Association



Chris Gambian
CEO, Nature Conservation Council

Representing South Australian organisations:



Hugo Hopton
CEO, Nature Foundation SA



Rob Kerin
Executive Chair, Primary Producers
SA



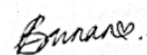
Craig Wilkins
CEO, Conservation Council of SA



Natasha Davis
Chair, SA Nature Alliance & CEO,
Trees for Life



Michael Stead
President, Nature Conservation
Society SA



Sheree Bowman
Chair, Landcare Association of SA

Representing Western Australian organisations:



Piers Verstegen
Director, Conservation Council of
WA



Mick Davis
Chair, WA Landcare Network



Sally Wilkinson
CEO, South West Catchments
Council



Justin Bellanger
CEO, South Coast NRM



Paul Bodlovich
CEO, Perth NRM



Debra Tarabini-East
CEO, Rangelands NRM



Natarsha Woods
CEO, Wheatbelt NRM



Martin Prichard
Director, Environs Kimberley

Representing Victorian organisations:



David Clark
Chair, Landcare Victoria Inc.

Steve Sheridan
CEO, Victorian Farmers Federation



Jono La Nauze
CEO, Environment Victoria



Matt Ruchel
Executive Director, Victorian
National Parks Association

Representing Tasmanian organisations:



Rod Knight
CEO, Landcare Tasmania



James Hattam
CEO, Tasmanian Land Conservancy



Pam Allan
Chair, NRM North



Nepelle Crane
CEO, NRM South



Daryl Connelly
CEO, Cradle Coast Authority

Representing Northern Territory organisations:



Karen May
CEO, Territory NRM



Ashley Manicaros
CEO, Northern Territory
Cattleman's Association



Jimmy Cocking
CEO, Arid Lands Environment
Centre



Shar Molloy
Director, Environment Centre NT



Annie Andrews
Chair, Landcare NT

Representing ACT organisations:



Karissa Preuss
CEO, Landcare ACT



Helen Oakey
Executive Director, Conservation
Council ACT



Frank Garofalow
CEO, ACT NRM

Economic stimulus measures in the conservation and land management sector

In light of the current and anticipated impacts of COVID-19 across every sector of society, it is clear that decisive action and unprecedented investment is needed to temper the worst social and economic impacts of this crisis. We recognise and welcome the measures taken by federal and state governments to date, particularly in relation to the immediate health and economic threats posed by the rapid spread of the disease.

We recognise that the road to recovery will be a long one, which will require each sector of society to contribute in its own way. We stand ready to help in any way we can.

Right now, hundreds of thousands of workers have lost their job across the country and we write in the interest of assisting government to find ways to give these people security of employment over the next couple of years. It is in this spirit that we share these ideas on the role that the conservation and land management sector could play in immediate, medium and long-term economic stimulus efforts.

Investment in a jobs-rich conservation and land management program, as part of broader economic stimulus measures, presents important opportunities for safe, meaningful and socially beneficial work during the period of economic crisis, while leaving enduring benefits for the environment, tourism and farm businesses.

During the period of economic recovery, there is scope for tens of thousands of skilled and unskilled workers to be employed in the conservation and land management sector in roles that are:

- practical and labour intensive;
- located in both regional and metropolitan areas;
- appropriate for repurposing existing workforces which are under pressure, including tradespeople and workers in the tourism, fisheries and forestry sectors; and,
- will not create long-term structural commitments in the budget.

Practical conservation activities that could be undertaken across public and private land include:

- **a surge in weed control efforts**, focussed on containment and preventing cross-tenure spread;
- **river and wetland restoration**, including fencing, revegetation and erosion control;
- **national park infrastructure**, track maintenance and park management (fire, weeds, feral animals);
- **bushfire recovery and resilience activities**, including infrastructure repairs and habitat restoration;
- **invasive animal control**, including deer and pigs which impact on farming and threatened species;
- **tree planting and habitat restoration** in metropolitan, suburban, peri-urban and rural areas;
- **funding for private land conservation**, putting money in the hands of farmers and other land managers;
- **coastal habitat restoration and monitoring**, in partnership with the fishing industry and local communities;
- **plastics and marine debris clean up**, including research to inform future policy decisions; and
- **funding for Indigenous rangers** to deliver jobs directly to vulnerable communities using a proven model.

This investment would be low risk, especially if the planning occurs during the current 'lock down' as part of the stimulus measures. It would allow people who are newly unemployed or underemployed to have meaningful and secure employment for at least 12 months as soon as social distancing measures are eased, giving an immediate boost to economy confidence and security. In addition, this investment would:

- provide much needed income and economic confidence for bulldozer and other machine operators, weed-sprayers, shooting and trapping contractors, fencers, nursery growers, hardware suppliers, local and Indigenous land managers and bush regenerators;
- have significant economic multipliers, especially in regional communities, with work generated for local suppliers and hospitality businesses; and
- capitalise on existing organisational and land management capabilities across the non-profit sector, private sector and local, state and federal government.

