

Ordinary Meeting of Council

Held at Western Downs Regional Council's Chinchilla Cultural Centre

On Wednesday, 20 January 2021

Commencing at 09:30 AM

R. A. MUSGROVE CHIEF EXECUTIVE OFFICER

20 January 2020

- 1. DECLARATION OF MEETING OPENING
- 2. OPENING PRAYER AND MINUTE SILENCE
- 3. APOLOGIES
- 4. CONGRATULATIONS

5. CONFIRMATION OF MINUTES

- 5.1. Adopt Minutes Ordinary Meeting of Council The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 9 December 2020
- 6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS
- 7. PRESENTATION OF PETITIONS BY COUNCILLORS
- 8. MAYORAL UPDATE
 - 8.1. Executive Services Mayoral Report December 2020 The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of December 2020.

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9. CONFIDENTIAL ITEMS

Section 254J of the Local Government Regulation 2012 in relation to Closed meetings provides:

(1) A local government may resolve that all or part of a meeting of the local government be closed to the public.

(2) A committee of a local government may resolve that all or part of a meeting of the committee be closed to the public.

(3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—

(a) the appointment, discipline or dismissal of the chief executive officer;

(b) industrial matters affecting employees;

(c) the local government's budget;

(d) rating concessions;

(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;

(f) matters that may directly affect the health and safety of an individual or a group of individuals;

(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

(*h*) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967;

(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

(4) However, a local government or a committee of a local government must not resolve that a part of a local government meeting at which a decision mentioned in section 150ER(2), 150ES(3) or 150EU(2) of the Act will be considered, discussed, voted on or made be closed.

(5) A resolution that a local government meeting be closed must—

(a) state the matter mentioned in subsection (3) that is to be discussed; and

(b) include an overview of what is to be discussed while the meeting is closed.

(6) A local government or a committee of a local government must not make a resolution (other than a procedural resolution) in a local government meeting, or a part of a local government meeting, that is closed.

9.1. EXECUTIVE SERVICES

9.2. CORPORATE SERVICES

- 9.2.1. Corporate Services Confidential Report Contract for Cloud-based Contact Centre & Unified Communications The purpose of this report is to provide Council with an assessment of the quotations received for the replacement of the existing corporate Contact Centre and telephony solution.
- 9.2.2. Corporate Services Confidential Report Dalby Aerodrome Proposed Lease L
 The purpose of this Report is to consider a request to renew Lease L at the Dalby Aerodrome.
- 9.2.3. CS Confidential Report Dalby Aerodrome Proposed Lease W The purpose of this Report is to consider a request to renew Lease W at the Dalby Aerodrome.
- 9.2.4. Corporate Services Confidential Report Dalby Aerodrome Proposed Lease X
 The purpose of this Report is to consider a request to renew Lease X at the Dalby Aerodrome.
- 9.2.5. Corporate Services Confidential Report Tara Pool Precinct Masterplan Update
 The purpose of this Report is to seek Council's direction in relation to the replacement of the Tara Pool.

9.3. COMMUNITY AND LIVEABILITY

9.4. INFRASTRUCTURE SERVICES

10. DEPUTATION

11. PLANNING

 11.1. (030.2020.341.001) Community and Liveability Report Development Application for Material Change of Use for a Service Station on Lot 202 on SP183221 at Johnson Street Chinchilla Watkins Group (Qld) Pty Ltd Out of the Woods Planning
 The purpose of this Report is for Council to decide the development application for a Service Station on land legally described as Lot 202 on

SP183221, located at Johnson Street, Chinchilla.

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	11.2.	(035.2020.461.001) Community and Liveability Report Development Application Reconfiguring a Lot (Boundary Realignment) Lots 4 and 7 on SP121097 at 130 Branch Creek Road and 23 Armstrong Street West Dalby Harrison The purpose of this Report is for Council to decide the Development Application seeking a Development Approval for Reconfiguring a Lot (Boundary Realignment) of land legally described as Lot 4 on SP121097 and Lot 7 on SP121097 and situated at 130 Branch Creek Road and 23	95		
		Armstrong Street West, Dalby.			
12.	EXECUTIVE SERVICES				
	12.1.	Executive Services Chief Executive Officer Report December 2020 The purpose of this Report is to provide Council with the significant meetings, forums and delegations attended by the Chief Executive Officer during the month of December 2020.	112		
	12.2.	Executive Services Report Outstanding Actions December 2020 The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 9 December 2020.	114		
13.	CORPORATE SERVICES				
	13.1.	Corporate Services Report Entertainment and Hospitality - Council Policy The purpose of this Report is to present the draft amended Entertainment and Hospitality - Council Policy for Council's consideration and approval.	117		
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	13.3.	Corporate Services Report - Building Our Regions Funding Commitment The purpose of this Report is to seek Councils' formal commitment for the delivery of the Tara Lagoon Masterplan project in partnership with the State Government under the Building Our Regions funding program.	136		
	13.4.	Corporate Services Financial Report December 2020 The purpose of this Report is to provide Council with the Financial Report for the period ending 31 December 2020.	138		
14.	INFRASTRUCTURE SERVICES				
	14.1.	Infrastructure Services Report 2020/21 Capital Works Program January 2021 Update The purpose of this Report is for the Works Department to provide an update to Council regarding the 2020/21 Capital Works Program for the month of December 2020.	149		

15. COMMUNITY AND LIVEABILITY

- 15.1.
 Community and Liveability Report Health Services Governance Report
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 The purpose of this Report is to provide Council with an update in relation
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 to key governance areas within the Health Services sites and services for
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 the second quarter of the 2020 / 2021 Financial Year.
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- 15.2.
 Community and Liveability Report Proposed Waste Service Procurement
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 Arrangements
 The purpose of this report is to advise Council on the discussions with
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 Toowoomba Regional Council regarding a joint waste procurement
 exercise, and to seek Council's approval of a Memorandum of
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Understanding with that Council.

15.3. Community and Liveability Christmas Events Around the Region 2020 This report is to update Council on the Christmas Events that were held around the Region in 2020.

16. NOTICES OF MOTION

- 16.1. CONSIDERATION OF NOTICES OF MOTION/BUSINESS
- 16.2. RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING
- 17. URGENT GENERAL BUSINESS
- 18. MEETING CLOSURE



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| Title               | Adopt Ordinary Meeting of Council Minutes 9 December 2020 |
|---------------------|-----------------------------------------------------------|
| Date                | 8 January 2021                                            |
| Responsible Manager | R. Musgrove, CHIEF EXECUTIVE OFFICER                      |

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#### Summary

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The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 9 December 2020

#### Link to Corporate Plan

Nil

**Material Personal Interest/Conflict of Interest** 

Nil

#### **Officer's Recommendation**

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 9 December 2020, copies of which have been circulated to Members, be taken as read and confirmed.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

#### Attachments

1. Copy of Unconfirmed Minutes of the Ordinary Meeting of Council held on Wednesday, 9 December 2020.

Authored by: A. Lyell, EXECUTIVE SERVICES ADMINISTRATION OFFICRT



**REGIONAL COUNCIL** 

# Ordinary Meeting of Council Minutes

| Date<br>Time:<br>Location: | Wednesday, 9 December 2020<br>9:30am<br>Dalby Event Centre<br>Nicholson Street, Dalby QLD 4405                                                                                                                                                                                                                                                                                                  |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Councillors:               | Cr. P. M. McVeigh (Chairperson)<br>Cr. A. N. Smith<br>Cr. K. A. Bourne<br>Cr. P. T. Saxelby<br>Cr. K. A. Maguire<br>Cr. I. J. Rasmussen<br>Cr. M. J. James<br>Cr. O. G. Moore<br>Cr. C. T. Tillman                                                                                                                                                                                              |
| Officers:                  | <ul> <li>R. A. Musgrove, Chief Executive Officer</li> <li>S. M. Peut, General Manager (Corporate Services)</li> <li>G. K. Cook, General Manager (Infrastructure Services)</li> <li>Brianna Barnett</li> <li>J. K. Taylor, General Manager (Community and Liveability)</li> <li>J. L. Weier, Senior Executive Officer</li> <li>A. G. Lyell, Executive Services Administration officer</li> </ul> |

### 1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting opening at 9:30am

#### 2. OPENING PRAYER AND MINUTE SILENCE

Pastor Stuart Wynd from the Dalby Baptist Church, delivered the opening prayer. This was followed by the observance of a minute silence.

### 3. APOLOGIES

### 4. CONGRATULATIONS

Cr C. T. Tillman requested that Council extend congratulations to the Tara and District Art Exhibition 2020 for the Bloomin' Creative Showcase, which was a huge success with the work displayed beautifully this year.

Cr. C. T. Tillman requested that congratulations be extended to the 2020 IMPACT Ensemble for the play 'We come From Dalby'. The play told a great story and all the children did a fantastic job considering they had to start it over zoom meetings due to Covid.

Cr. M. J. James requested that Council extend congratulations to Jake Rynne, for beating Queensland's best bowlers to secure the Queensland Champion of Champions lawn bowls title in November. Jake is also a member of the Emerging Australian Jackaroo team.

Cr. K. A. Bourne requested that Council extend congratulations to Dalby Australian Stock Horse Sale Committee on the recent success of their 46th Stock Horse Sale. Council recognises that prestigious events such as this require significant dedication and commitment and extends congratulations to everyone involved for their efforts in delivering another premier event, in turn highlighting the diversity of the Western Downs.