For more information, contact Pepe Clarke, Pew Charitable Trusts, 0420 425 471, pclarke@pewtrusts.org

Program design considerations

Developing this package early will allow for good **program design** and the opportunity to learn the lessons of past programs. If funding is committed, then the 'lock down' period is an opportunity to develop projects, seek partners and allow people to apply for positions, so that the program can hit the ground running. We would welcome the opportunity to collaborate with the government in the detailed design of this program.

The **geographic focus** of investment could be refined as the economic and social impacts of COVID-19 become clearer over time, including identification of regions experiencing particularly high unemployment, but could range from national park maintenance, bushfire recovery and river restoration in Western Sydney to weed control and coastal restoration in North Queensland communities affected by a rapid decline in tourism.

The program would provide an **immediate economic stimulus** with 90% of funding expended across the first two years. The remaining 10% can be spent in years three to four to **maintain and consolidate** the gains in any short-term stimulus program. Jobs could be directed to areas where existing funding can be leveraged, including through ongoing government programs and donations from the recent bushfire disaster.

Indicative return on investment

Research into employment outcomes from stimulus spending in the United States (Edwards et al. 2013) found that conservation, land management and habitat restoration provide a **high return on investment**, relative to other sectors. The labour-intensive nature of the work, combined with relatively low capital and overhead costs, results in a high proportion of investment flowing to the employees and contractors delivering the work (and, in turn, to their families and businesses in their local community).

The ratio between salary, operational and capital costs will vary by activity, location and program, but we estimate that investment in conservation land management would support about **1,000 full-time equivalent positions per \$100 million invested** (including salaries, on-costs, operational and capital expenditure).¹

We believe the conservation and land management sector – including non-profit organisations, local governments and state conservation agencies – can support delivery of up to \$4 billion in combined federal and state economic stimulus over the forward estimates, **employing up to 24,000 workers**. These positions would span a range of skill levels, from unskilled labourers to professional conservation land managers.

Table 1. Illustrative employment benefits associated with a \$4 billion federal and state investment

	Year 1	Year 2	Year 3	Year 4	Total
Number of workers	24,000	12,000	2,000	2,000	
Employee expenses (\$ million) (\$60,000 avg, on-costs)	1,800	900	150	150	3,000
Capital and operational expenditure (\$ million)	600	300	50	50	1,000
Proportion of expenditure	60%	30%	5%	5%	100%

Based on extensive conservation land management experience across the country, we anticipate that a high proportion of operational and capital expenditure would stay in the local community, providing income for hardware stores, plant nurseries, pest control contractors and other local businesses.


This investment could be delivered as a series of thematic initiatives, or as a broader employment and conservation initiative, reminiscent of the highly popular [US Civilian Conservation Corps](#) (1933-1942), which provided work for millions of young, unemployed men during the Great Depression. More recently, economic stimulus measures by the US Government in response to the 2008 recession included US\$3 billion for natural resource conservation, creating tens of thousands of jobs and delivering long-term environmental benefits.

This proposal is for an immediate stimulus package in response to the current crisis and is not intended as a substitute for the need for a longer-term package of measures to support the environment to recover after the bushfires, save threatened species and increase natural capital on our farms and in our landscapes.

¹ This estimate is informed by consultation with conservation organisations with large field teams. It is based on an average salary of \$60,000 pa, plus 25% on-costs (\$75,000 total cost per worker). This reflects pay rates for a range of positions, from unskilled labourers to professional conservation land managers, with a skew towards the lower paid, physical labour roles. The ratio between salary, operational and capital costs will vary by activity, location and program, but is typically around 3:1 (75% salary and on-costs, 25% capital and operational costs).

13.7 Rural Water Tank Rebate Policy

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: General Council Meeting	
	Reporting Officer:	Meeting Date: 27 May 2020
	Acting Manager Environmental & Regulatory Services	ECM Function No/s: 25.17.02

Recommendation

THAT Council:

1. Resolves to endorse the attached draft Rural Water Tank Rebate Policy; and
2. Resolves to delegate authority to the Chief Executive Officer to approve applications under circumstances that fall outside the scope of the endorsed Rural Water Tank Rebate Policy.

Report

Council is to receive \$1,300,000 from the Australian Government's Bushfire Recovery Exceptional Assistance Immediate Support Package, which will be delivered by the Queensland Reconstruction Authority through the Bushfire Recovery Funding Program.

Council resolved at its 19 February 2020 General Meeting to allocate \$1,050,000 of these funds towards providing a water tank rebate to rural landowners. The report considered by Council indicated that eligibility criteria would be developed and communicated to the community in due course. A draft Rural Water Tank Rebate Policy incorporating proposed criteria has been developed and is attached (Attachment 1). Incorporation of the proposed criteria into Council policy requires a resolution of Council.

It is anticipated that demand for the rural water tank rebate will exceed the available budget. As such, an expression of interest process will be run, followed by a random ballot of pre-approved applications, should the funding be oversubscribed.

There may be limited occasions where an application for the rebate falls outside the scope of the endorsed policy. Rather than requiring a Council resolution for such circumstances, it is proposed to delegate decision-making authority to Council's Chief Executive Officer.

Budget Implications

The \$1,050,000 is proposed to be allocated and spent wholly in the 2020/2021 financial year.