# 5. CONFIRMATION OF MINUTES

# 5.1 Adopt Minutes Ordinary Meeting of Council

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 18 November 2020

#### **COUNCIL RESOLUTION**

Moved By Cr. P. T. Saxelby Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 18 November 2020, copies of which have been circulated to Members, be taken as read and confirmed.

# 6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

# 7. PRESENTATION OF PETITIONS BY COUNCILLORS

#### 8. MAYORAL UPDATE

#### 8.1 Executive Services Mayoral Report November 2020

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of November 2020.

COUNCIL RESOLUTION Moved By Cr. C. T. Tillman Seconded By Cr. K. A. Maguire

That this Report be received and noted

#### 9. CONFIDENTIAL ITEMS

Section 254J of the Local Government Regulation 2012 in relation to Closed meetings provides:

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- (a) the appointment, discipline or dismissal of the chief executive officer;
- (b) industrial matters affecting employees;
- (c) the local government's budget;
- (d) rating concessions;
- (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;
- (f) matters that may directly affect the health and safety of an individual or a group of individuals;
- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;
- (h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967;
- (i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

(4) However, a local government or a committee of a local government must not resolve that a part of a local government meeting at which a decision mentioned in section 150ER(2), 150ES(3) or 150EU(2) of the Act will be considered, discussed, voted on or made be closed.

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# COUNCIL RESOLUTION - CLOSE MEETING

Moved By Cr. K. A. Maguire Seconded By Cr. M. J. James

That Council resolve to close the Meeting in accordance with Sections 254J (c,d,g) of the *Local Government Regulation 2012* at 9:53am to discuss the following Confidential Reports:

- 1. Corporate Services Confidential Report Tender MM05-20-21 Chinchilla Weir Landscaping and Building Construction Tender
- 2. Corporate Services Confidential Report Tender MM06-20-21 Lake Broadwater Landscaping and Building Construction Tender
- 3. Corporate Services Confidential Report Tender MM07-20-21 Caliguel Lagoon Landscaping and Building Construction Tender
- 4. Corporate Services Confidential Report Tender MM08-20-21 Tara Lagoon Landscaping and Building Construction Tender
- 5. Corporate Services Confidential Report Tender MM15-20-21 Tara Lagoon Boardwalk Construction Tender
- 6. Corporate Services Confidential Report Proposed Sale of Lots 6 and 7 Drew Street, Dalby
- 7. Corporate Services Confidential Report Additional Water Concession Due to Undetected Water Leak Lot 13 RP 56481
- 8. Corporate Services Confidential Report MyALL107 Cultural Precinct Project Library Relocation
- 9. Infrastructure Services Confidential Report Jandowae Sewerage Treatment Plant Effluent Disposal
- 10. Infrastructure Services Confidential Report Rainwater Tank Subsidy Scheme Update

#### CARRIED

#### COUNCIL RESOLUTION - REOPEN MEETING Moved By Cr. C. T. Tillman Seconded By Cr. K. A. Maguire

That Council resolve to reopen the Meeting at 10:32am

#### CARRIED

#### **COUNCIL RESOLUTION**

Moved By Cr. A. N. Smith Seconded By Cr. P. T. Saxelby

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10:33am

The Meeting resumed at 10:43am

#### <u>CARRIE</u>D

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### 9.1 EXECUTIVE SERVICES

#### 9.2 CORPORATE SERVICES

#### 9.2.1 Corporate Services Confidential Report - Tender MM05-20-21 Chinchilla Weir Landscaping and Building Construction Tender

The purpose of this report is to seek Council's approval to award Tender MM05-20-21 for the construction of the Chinchilla Weir Strategic Tourism Masterplan project to Boyds Bay Group.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A.N. Smith informed the meeting of a Prescribed Conflict of Interest in respect to this matter due to:

a. One of the tendering companies previously using my business as an accommodation facility.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.

Cr. A.N. Smith left the meeting during the discussion at 9:54am

Cr. A.N. Smith re-joined the meeting following the discussion at 10:09am

Cr. A.N. Smith left the meeting during the vote at 10:44am

Cr. A.N. Smith re-joined the meeting following the vote at 10:52am

COUNCIL RESOLUTION Moved By Cr. K. A. Maguire Seconded By Cr. P. T. Saxelby

That this Report be received and that:

1. Council awards the contract for Tender MM05-20-21 for the construction of the Chinchilla Weir Strategic Tourism Masterplan to Boyds Bay Group for the Council approved project budget.

**CARRIED** 

Absent did not Vote: Cr. A. N. Smith

#### 9.2.2 Corporate Services Confidential Report - Tender MM06-20-21 Lake Broadwater Landscaping and Building Construction Tender

The purpose of this Report is to seek Council's approval to award Tender MM06-20-21 for the construction of the Lake Broadwater Strategic Tourism Masterplan project.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A.N. Smith informed the meeting of a Prescribed Conflict of Interest in respect to this matter due to:

a. One of the tendering companies previously using my business as an accommodation facility.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. M. J. James informed the meeting of a declarable conflict of interest in respect to this matter due to:

a. She is a former employee of, and do consulting work for, BMO Accountants of which Adrian Rasmussen is a partner. Adrian Rasmussen is an office bearer of the Lake Broadwater Association and owner of a property adjacent to Lake Broadwater.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

Cr. M.J. James left the meeting during the discussion at 9:57am

Cr. M.J. James re-joined the meeting following the discussion at 9:59am

Cr. M.J. James left the meeting during the vote at 10:46am

Cr. M.J. James re-joined the meeting following the vote at 10:48am

Cr. A.N. Smith left the meeting during the discussion at 9:54am

Cr. A.N. Smith re-joined the meeting following the discussion at 10:09am

Cr. A.N. Smith left the meeting during the vote at 10:44am

Cr. A.N. Smith re-joined the meeting following the vote at 10:52am

COUNCIL RESOLUTION Moved By Cr. C. T. Tillman Seconded By Cr. K. A. Maguire

That this Report be received and that:

1. Council awards the contract for Tender MM06-20-21 for the construction of the Lake Broadwater Strategic Tourism Masterplan to Boyds Bay Group for the Council approved project budget.

CARRIED

Absent did not Vote: Cr. A. N. Smith and Cr. M. J. James

### 9.2.3 Corporate Services Confidential Report - Tender MM07-20-21 Caliguel Lagoon Landscaping and Building Construction Tender

The purpose of this Report is to seek Council's approval to award Tender MM07-20-21 for the construction of the Caliguel Lagoon Strategic Tourism Masterplan.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A.N. Smith informed the meeting of a Prescribed Conflict of Interest in respect to this matter due to:

a. One of the tendering companies previously using my business as an accommodation facility.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.

Cr. A.N. Smith left the meeting during the discussion at 9:54am

Cr. A.N. Smith re-joined the meeting following the discussion at 10:09am

Cr. A.N. Smith left the meeting during the vote at 10:44am

Cr. A.N. Smith re-joined the meeting following the vote at 10:52am

COUNCIL RESOLUTION Moved By Cr. K. A. Bourne Seconded By Cr. K. A. Maguire

That this Report be received and that:

 Council award the contract for Tender MM07-20-21 for the construction of the Caliguel Lagoon Strategic Tourism Masterplan to Boyds Bay Group for the Council approved project budget.

#### CARRIED

Absent did not Vote: Cr. A. N. Smith

#### 9.2.4 Corporate Services Confidential Report - Tender MM08-20-21 Tara Lagoon Landscaping and Building Construction Tender

The purpose of this Report is to seek Council's approval to award Tender MM08-20-21 for the construction of the Tara Lagoon Parklands Masterplan project.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A.N. Smith informed the meeting of a Prescribed Conflict of Interest in respect to this matter due to:

a. One of the tendering companies previously using my business as an accommodation facility.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.

Cr. A.N. Smith left the meeting during the discussion at 9:54am

Cr. A.N. Smith re-joined the meeting following the discussion at 10:09am

Cr. A.N. Smith left the meeting during the vote at 10:44am

Cr. A.N. Smith re-joined the meeting following the vote at 10:52am

COUNCIL RESOLUTION Moved By Cr. P. T. Saxelby Seconded By Cr. M. J. James

That this Report be received and that:

1. Council award the contract for Tender MM08-20-21 for the construction of the Tara Lagoon Parklands Masterplan to Boyds Bay Group for the tendered price of \$2,716,146.83 (excluding GST).

#### CARRIED

Absent did not Vote: Cr. A. N. Smith

#### 9.2.5 Corporate Services Confidential Report - Tender MM15-20-21 Tara Lagoon Boardwalk Construction Tender

The purpose of this Report is to seek Council's approval to award Tender MM15-20-21 for the construction of the Tara Lagoon Boardwalk project.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A.N. Smith informed the meeting of a Prescribed Conflict of Interest in respect to this matter due to:

a. One of the tendering companies previously using my business as an accommodation facility.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.

Cr. A.N. Smith left the meeting during the discussion at 9:54am

Cr. A.N. Smith re-joined the meeting following the discussion at 10:09am

Cr. A.N. Smith left the meeting during the vote at 10:44am

Cr. A.N. Smith re-joined the meeting following the vote at 10:52am

COUNCIL RESOLUTION Moved By Cr. C. T. Tillman Seconded By Cr. P. T. Saxelby

That this Report be received and that:

1. Council award the contract for Tender MM15-20-21 for the construction of the Tara Lagoon Boardwalk project to New State Builders for the tendered price of \$629,070.00 (excluding GST)

CARRIED Absent did not Vote: Cr. A. N. Smith

# 9.2.6 Corporate Services Confidential Report Proposed Sale of Lots 6 and 7 Drew Street, Dalby

The purpose of this Report is to seek Council's direction regarding the proposed sale of Lots 6 and 7 Drew Street, Dalby.

*In accordance with Chapter 6, Part 2, Division 5A of the* Local Government Act 2009, *GM Cook informed the meeting of a prescribed conflict of interest in respect to this matter due to:* 

a. his wife works for Elders Real Estate Dalby

Having given due consideration to his position he determined that he would leave the meeting while the matter is discussed.

GM Cook left the meeting while the matter was discussed at 10:09am

GM Cook re-joined the meeting at 10:10am

GM Cook left the meeting while the matter was voted on at 10:52am

GM Cook re-joined the meeting at 10:54am

#### **COUNCIL RESOLUTION**

Moved By Cr. M. J. James Seconded By Cr. K. A. Maguire

That this Report be received and that Council:

- 1. apply the exception contained in the *Local Government Regulation 2012* (Qld), section 236(1)(a)(i), (ii) and (2), and
- approve the sale of Lots 6 and 7 on Crown Plan SP251966 being Lots 6 and 7 Drew Street, Dalby, to Christopher Michael Clarris Trustee for Clarris Property Trust for the contract offer price, subject to the buyer not proceeding with the purchase of Lot 5 Drew Street Dalby, and
- 3. delegate authority to the Chief Executive Officer to sign the contracts of sale as listed above and all necessary documents to effect the settlement of Lots 6 and 7 Drew Street Dalby.

### 9.2.7 Corporate Services Confidential Report Additional Water Concession Due to Undetected Water Leak Lot 13 RP 56481

This Report is to seek Council's direction regarding a ratepayer requesting additional concession as a result of an undetected water leak.

COUNCIL RESOLUTION Moved By Cr. I. J. Rasmussen Seconded By Cr. A. N. Smith

That this Report be received and that:

1. Grant a further concession of \$884.79 being a further reduction of 25% of the gross water consumption charges in addition to \$884.79 partial relief previously granted in accordance with Council's Water Meter Policy. Interest free period will not apply as water consumption charges are paid in full.

#### 9.2.8 Corporate Services Confidential Report MyALL107 Cultural Precinct Project Library Relocation

The purpose of this Report is to seek Council direction in relation to the negotiation and execution of a two year lease for the temporary relocation of the Dalby Library during the MyALL107 Cultural Precinct Project.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. C. T. Tillman informed the meeting of a declarable conflict of interest in respect to this matter due to:

a. She is the president of Gallery107@Dalby which is in MyALL 107 but I do not have any connection to the library in that building

Having given due consideration to his position he determined that he would leave the meeting while the matter is discussed.

Cr. C. T. Tillman left the meeting during the discussion at 10:18am

Cr. C. T. Tillman re-joined the meeting at 10:28am

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. C.T. Tillman informed the meeting of a declarable conflict of interest in respect to this matter due to:

a. She is the president of Gallery107@Dalby which is in MyALL 107 but I do not have any connection to the library in that building

having considered her position she does not believe a reasonable person could have a perception of bias because I am president of Gallery107@Dalby which is in MyALL107 but I do not have any connection to the library in that building, and choose to remain in the meeting, however will respect the decision of Council as to whether I can remain and participate in the decision.

#### **COUNCIL RESOLUTION**

Moved By Cr. O. G. Moore Seconded By Cr. P. T. Saxelby

Cr. O. G. Moore moved that it is in the public interest that Cr. C. T. Tillman participates and votes on the matter because in her position as President of Gallery107 she does not have any connections to the Library and therefore a reasonable person would trust that the final decision is made in the public interest.

LOST (2 to 6)

For (2): Cr. P. T. Saxelby, and Cr. O. G. Moore Against (6): Cr. P. M. McVeigh, Cr. A. N. Smith, Cr. K. A. Bourne, Cr. K. A. Maguire, Cr. I. J. Rasmussen, and Cr. M. J. James

Cr. C. T. Tillman left the meeting while the matter was voted on at

Cr. C. T. Tillman re-joined the meeting at 11:04am

COUNCIL RESOLUTION Moved By Cr. I. J. Rasmussen Seconded By Cr. K. A. Maguire

That this Report be received and that:

1. Council enters into a two year lease for Units 2 and 3, 69 Drayton Street Dalby for the rental offer price.

Absent Did not Vote: Cr. C. T. Tillman

# 9.3 COMMUNITY AND LIVEABILITY

9.3.1 Community and Liveability 2021 Australia Day Awards Attachments

# 9.4 INFRASTRUCTURE SERVICES

#### 9.4.1 Infrastructure Services Confidential Report Jandowae Sewerage Treatment Plant Effluent Disposal

The purpose of this Report is to request Council to consider the options for the Jandowae Sewerage Treatment Plant effluent disposal scheme.

COUNCIL RESOLUTION Moved By Cr. P. T. Saxelby Seconded By Cr. K. A. Bourne

That this Report be received, and that;

1. Council develops an effluent irrigation scheme on the Jandowae Sewerage Treatment Plant site.

#### CARRIED

# 9.4.2 Infrastructure Services Confidential Report Rainwater Tank Subsidy Scheme Update

The purpose of this Report is to provide Council with an update of the Rainwater Tank Subsidy Scheme.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, GM Taylor informed the meeting of a prescribed conflict of interest in respect to this matter due to:

a. Her son works at Clark Tanks

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

GM Taylor left the meeting while the matter was discussed at 10:29am

GM Taylor re-joined the meeting at 10:32am

GM Taylor left the meeting while the matter was voted on at 11:06am

GM Taylor re-joined the meeting at 11:08am

COUNCIL RESOLUTION Moved By Cr. P. T. Saxelby Seconded By Cr. A. N. Smith

That this Report be received and that;

1. Council supports the continuation of the Rainwater Tank Subsidy Scheme and allocate an additional \$50,000 to the scheme from savings in the Utilities Operational Budget 2020/21.

#### 10. DEPUTATION

Nil

#### 11. PLANNING

#### 11.1 (030.2020.329.001) Community and Liveability Report Development Application Material Change of Use for Low Impact Industry on Lot 5 on D9134 at 20b Nicholson Street Dalby Thompson

The purpose of this Report is for Council to decide the proposed development for a Material Change of Use to establish Low Impact Industry on land described as Lot 5 on D9134 and situated at 20b Nicholson Street, Dalby.

COUNCIL RESOLUTION Moved By Cr. A. N. Smith Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The application for a Material Change of Use to establish a Low Impact Industry on land described as Lot 5 on D9134 and situated at 20b Nicholson Street, Dalby, be approved, subject to the following conditions:

#### APPROVED AND AMENDED PLANS

1. The development shall be carried out generally in accordance with the Approved Plans listed below, subject to and modified by the conditions of this approval:

Drawing No: Job No. 200267, Plan No. P01, Revision C

**Description:**General Layout Plan, Sheet 1 of 2, prepared by Baker Rossow Consulting Engineers, dated Sep 2020, as amended in red by Council on 18/11/2020

Drawing No: Job No. 200267, Plan No. P02, Revision C

**Description:**General Layout Plan, Sheet 2 of 2, prepared by Baker Rossow Consulting Engineers, dated Sep 2020, as amended in red by Council on 18/11/2020

Drawing No: Job No. 18432

**Description:**Elevations and Floor Plan of Proposed Shed, prepared by Condamine Sheds & Garages, not dated, as amended in red by Council on 18/11/2020

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plans, the conditions of this development approval must prevail.

3. The following further Development Permits must be obtained prior to commencement of any work associated with the process:

3.1Building Works;

3.2 Plumbing Works; and

3.3 Operational Work.

#### APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use for Low Impact Industry as shown on the Approved Plans.

5.All vehicles or machines that are not being serviced or repaired for a customer are to be removed from the property, including vehicles that have been abandoned.

6. The property is not to be used for the storage or sale of machinery or vehicles, scrap metal and/or parts including used engines, gear boxes, or differentials associated with machinery or vehicles.

#### COMPLIANCE, TIMING AND COSTS

7. All conditions of the approval shall be complied with within three (3) months of this approval taking effect, unless otherwise noted within these conditions.

8.All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

#### APPLICATION DOCUMENTATION

9.It is the developer's responsibility to ensure all entities associated with this Development Permit have a legible copy of the Approved Plans bearing "*Council Approval*" and the Decision Notice.

#### **OPERATING HOURS**

10. Unless otherwise approved in writing by Council, the approved use must only operate between the following hours:

Monday to Friday:7:00am to 6:00pm

Saturday:7:00am to 12:00pm

Sundays/Public Holidays:No operation

#### FEES AND CHARGES

11.All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

#### INFRASTRUCTURE CHARGES

12.All infrastructure charges including those associated with Council's Water, Stormwater, Transport and Parks Networks are now levied under the *Planning Act 2016*. As required under Section 119 of the *Planning Act 2016*, a separate *Infrastructure Charges Notice* is attached.

#### MAINTENANCE

13. The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plans subject to and modified by any conditions of this approval.

#### NOISE EMISSIONS

14.Noise emissions from the development shall not cause environmental harm or nuisance to adjoining properties or "Sensitive Land Uses".

15. In the event that a valid complaint of unreasonable noise emissions as a consequence of the operations of the approved use is received, Council may require submission of an Environmental Noise Level Study and Report that comply with *Australian Standard 1055* and the *Environmental Protection Agency Noise Measurement* 

*Manual,* and require works and/or management practices to be carried out to ensure noise emissions comply with the requirements of the *Environmental Protection (Noise) Policy 2008.* 

#### LIGHTING

16.Provide lighting to the building frontage and pedestrian access areas.