Policy Consideration

Draft Rural Water Tank Rebate Policy

Community Engagement

The draft Rural Water Tank Rebate Policy has undergone extensive internal engagement, given it has application to the business of numerous departments of Council.

A media campaign will precede the opening of the expressions of interest process, to communicate the availability of the rural water tank rebate, the eligibility criteria and application process.

Legislation/Local Law

Plumbing and Drainage Act 2018

Attachments

1. Draft Rural Water Tank Rebate Policy [↓](#)



Rural Water Tank Rebate Policy

Policy Number:	PL-SD089
Department:	Environmental & Regulatory Services
Section:	Built Environment
Responsible Manager:	Manager Environmental & Regulatory Services
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REVISION RECORD

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14/05/2020	Draft	New policy

Rural Water Tank Rebate Policy

Policy no: PL-SD089

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1 Policy Background

Council received funding from the Commonwealth Government's Disaster Recovery Funding Arrangements Bushfire Recovery Exceptional Assistance Immediate Support Package for projects and activities identified by Council as essential for the recovery and renewal of the region following the September 2019 bushfires. As a result, a portion of the funding has been allocated to assist with local economic recovery and enable rural landowners to increase their bushfire preparedness.

Southern Downs Regional Council's Rural Water Tank Rebate Policy has been established to provide the actions by which rebates for the purchase of water tanks will be administered to rural residents.

2 Purpose

The purpose of the Rural Water Tank Rebate Policy is to provide clear guidance to the community and Council staff in relation to the terms and conditions required to be met in order to be eligible for the Rural Water Tank Rebate Scheme.

3 Scope

This policy applies across the Southern Downs Region, as defined by the terms and conditions in section 4 of this Policy. The Rural Water Tank Rebate Scheme is subject to the availability of funding under the Commonwealth Government's Disaster Recovery Funding Arrangements and once the funding for the rural water tanks under this program has been fully allocated, the Rural Water Tank Rebate Scheme will cease.

4 Policy Details

Southern Downs Regional Council will grant a rural water tank rebate (the rebate) to ratepayers, subject to the following terms and conditions:

1. All applications for the rebate must be made via the water tank rebate expression of interest form.
2. A rebate will only be considered to have been approved when advised in writing by Council.
3. Any water tank ordered prior to Council's written approval will not be eligible for a rebate.
4. Ratepayers eligible for the rebate must own land:
 - (a) with a rating category of General Rates Residential, General Rates Commercial\ Industrial, General Rates Horticulture or Other Agriculture and Farming;

- (b) with an approved dwelling; and
 - (c) that is not connected to a Council treated water network.
5. The rural water tank rebate will be granted for one water tank per property ID only.
 6. The water tank must have a capacity of 20,000 litres or more.
 7. The water tank must be fitted with a firefighting coupling, consisting of a 2 inch male or female camlock, unless these fittings are in place on another tank connected to the dwelling.
 8. The rebate payment will be calculated at the rate of 10 cents per litre capacity of the water tank, not exceeding the cost of the tank (excluding freight, fittings and installation), to a limit of \$2,500.
 9. No rebate will be paid in excess of the approved funding allocated to an applicant.
 10. The water tank must be plumbed for indoor domestic use. All rain water tanks need to be installed to a minimum health and safety standard under the Queensland Development Code (as per Table 1 of QDC MP4.2). These standards account for water quality protection, such as mosquito and vermin control, ensure WaterMark approved materials for tank design, connection and construction are used.
 11. The applicant must submit confirmation of the water tank order from the supplier, stating:
 - (a) The name of the customer
 - (b) The intended delivery address, and
 - (c) The capacity of the tank in litres.
 12. On delivery and installation of the water tank, the applicant must:
 - (1) Submit a tax invoice for the purchase of the water tank detailing:
 - (a) The capacity of the tank;
 - (b) The name of the customer; and
 - (c) The property details where the tank was delivered.
 - (2) Submit a tax invoice from a licensed plumber for the connection of the supply water-line stating:
 - (a) The customer's name;
 - (b) The address at which the work was completed;
 - (c) The size of the water tank; and
 - (d) Confirmation the required firefighting fittings were installed to the water tank, or that there is an existing water tank associated with the dwelling that has these fittings in place.
 - (3) Submit a copy of the Form 4 – Notifiable Work for Plumbing lodged with The Queensland Building and Construction Commission by their licensed plumber.

13. Failure to return requested information within required time frames will result in forfeiture of any approved rebate allocation.
14. Council reserves the right to amend these terms and conditions without notice.

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

Nil

15. NOTICES OF MOTION

Nil

16. GENERAL BUSINESS

17. 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:

17.1 Request for remission of Sewerage Charges for PID 10970

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.

17.2 Application for Rates Concession - PID 139545

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.

17.3 Waste Contracts - Transfer Stations and Tender Consideration Plan

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.

17.4 20_135 Landfill Management Services 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.

17.5 Proposed Mining Operation

Reason for Confidentiality

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

17.6 Resolution of Legal Action

Reason for Confidentiality

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

17.7 Request for Development Application Fees Waiver

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.