17.Direct lighting or lighting must not exceed 8.0 lux at 1.5 metres beyond the boundary of the site.

#### VISUAL AND GENERAL AMENITY

18.Any graffiti on the building must be immediately removed.

19. The building and property must be maintained in a clean and tidy manner at all times.

20.All plant, air-conditioning equipment and the like must be visually screened from the street.

21.All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period.

#### LANDSCAPING - GENERAL

22. The developer must submit to Council's Principal Planner or authorised delegate for endorsement, a Landscaping Plan for all landscaping associated with the development. The Landscape Plan must be prepared by a suitably qualified and experienced person in landscape design and construction.

23.The Landscaping Plan must detail:

23.1a minimum 2 metre wide landscaped area to be provided to the road frontage of the site exclusive of vehicular access to Nicholson Street;

23.2the existing mature trees along the Nicholson Street frontage are to remain on the property and be incorporated into the landscaping area along the frontage of the property;

23.3all landscaping areas shown on the Approved Plans;

23.4the typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on-site;

23.5the number and size of plants; and

23.6the typical planting detail including preparation, backfill, staking and mulching.

24. The developer must prepare and landscape the site in accordance with the Approved Landscape Plan, or as otherwise approved in writing by Council's Principal Planner or authorised delegate. Any amendments approved by Council's Principal Planner or authorised delegate are taken to be a part of the Approved Landscape Plan.

#### **REFUSE STORAGE AREAS**

25.Refuse bin storage areas must be screened from public view. Where bin storage occurs outside any buildings, such storage areas shall be screened with a minimum 1.5 metre high solid screen fence or wall.

#### SCREEN FENCING

26.The applicant shall provide visual screening on the existing security fencing to properties adjoining the side and rear boundaries of the property. Fencing on the property shall present an attractive visual appearance to adjoining properties.

27. The applicant shall submit a Concept Plan of the proposed screen fencing arrangements for the development which are to be fixed to the existing fence lines, for endorsement by Council's Principal Planner or authorised delegate.

#### WASTE MANAGEMENT

28.All waste generated from construction of the proposed development must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Waste Reduction and Recycling Act 2011*.

29.All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011.* 

30.The business Operator must provide Council's Principal Planner or authorised delegate with a copy of a contract, updated annually, between the business operator and an appropriately licensed Trade Waste Disposal business to manage all trade waste onsite, including oils and fluids.

#### **AIR EMISSIONS**

31.Air emissions (odour and dust) from the development shall not cause environmental harm or nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Air) Policy 2008*.

#### **ENGINEERING WORKS**

32.Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, roadworks, access and parking, erosion and sediment control, and design vehicle maneuvering.

33.Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, and relevant Australian Standards.

34.Submit to Council, certification from a suitably qualified Engineer (RPEQ) that the work has been undertaken in accordance with the Approved Plans and specifications and to Council's requirements.

35.Be responsible for the full cost of any alterations necessary, to easements and/or other public utility installations in connection with the development.

#### MAINTENANCE

36.Maintain all work that will become Council infrastructure for a period of 24 months (maintenance period) from the date of on-maintenance. Any defective work must be rectified within the maintenance period.

37.Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

# LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS

38.Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

39.Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of work associated with the development.

#### STORMWATER MANAGEMENT

40.Design and construct stormwater drainage to ensure that there is no nuisance or interference to the current use or potential future use of all downstream properties including road reserves and the like, for design storms of Q2, Q5, Q10, Q20 and Q50.

41.Implement a stormwater management strategy, prepared by an RPEQ, that results in no increase in the peak stormwater discharge for design storms of Q2, Q5, Q10, Q20 and Q50.

#### FLOODING - GENERAL

42.Provide habitable areas and areas associated with the storage of hazardous chemicals and all control panels of critical services, built at a minimum 300mm above the defined flood level.

#### WATER SUPPLY

43.Connect the development to Council's reticulated water supply system via a single connection.

#### SEWERAGE

44.Connect the development to Council's existing reticulated sewerage system via a single connection.

#### TRADE WASTE DISPOSAL (WASH DOWN BAY)

45.Connect the Wash Down Bay to Council's sewer reticulation. Obtain a Plumbing Approval from Council and the relevant inspections are to be undertaken prior to connection to the sewer.

46.Do not release contaminants or contaminated water directly or indirectly from the premises or to the ground or groundwater at the premises, except for:

46.1uncontaminated overland stormwater flow;

46.2uncontaminated stormwater to the stormwater system;

46.3contaminants released to the sewer under and in accordance with a Trade Waste Permit granted by the Local Government under the *Sewerage and Water Supply Act 1949;* or

46.4other water following treatment through an oil/silt interceptor trap or separator.

47.Releases to water must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible grease, scum, litter or floating oil.

48. The business must ensure that:

48.1maintenance and cleaning of equipment (including vehicles and plant) are carried out in Wash Down Bays, or an area where contaminants cannot be released into stormwater drainage, a roadside gutter, a water course or onto unsealed ground;

48.2any spillage of contaminants is cleaned up immediately by a method other than hosing, sweeping or otherwise releasing the contaminants into stormwater drainage, a roadside gutter or a water course; and

48.3incidental rainfall and overland flow of stormwater do not contact contaminants (for example, areas with contaminants should be roofed or protected by diversion drains).

49.Spillage of all chemicals and other liquid contaminants must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

#### HAZARDOUS CHEMICAL AND FUEL STORAGE

50.Ensure that all hazardous chemicals are stored and handled in accordance with the *Work Health and Safety Act 2011.* 

51.Diesel is to be stored and handled in accordance with Australian Standard 1940-2004 - The Storage and Handling of Flammable and Combustible Liquids.

#### PARKING AND ACCESS - GENERAL

52.Design and construct all car parking and manoeuvring areas with concrete, asphalt or a two-coat bitumen seal.

53.Provide a minimum of seven (7) car parking spaces including a minimum of one (1) person with disability (PWD) car parking space.

54.Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

55.Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

56.Vehicle parking associated with the development is not to occur along the Nicholson Street frontage of the property or on the parking facilities associated with the use of the sporting fields on Lot 3 on CP850442.

### **PARKING AND ACCESS - SERVICING**

57.Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

#### **VEHICLE ACCESS**

58.Construct a commercial crossover between the property boundary and the edge of the Nicholson Street road pavement, having a minimum width of six (6) metres, generally in accordance with Council's Standard Drawing No. R-006, Revision A. Ensure that crossover splay is designed to accommodate turning movements of a Heavy Rigid Vehicle. Crossover levels shall tie into the adjacent footpath.

#### **ROADWORKS AND PEDESTRIAN SAFETY**

59.Install signage for all work on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.

60.Submit to Council, an application for any footpath, road or lane closures, and ensure all conditions of that approval are complied with during construction of the work.

61.Maintain safe pedestrian access along Council's footpaths at all times.

#### ELECTRICITY AND TELECOMMUNICATIONS

62.Connect the development to electricity and telecommunication services.

#### **EARTHWORKS - GENERAL**

63.Earthworks per site involving quantity of material greater than 20m<sup>3</sup> requires an Operational Work application.

64.Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

#### EARTHWORKS - RETAINING STRUCTURES AND BATTERS

65.Ensure retaining walls and earthworks batters designs do not adversely affect adjoining properties or services within the vicinity.

66.Ensure batters do not exceed a maximum slope of 25% (1 in 4).

67.Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).

68.Design and construct all retaining walls and associated footings in accordance with AS4678 Earth Retaining Structures, and without encroachment onto adjoining properties or public land.

#### **EROSION AND SEDIMENT CONTROL - GENERAL**

69.Undertake erosion and sediment control during construction work in accordance with Council's Standard Drawing No's D-005 (Rev A), D-006 (Rev A) and D-007 (Rev A) as applicable.

70.Ensure that all reasonable action is taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

71.Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

#### **REMOVAL OF EXISTING BUILDINGS**

72.Remove all existing buildings located on the property not illustrated on the Approved Plans prior to construction.

#### ENVIRONMENTAL HEALTH

73.Undertake operations and construction work associated with this development to the requirements of Council, including the following:

73.1do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;

73.2remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and ensure traffic safety; and

73.3do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

74.Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:

74.1uncontaminated overland stormwater flow; and

74.2uncontaminated stormwater to the stormwater system.

#### ADVISORYNOTES

#### NOTE 1 -Flood Hazard

The property is identified as being located in the Medium and High Flood Hazard Areas on the Flood Hazard Overlay Map in the Western Downs Planning Scheme 2017 incorporating Amendment 1. Where the floor level is not elevated above the defined flood level, the proposed building work may be subject to inundation during a flood event.

#### **NOTE 2 - Relevant Period**

"A part of a development approval lapses at the end of the following period (the **currency period**)—

(a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—6 years after the approval starts to have effect."

#### NOTE 4 - Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website .

#### **NOTE 5 - General Environmental Duty**

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 development site during all stages of the development including earthworks, construction and operation.

#### **NOTE 6 - General Safety of Public During Construction**

The Work Health and Safety Act 2011 and Manual of Uniform Traffic Control Devices must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

#### NOTE 7 - Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken twelve (12) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

#### **NOTE 8 -Infrastructure Charges Notice**

An Infrastructure Charges Notice is attached to the approval.

#### NOTE 9 -Duty to Notify of Environmental Harm

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

#### APPEALRIGHTS

"Chapter 6Dispute Resolution

Part 1Appeal Rights

#### 229Appeals to Tribunal or P&E Court

(1)Schedule 1 states -

(a)matters that may be appealed to -

(i)either a tribunal or the P&E Court; or

(ii)only a tribunal; or

(iii)only the P&E Court; and

(b)the person -

(i)who may appeal a matter (the appellant); and

(ii)who is a respondent in an appeal of the matter; and

(iii)who is a co-respondent in an appeal of the matter; and

(iv)who may elect to be a co-respondent in an appeal of the matter.

(2)An appellant may start an appeal within the appeal period.

(3) The appeal period is -

(a)for an appeal by a building advisory agency - 10 business days after a Decision Notice for the decision is given to the Agency; or

(b)for an appeal against a deemed refusal - at any time after the deemed refusal happens; or

(c)for an appeal against a decision of the Minister, under Chapter 7, Part 4, to register premises or to renew the registration of premises - 20 business days after a Notice is published under Section 269(3)(a) or (4); or

(d)for an appeal against an Infrastructure Charges Notice - 20 business days after the Infrastructure Charges Notice is given to the person; or

(e)for an appeal about a deemed approval of a development application for which a Decision Notice has not been given - 30 business days after the applicant gives the Deemed Approval Notice to the Assessment Manager; or...

...(g) for any other appeal - 20 business days after a Notice of the decision for the matter, including an Enforcement Notice, is given to the person.

Note - See the P&E Court Act for the Court's power to extend the appeal period."

### 12. EXECUTIVE SERVICES

#### 12.1 Executive Services Chief Executive Officer Report November 2020

The purpose of this Report is to provide Council with the significant meetings, forums and delegations attended by the Chief Executive Officer during the month of November 2020.

#### **COUNCIL RESOLUTION**

Moved By Cr. O. G. Moore Seconded By Cr. C. T. Tillman

That this Report be received and noted

CARRIED

### 12.2 Executive Services Report Outstanding Actions November 2020

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 18 November 2020.

COUNCIL RESOLUTION Moved By Cr. O. G. Moore Seconded By Cr. A. N. Smith

That this Report be received and noted.

#### 13. CORPORATE SERVICES

#### 13.1 Corporate Services Financial Report November 2020

The purpose of this Report is to provide Council with the Financial Report for the period ending 23 November 2020 and seek approval to carry-over capital expenditure and capital revenue.

#### **COUNCIL RESOLUTION**

Moved By Cr. K. A. Maguire Seconded By Cr. A. N. Smith

That this Report be received and that Council:

- 1. notes the Financial Report as at 23 November 2020, and
- 2. resolves to approve the proposed adjustments to the 2020-21 capital works program, to transfer \$9.220 million of capital expenditure and \$2.437 million of capital revenue to the 2020-21 Capital Works Program for either projects that were not commenced or not completed as detailed in Attachment 2.

CARRIED

### 13.2 Corporate Services Financial Report 2020-21 Mid-Year Review

The purpose of this Report is for Council to consider the proposed variations to the 2020-21 Annual Budget resulting from the Mid-Year Budget Review.

#### COUNCIL RESOLUTION

Moved By Cr. O. G. Moore Seconded By Cr. A. N. Smith

That this Report be received and that:

- 1. The proposed 2020-21 Mid-Year Budget Review is received and noted
- 2. Council resolves to approve the proposed amendments to the 2020-21 Capital Budget. The proposed amendments are the addition of new capital projects totalling \$0.735 million, and an increase to existing capital projects of \$2.283 million in expenditure and \$8.130 million in capital revenue.

# 13.3 Corporate Services Report LGMA Rural Management Challenge

The purpose of this Report is to provide Council with an update on the LGMA Rural Management Challenge

COUNCIL RESOLUTION Moved By Cr. K. A. Maguire Seconded By Cr. M. J. James

That this Report be received and noted.

#### 14. INFRASTRUCTURE SERVICES

#### 14.1 Infrastructure Services Report DNRME Brigalow Bore Removal Request

The purpose of this Report is to inform Council of a request from the Department of Natural Resources Mines and Energy (DNRME) to cease operation and remove a bore supply on state land in the town of Brigalow.

#### **COUNCIL RESOLUTION**

Moved By Cr. K. A. Maguire Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. Council adhere to the request to cease trespass and remove the bore pump, standpipe and associated infrastructure from lot 309 on B5902, 52 Mulga Street, Brigalow, when a Rural Fire Brigade water access connection is constructed.

CARRIED

# 14.2 Infrastructure Services Report 2020/21 Capital Works Program December 2020 Update

The purpose of this Report is to provide an update to Council of the 2020/2021 Capital Works Program December update from the Works Department.

#### COUNCIL RESOLUTION

Moved By Cr. O. G. Moore Seconded By Cr. A. N. Smith

That this Report be received and noted.

CARRIED

## 15. COMMUNITY AND LIVEABILITY

#### 15.1 Community and Liveability Report 2021 Australia Day Awards Regional Citizen of the Year Award

The purpose of this report is to seek Council's decision on the successful nomination for the 2021 Australia Day Awards category of Regional Citizen of the Year Award.

*Cr. P. M.* McVeigh declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, *Cr. P. M.* McVeigh informed the meeting of a prescribed conflict of interest in respect to this matter due to:

a. One of the nominees is a close associate.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.)

*Cr. M. J. James declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. M. J. James informed the meeting of a prescribed conflict of interest in respect to this matter due to:* 

a. One of the nominees is a close associate.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.)

Cr. P. M. McVeigh and Cr. M. J. James left the meeting at 11:38am

Cr. A. N. Smith resumed The Chair at 11:38am

Cr. P. M. McVeigh and Cr. M. J. James re-joined the meeting at 11:43am

Cr. P. M. McVeigh resumed The Chair 11:43am

#### COUNCIL RESOLUTION

Moved By Cr. O. G. Moore Seconded By Cr. K. A. Maguire

That Council awards the 2021 Australia Day Regional Citizen of the Year to Marilyn Bidstrup.

CARRIED Absent did not Vote: Cr. P. M. McVeigh and Cr. M. J. James

# 15.2 Community and Liveability Report 2021 Australia Day Awards Regional Young Citizen of the Year

The purpose of this report is to seek Council's decision on the successful nomination for the 2021 Australia Day Awards category of Regional Young Citizen of the Year Award.

*Cr. K. A. Bourne declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. K. A. Bourne informed the meeting of a declarable conflict of interest in respect to this matter due to:* 

a. One of the nominees is a close associate.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.)

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, GM Taylor informed the meeting of a declarable conflict of interest in respect to this matter due to:

a. One of the nominees is a close associate.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

Cr. K. A. Bourne and GM Taylor left the meeting at 11:44am

Cr. K. A. Bourne and GM Taylor re-joined the meeting at 11:45am

COUNCIL RESOLUTION Moved By Cr. C. T. Tillman Seconded By Cr. K. A. Maguire

That Council award the 2021 Australia Day Regional Young Citizen of the Year award to Karsten Duvel.

Absent did not Vote: Cr. K. A. Bourne

# 15.3 Community and Liveability Report 2021 Australia Day Awards Local Volunteer of the Year

The purpose of this report is to seek Council's decision on the successful nominations for the 2021 Australia Day Awards category of Local Volunteer of the Year Award.

*Cr. C. T. Tillman declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. C. T. Tillman informed the meeting of a prescribed conflict of interest in respect to this matter due to:* 

a. One of the nominees is a close associate.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.)

Cr. C. T. Tillman left the meeting at 11:45am

Cr. C. T. Tillman re-joined the meeting at 11:47am

#### **COUNCIL RESOLUTION**

Moved By Cr. P. T. Saxelby Seconded By Cr. O. G. Moore

That Council award the 2021 Australia Day Local Volunteer of the Year Award to:

Dalby & District - Cecil Woods

Jandowae & District - Donna Woollett

Miles & District - Edward Gibbons

Tara & District - Linda Steinohrt

Wandoan & District - Dinah Fraser

#### CARRIED

Absent did not Vote: Cr. C. T. Tillman

## 15.4 Community and Liveability Report 2021 Australia Day Awards Local Creative Arts Award

The purpose of this report is to seek Council's decision on the successful nominations for the 2021 Australia Day Awards category of Local Creative Arts Award.

#### COUNCIL RESOLUTION

Moved By Cr. M. J. James Seconded By Cr. P. T. Saxelby

That Council award the 2021 Australia Day Local Creative Arts Award to

Jandowae & District - Bell Theatre Group

CARRIED

#### 15.5 Community and Liveability Report 2021 Australia Day Awards Local Community Organisation Achievement Award

The purpose of this report is to seek Council's decision on the successful nominations for the 2021 Australia Day Awards category of Local Community Organisation Achievement Award.

#### COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne Seconded By Cr. M. J. James

That Council award the 2021 Australia Day Local Community Organisation Achievement Award to

Chinchilla & District - Chinchilla Netball Inc

Jandowae & District - Jandowae Squash Club

Miles & District - Dogwood Motor Auto Group - Miles Motoring Enthusiast Club

Tara & District - Tara Futures Group Inc.

CARRIED

#### 15.6 Community and Liveability Report 2021 Australia Day Awards Local Sports Award

The purpose of this report is to seek Council's decision on the successful nominations for the 2021 Australia Day Awards category of Local Sports Award.

In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, GM Taylor informed the meeting of a declarable conflict of interest in respect to this matter due to:

a. One of the nominees is a close associate.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

GM Taylor left the meeting at 11:52am

GM Taylor re-joined at 11:53am

COUNCIL RESOLUTION Moved By Cr. K. A. Maguire Seconded By Cr. K. A. Bourne

That Council award the 2021 Australia Day Local Sports Award to

Chinchilla & District - Miss Breanna Collins

Dalby & District - Mitchell Hemmings

Miles & District - Lachlan Moore

Tara & District - Addison Clay

Wandoan & District - Elli Zillman

#### CARRIED

# 15.7 Community and Liveability Report Redevelopment of 120 Cunningham Street, Dalby

The purpose of this report is to seek Council's decision on the proposed Concept Designs for the redevelopment of 120 Cunningham Street, Dalby.

#### COUNCIL RESOLUTION

Moved By Cr. A. N. Smith Seconded By Cr. K. A. Bourne

That this report be received and that:

1. Council appoint Blight Rayner to complete detailed designs for the redevelopment of 120 Cunningham Street, Dalby.

#### CARRIED

#### 15.8 Community and Liveability Report Big Skies Festival 2021

The purpose of this report is to seek Council's direction in relation to holding the Big Skies Festival in 2021

#### **COUNCIL RESOLUTION**

Moved By Cr. K. A. Bourne Seconded By Cr. I. J. Rasmussen

That this report be received and that:

1. Council not host the Big Skies Festival in 2021.

#### CARRIED

#### 15.9 Community and Liveability Report Tourism Brand Campaign

The purpose of the Report is to seek Council's approval to adopt a new Tourism Brand Campaign for the Western Downs Region.

COUNCIL RESOLUTION Moved By Cr. K. A. Bourne Seconded By Cr. K. A. Maguire

That this Report be received and the Tourism Brand Campaign be adopted.

#### CARRIED

#### 16. NOTICES OF MOTION

## 16.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

## 16.2 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

#### 17. URGENT GENERAL BUSINESS

#### 18. MEETING CLOSURE

The Meeting concluded at 12:21pm



| Title               | Executive Services Mayoral Report December 2020 |
|---------------------|-------------------------------------------------|
| Date                | 31 December 2020                                |
| Responsible Manager | R. Musgrove, CHIEF EXECUTIVE OFFICER            |

#### Summary

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of December 2020.

#### Link to Corporate Plan

Strategic Priority: Active Vibrant Communities

- We are a region without boundaries, united in community pride.
- Our community members are the loudest advocates for what's great about our region.
- Our social, cultural and sporting events are supported locally and achieve regional participation.
- Our parks, open spaces, and community facilities are well utilised and connect people regionally.
- A recognised culture of volunteerism is active throughout our communities.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received and noted

#### **Background Information**

Nil

#### Report

Meetings, delegations and forums attended by the Mayor during the month of December 2020:

| Date               | Who/Where                                                                                                  | Details  |
|--------------------|------------------------------------------------------------------------------------------------------------|----------|
| 1 December         | Meeting with the QPS representative                                                                        | Dalby    |
| 2020               | Meeting with Local Business                                                                                | Dalby    |
|                    | Development Assessment Panel                                                                               | Dalby    |
|                    | Presentation of Bursary Award Ceremony - Dalby                                                             | Dalby    |
|                    | <ul> <li>Christian College</li> <li>Attended the Christmas Tree Light up Community<br/>Event</li> </ul>    | Dalby    |
| 2 December<br>2020 | <ul> <li>Toowoomba Surat Basin Enterprise (TSBE) &amp;<br/>Energy Sector CEO Christmas Function</li> </ul> | Brisbane |
|                    | <ul> <li>Queensland Parliament Dinner - Deputy Premier<br/>Steven Miles</li> </ul>                         | Brisbane |
| 3 December<br>2020 | Media Interview with WIN News                                                                              | Dalby    |

|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ne 46th Annual Dalby Stock Horse  | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| tunity with Community Member      | Chinchilla                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                   | Chinchilla                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                   | Chinchilla                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| wns Regional Council - Saleyards  | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| •                                 | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| ,                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                   | Brisbane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                   | Brisbane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| ew Triple M                       | Phone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Cailbre Solar Energy Company      | Phone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Rate Payer                        | Warra                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| General Manager - Infrastructure  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| t Assessment Panel                | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Potential Business Opportunities  | Teams Meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Goondiwindi Regional Council      | Goondiwindi                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Christmas Where the Gumtrees Grow | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Rate payer                        | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Teleconference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                   | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| t Church Christmas Tree Festival  | Dalby                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                   | Meeting of Council<br>Meeting of Council<br>or Information Session<br>d the Councillor Christmas Party<br>Local Business<br>alby Visitor Information Christmas<br>ment Association Queensland Policy<br>nner<br>ment Association Queensland Policy<br>eeting<br>iew Triple M<br>Cailbre Solar Energy Company<br>Rate Payer<br>General Manager - Infrastructure<br>t Assessment Panel<br>Potential Business Opportunities<br>Goondiwindi Regional Council<br>Christmas Where the Gumtrees Grow<br>Rate payer<br>t Assessment Panel<br>A/Premier and Queensland Mayors<br>AGL |

#### Consultation (Internal/External)

Nil

Legal/Policy Implications (Justification if applicable)

Nil

**Budget/Financial Implications** 

Nil

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

#### Conclusion

The forgoing represents activities undertaken by the Mayor during the month of December 2020.

## Attachments

Nil

Authored by: Leisa Paine, Executive Assistant



| Title               | (030.2020.341.001) Community and Liveability Report Development<br>Application for Material Change of Use for a Service Station on Lot 202<br>on SP183221 at Johnson Street Chinchilla Watkins Group (Qld) Pty Ltd<br>Out of the Woods Planning |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date                | 24 November 2020                                                                                                                                                                                                                                |
| Responsible Manager | T. Summerville, PLANNING AND ENVIRONMENT MANAGER                                                                                                                                                                                                |

#### Summary

The purpose of this Report is for Council to decide the development application for a Service Station on land legally described as Lot 202 on SP183221, located at Johnson Street, Chinchilla.

#### Link to Corporate Plan

Strategic Priority: Strong Economic Growth

- There is a confidence in our strong and diverse economy.
- We're open for business and offer investment opportunities that are right for our region.
- We optimise our tourism opportunities, unique experiences and major events.
- Business and industry in our region live local and buy local.
- Our region is a recognised leader in energy, including clean, green renewable energies.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this report be received that:

- 1. The application for a Material Change of Use to establish a Service Station on land described as Lot 202 on SP183221 and situated at Johnson Street, Chinchilla, be refused, for the following reasons:
  - (a) The development is inconsistent with the Strategic Plan of the Western Downs Planning Scheme 2017 incorporating Amendment 1 as follows:
    - (i) The development conflicts with Strategic Outcome (4) of Strategic Theme 3.3, as the development is for an Industrial Activity located in close proximity to established sensitive land uses within the Rural Residential Zone.
    - (ii) The development conflicts with Strategic Outcome (8) of Strategic Theme 3.3, as the development is inconsistent with the intended character and amenity of the Major Centre Zone and does not provide overriding community need for the use to be located within the Major Centre Zone.
    - (iii) The development conflicts with Strategic Outcome (6) of Strategic Theme 3.5, as the development does not consolidate industrial development in areas with appropriate infrastructure to maximise the utilisation of existing transport networks and services.
    - (iv) The development conflicts with Strategic Outcome (7) of Strategic Theme 3.5 of the Strategic Plan, as the development does not maximise the use of land within the Major Centre Zone for land uses that are consistent within that Zone.

- (v) The development conflicts with Strategic Outcome (1) of the Strategic Theme 3.6 as the development does not align with the service level of infrastructure in the locality and will require infrastructure upgrades to be provided in a non-sequential manner.
- (b) The development application is inconsistent with the relevant Codes of the Western Downs Planning Scheme 2017 incorporating Amendment 1, as follows:
  - (i) The development of a Service Station is not a consistent use within the Major Centre Zone.
  - (ii) The development is inconsistent with the intent of the Major Centre Zone to provide a variety of land uses and activities that meet the community's needs.
  - (iii) The development is not consistent with Overall Outcome 2 of the Major Centre Zone, as it will not ensure that land within the Major Centre Zone is used for a broad range of high order retail, commercial, administrative, community cultural and entertainment activities.
  - (iv) The development is inconsistent with Overall Outcome 12, as the applicant has not demonstrated that the development is consistent with the existing character and amenity of the Major Centre Zone.
  - (v) The development does not comply with Overall Outcome 15 of the Major Centre Zone Code, as the development will increase the volume and scale of traffic using Johnson Street and the intersection of Ainsworth Street, which will require the local road network to be upgraded and maintained to a higher standard.
  - (vi) The development conflicts with Overall Outcome 20 of the Major Centre Zone Code, as the applicant has not demonstrated that there is an overriding community need for the development, that justifies the development's conflicts with the character and amenity of the Major Centre Zone. Further, the proposal has not provided sufficient planning justification that the development could not be established on land within a more appropriate Zone.
  - (vii) The development does not satisfy Performance Outcome 15 of the Major Centre Code, as the development will operate 24 hours a day, 7 days a week, which is not considered appropriate to protect the amenity and character of the Major Centre Zone and the adjoining Rural Residential land.

| Application No: 030.2020.341.001 | Assessment No: A8338 Keywords Index: LG7.6.1                                                                                                      |                               |  |  |  |  |  |  |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--|--|--|--|--|--|
| Assessing Officer:               | Dominic Bradley                                                                                                                                   |                               |  |  |  |  |  |  |
|                                  | PLANNING OFFICER DEVELOPME                                                                                                                        | NT ASSESSMENT                 |  |  |  |  |  |  |
| PART 1: APPLICATION              |                                                                                                                                                   |                               |  |  |  |  |  |  |
| Applicant:                       | Watkins Group (Qld) Pty Ltd                                                                                                                       |                               |  |  |  |  |  |  |
|                                  | C/- Out of the Woods Planning                                                                                                                     |                               |  |  |  |  |  |  |
| Owner:                           | Watkins Warrego Highway Service Station Pty Ltd, P Watkins<br>Investments Pty Ltd as Trustee and Watkins Warrego Highway Service<br>Station Trust |                               |  |  |  |  |  |  |
| Site Address:                    | Johnson Street, Chinchilla                                                                                                                        |                               |  |  |  |  |  |  |
| Site Area:                       | 2.415ha                                                                                                                                           |                               |  |  |  |  |  |  |
| Real Property Description:       | Lot 202 on SP183221                                                                                                                               |                               |  |  |  |  |  |  |
| Proposed Development:            | Service Station                                                                                                                                   |                               |  |  |  |  |  |  |
| Level of Assessment:             | Impact                                                                                                                                            |                               |  |  |  |  |  |  |
| Type of Application:             | Material Change of Use                                                                                                                            |                               |  |  |  |  |  |  |
| Relevant Planning Scheme:        | Western Downs Planning Scheme 20                                                                                                                  | 017 incorporating Amendment 1 |  |  |  |  |  |  |

#### **Background Information**

| Zone:                                                                                                                                      | Major Centre                                                                               |                                                                                                                                                                                         |  |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Precinct:                                                                                                                                  | N/A                                                                                        |                                                                                                                                                                                         |  |  |  |  |
| Overlays:                                                                                                                                  | <ul> <li>Infrastructure</li> <li>Water Resources</li> <li>Extractive Industries</li> </ul> | <ul> <li>Waste Station Buffer</li> <li>Groundwater Vulnerability Area</li> <li>Petroleum Lease 185 and</li> <li>Authority to Prospect 676</li> <li>Class A Agricultural Land</li> </ul> |  |  |  |  |
| Bro Jodgomont Monting:                                                                                                                     | <ul> <li>Regional Infrastructure Corridor – \$</li> <li>Scenic Amenity</li> </ul>          | Stock Route -<br>(Stock Route 50 metre Buffer)<br>- 100m Scenic Routes Buffer                                                                                                           |  |  |  |  |
| Pre-lodgement Meeting:<br>Application Lodgement Date:                                                                                      | Yes<br>21/07/2020                                                                          | Date: 24/04/2020                                                                                                                                                                        |  |  |  |  |
| Properly Made Application:                                                                                                                 | Yes                                                                                        | Date: 23/07/2020                                                                                                                                                                        |  |  |  |  |
| Confirmation Notice Issued:                                                                                                                | Yes                                                                                        | Date: 27/07/2020                                                                                                                                                                        |  |  |  |  |
| PART 2: REFERRAL                                                                                                                           | 165                                                                                        | Date. 21/01/2020                                                                                                                                                                        |  |  |  |  |
| State Assessment and Referral<br>Agency (SARA) as Concurrence<br>Agency (Department of Transport<br>and Main Roads as Technical<br>Agency) | a Concurrence Agency for the application.                                                  |                                                                                                                                                                                         |  |  |  |  |
|                                                                                                                                            | On 2 September 2020, Council<br>response from SARA approving the                           |                                                                                                                                                                                         |  |  |  |  |
| PART 3: INFORMATION REQUES                                                                                                                 |                                                                                            |                                                                                                                                                                                         |  |  |  |  |
| Information Request Issued:                                                                                                                | Yes                                                                                        | Date: 10/08/2020                                                                                                                                                                        |  |  |  |  |
| Applicant's Response:                                                                                                                      | Yes                                                                                        | Date: 13/10/2020                                                                                                                                                                        |  |  |  |  |
| PART 4: PUBLIC NOTIFICATION<br>Comment Period Commenced:                                                                                   | Yes                                                                                        | Date: 19/10/2020                                                                                                                                                                        |  |  |  |  |
| Notice of Compliance Received:                                                                                                             | Yes                                                                                        | Date: 10/11/2020                                                                                                                                                                        |  |  |  |  |
| Submissions:                                                                                                                               | 6 submissions were received, includ<br>and 1 not properly made submission                  |                                                                                                                                                                                         |  |  |  |  |
| Change to Application made in Response to Submissions                                                                                      | Date: 19/11/2020                                                                           |                                                                                                                                                                                         |  |  |  |  |
| Comment Period Commenced:                                                                                                                  | Yes                                                                                        | Date: 25/11/2020                                                                                                                                                                        |  |  |  |  |
| Notice of Compliance Received:<br>Submissions:                                                                                             | Yes<br>A further 13 submissions were rece<br>submissions and 2 not properly made           |                                                                                                                                                                                         |  |  |  |  |
| Submission Consideration Period<br>Concluded:                                                                                              |                                                                                            |                                                                                                                                                                                         |  |  |  |  |
| PART 5: DECISION PERIOD                                                                                                                    |                                                                                            |                                                                                                                                                                                         |  |  |  |  |
| Date Commenced:                                                                                                                            | 13/01/2021                                                                                 |                                                                                                                                                                                         |  |  |  |  |
| Date Decision Due:                                                                                                                         | 17/02/2021                                                                                 |                                                                                                                                                                                         |  |  |  |  |

#### Report

#### 1. Background Information

#### 1.1 Site Context and History

The property is legally described as Lot 202 on SP183221, located at Johnson Street, Chinchilla. The property is a regular shaped corner allotment with an area of 2.415ha and frontage to both Johnson Street and Ainsworth Street.

The property is located within the Major Centre Zone of the Western Downs Planning Scheme 2017 incorporating Amendment 1. The site is mapped as being subject to a number of Overlays in the Planning Scheme, however, it is considered that only the Scenic Amenity and Infrastructure Overlays are relevant to the assessment of the development based on the zoning of the property.

The property is vacant commercial land and does not feature any existing building or structures. The property is one of eight commercial lots located within the Major Centre Zone created as part of the Riverdell Estate in 2004.

It is noted that only one of the Major Centre Zone lots have been developed for Outdoor Sales, which is a consistent use within the Major Centre Zone.

Although the site has not been developed, the property has been subject to previous development approvals, including:

- (1) On 4 March 2008, the former Chinchilla Shire Council issued a Decision Notice approving a Material Change of Use (DA38/07) to establish a Service Station, Tourist Facility and Catering Premises (Restaurant) on the site. This development approval lapsed on 4 March 2014.
- (2) On 12 March 2014, Council issued a Decision Notice (030.2013.171.001) approving a Material Change of Use to establish an Accommodation Building (Motel 50 Accommodation Units) and Visitor Accommodation (50 Cabins) on the property. This development approval has also lapsed.

The property is immediately adjoined by the following properties:

- Lots 54 and 55 on SP17898 (Tomlinson Court, Chinchilla) to the south of property which are located within the Rural Residential Zone of the Planning Scheme. Both properties are developed and feature an existing residence and form part of the rural residential estate known as Riverdell Estate.
- Lot 201 on SP183221 (34 Johnson Street, Chinchilla) to the east of the property which is located within the Major Centre Zone. The property is subject to Development Approval 030.2019.37.001 for a Material Change of Use for Outdoor Sales to be developed in two stages. Stage 1 of the development approval has commenced on the land.
- To the north is Johnson Street which is separated from the Warrego Highway by a stand of existing vegetation.
- To the west is Ainsworth Street and undeveloped land parcels located within the Major Centre Zone.

The property does not have an existing crossover to either Johnson Street or to Ainsworth Street. Ainsworth Street provides direct access to the Warrego Highway for properties within the Major Centre Zone and Rural Residential Zone within the Riverdell Estate.

Ainsworth Street and Johnson Street were designed to service light vehicles and are not designed to accommodate large volumes of heavy vehicle traffic. The frontage of the property to Ainsworth Street and to Johnson Street has kerb and channel for the collection of stormwater.

The property has access to the reticulated water and sewer services but is not currently connected to either network. Electricity and telecommunications are also available to the property.

#### 1.2 Proposal

The applicant seeks to establish a Service Station to develop a Roadhouse type use on the property which is specifically designed to cater for heavy vehicles and for tourists traveling through Chinchilla.

The development will provide fuel and a kitchen and food preparation areas, indoor and outdoor seating, as well as showers, toilets and clothes washing facilities for customers. The development will feature an ancillary Food and Drink Outlet and a Shop from which food and drinks can be purchased by customers.

It is proposed that the development will operate 24 hours per day, 7 days a week including the retail component, which will provide amenities (i.e. toilets, shower and clothes drying facilities) and food and drink for customers and truck drivers. The development will be staffed at all times and will not feature an unmanned component.

The applicant has indicated that the loading and unloading hours for the development will occur from 7am to 6pm Monday to Friday and 8am to 5pm on Saturdays. No loading or unloading of delivery vehicles will occur on Sundays.

The proposal includes the following:

- a canopy with an area of 328m<sup>2</sup> and 6 fuelling points for cars and caravans;
- a separate canopy with an area of 152.95m<sup>2</sup> and 3 fuelling points for heavy vehicles;
- underground fuel storage associated with the Service Station, including:
  - o an estimated 100,000 litre unleaded petroleum tank; and
  - o an estimated 100,000 litre diesel tank;
- a 334m<sup>2</sup> Roadhouse building which will feature amenities (ie toilets and showers) and a food and drink outlet to service customers and take payments for fuel;
- an 8 metre high illuminated advertising sign that will be installed at the eastern entry to the property from Johnson Street;
- parking facilities will be provided for:
  - **25 cars**;
  - 3 caravan/coach spaces;
  - 7 Type 1 B-Triple Road Train spaces (Stage 1); and
  - 4 additional truck parking spaces (2 x Type 1 B-Triple Road Trains and 2 B-Double Road Trains) to be developed in Stage 2;
- a loading bay will be provided at the rear of the Service Station building for delivery of supplies to the store and collection of the refuse bins;
- an oily water separator system will be installed to collect and store contaminated stormwater and oil spillage in proposed refuelling areas;
- bicycle parking end of trip facilities; and
- water tanks with a capacity of 80,000 litres which will collect stormwater from the roof line of the development and utilise the water for the purpose of maintaining proposed landscaping treatments.

The applicant proposes to create a one-way slip lane from the Warrego Highway to provide direct access to Johnson Street for west bound traffic. The development will also be able to be accessed from the intersection of the Warrego Highway and Ainsworth Street with vehicles subsequently turning into Johnson Street to access the development.

Vehicles will access the property from the proposed eastern crossover and will exit the property via the proposed western crossover to Johnson Street.

#### 2. Assessment

## 2.1 Assessment against Western Downs Planning Scheme 2017 Incorporating Amendment 1 (the Planning Scheme)

- The property is located within the Major Centre Zone in which the development of a Material Change of Use for a Service Station is an Impact Assessable development.
- The application required assessment against the following Assessment Benchmarks of the Planning Scheme:
  - Strategic Plan
  - Major Centre Zone Code
  - Transport, Access and Parking Code
  - Infrastructure Services Code
  - Infrastructure Overlay Code
  - Scenic Amenity Overlay Code
- The application has been considered against the abovementioned assessment benchmarks and discussed below:

#### Strategic Plan

- The development conflicts with the Strategic Plan as follows:
  - The development conflicts with Strategic Outcome (4) of Strategic Theme 3.3 (Liveable Communities and Housing) within the Strategic Plan, as the development for an Industrial Activity is located in proximity to established sensitive land uses within the Rural Residential Zone. Further, the development will require that additional and upgraded road infrastructure be provided to service the development.
  - The development conflicts with Strategic Outcome (8) of Strategic Theme 3.3 (Liveable Communities and Housing) within the Strategic Plan, as the development is inconsistent with the character and amenity of the Major Centre Zone. The applicant has not demonstrated an overriding community need for the development, nor that it needs to be located within the Major Centre Zone and could not be established on land within an Industrial Zone.
  - The development conflicts with Strategic Outcome (6) of Strategic Theme 3.5 (Economic Growth) of the Strategic Plan, as the development will not ensure that industrial uses are consolidated in areas with appropriate infrastructure that maximise the utilisation of existing infrastructure networks and services.

- The development conflicts with Strategic Outcome (7) of Strategic Theme 3.5 (Economic Growth) of the Strategic Plan, as the development does not maximise the use of land within the Major Centre Zone and does not provide opportunities for the land to be used for activities that are consistent with the Major Centre Zone and meet the needs of the local community. Further, it is considered that the nature and scale of the development will limit the ability for the land to be redeveloped for a use that is consistent with the Major Centre Zone in the future.
- The development conflicts with Strategic Outcome (1) of Strategic Theme 3.6 (Infrastructure), as the development does not align with the service level of infrastructure in the locality and will require infrastructure upgrades to be provided in a non-sequential manner.
- On this basis, it is not considered that the development is consistent with the Strategic Plan and should not be supported.

#### Major Centre Zone Code

- The purpose of the Major Centre Zone is to provide for a large variety of uses and activities including, for example, administrative, business, community, cultural, entertainment, professional, residential or retail uses or activities.
- The development of a Service Station, which is an Industrial Activity, is an inconsistent use within the Major Centre Zone.
- The development complies with the total site coverage, building setbacks and the maximum building height requirements under the relevant Acceptable Outcomes of the Major Centre Zone Code.
- The development will operate as a manned service station 24 hours a day, 7 days a week which does not comply with Acceptable Outcome 15.1 of the Major Centre Zone Code, which applies where a property directly adjoins residential land.
- The applicant has sited the proposed development to maximise the separation distance to adjoining sensitive land uses. The closest sensitive receptor to the development footprint is located to the south of the property on Lot 54 on SP172898, located at 11 Tomlinson Court, Chinchilla, which is 130 metres from the development footprint.
- The applicant acknowledges that based on the proposed hours of operation of the development, the use has the potential to impact the amenity of adjoining land uses through light, noise and air (odour and dust) emissions that could impact on sensitive land uses within the locality.
- The applicant proposes to construct a 2 metre high earthen bund along the southern and south-western property boundaries to protect the closest sensitive receptors within the Riverdell Estate from noise and light emissions generated by the development.
- The applicant has indicated that the earthen bund will be topped with landscaping which will prevent erosion of the earthen bund and provide a further visual and acoustic buffer for the development from surrounding sensitive land uses. The applicant has used an Acoustic Consultant to inform the design of the proposed earthen bund to ensure that the development is able to meet requirements for noise and light emissions from the property.

- The development includes landscaping treatments along the frontages of both Ainsworth Street and Johnson Street to soften the visual impact of the development.
- The applicant has advised that vehicle manoeuvring areas will be sealed and will not generate dust that would impact on adjoining properties.
- The applicant has not provided an odour report for the development but has advised that the development could be conditioned to ensure that the development complies with Schedule 1 Air Quality Objectives of the *Environmental Protection (Air) Policy 2019.* The applicant has indicated that the development would generate odour from the handling of fuel.
- Overall Outcome (12) of the Major Centre Zone Code provides that non-centre activities may be appropriate where the development demonstrates that the use is compatible and consistent with the character and amenity of the Major Centre Zone.
- The development is not considered to be compatible or consistent with the character and amenity of the Major Centre Zone. The development will result in Johnson Street and part of Ainsworth Street being used by significant volumes of heavy vehicle traffic which will significantly change the character and impact on the future amenity of the locality.
- Furthermore, it is not considered that the proposed development is consistent with the Overall Outcomes of the Zone, as the proposed development is not compatible with the current standard of infrastructure servicing the property and will require that Johnson Street and Ainsworth Street be upgraded.
- It is not considered that the applicant's design of the development and proposed mitigation measures to soften the visual impact of the development and mitigate amenity impacts of the development, are sufficient to justify that it is consistent with the character and amenity of the Major Centre Zone, nor provide justification that it should be located within the Major Centre Zone.
- Overall Outcome (20) of the Major Centre Zone Code provides that where development is not consistent with the purpose or intent of the Major Centre Zone, overriding community need will need to be demonstrated, as well as valid planning justification provided as to why the proposed use cannot be reasonably established in a more appropriate Zone.
- The applicant has provided the following justification that the development is consistent with Overall Outcome 20 of the Major Centre Zone Code:
  - The property had a previous development approval for Material Change of Use for a Roadhouse style Service Station which would operate on a 24 hour, 7 days a week basis which lapsed in 2014.
  - The applicant advises that a number of operating Service Stations are already located within the Major Centre Zone which directly adjoin existing residences and operate 24 hours a day, 7 days a week.
  - In comparison to the previous approval, the applicant advises that the development is of a significantly reduced scale, which has been further reduced in response to the submissions regarding the development.

- The applicant advises that the development footprint is sufficiently set back from surrounding residential properties and that a 2 metre high acoustic earthen mound which will also feature proposed landscaping treatments, will protect these land uses from the amenity impacts of the development.
- The proposed development has a specific locational need requiring its location to be accessed via the Warrego Highway, and the subject land was chosen in accordance with that need.
- The applicant has advised that there is no available land within the Low or Medium Impact Industrial Zone within Chinchilla that would be suitable for a Service Station, particularly when considering the locational need.
- Council would be able to condition compliance with the Planning Scheme in a similar manner to the existing Service Stations that have previously been approved.
- The applicant advises that the proposed development has unique features that no other existing Service Stations feature within Chinchilla, including:
  - \* showers and toilets for a person with disability;
  - \* clothes washing and drying facilities;
  - \* ease of access and egress for road trains and Type 1 B-Triple Road Trains; and
  - \* it provides suitable parking spaces for the operators of heavy vehicles to park for an extended period in order to utilise amenities and purchase food and drink at the premises.
- The applicant advises that a Service Station which is able to accommodate heavy vehicles and provide amenities and food and drink will prevent parts of the Warrego Highway being used to temporarily store trailers in order for the trucks to access the existing Service Stations.
- The Assessing Officer notes that there is a total of four (4) Service Stations currently operating in Chinchilla, of which, two (40-50 Warrego Highway and 62-64 Colamba Street, Chinchilla) are both located within the Major Centre Zone. It is also noted that there is an additional Service Station (11-13 Chinchilla Street, Chinchilla) which is also located within the Major Centre Zone, however, is not currently operational.
- The two operating Service Stations are located directly on the Warrego Highway, operate on a 24 hour basis and feature refuelling facilities for heavy vehicles. The existing Service Stations within the Major Centre Zone are not directly adjoined by residential zoned land.
- The two operating Service Stations on the Warrego Highway have been operating for an extended period (40+ years). These sites are not considered relevant to the assessment of the current application, as they were not assessed in the context of the Western Downs Planning Scheme 2017 incorporating Amendment 1.

- Furthermore, no development applications for a Service Station on land within the Major Centre Zone have been approved by Council under the Western Downs Planning Scheme 2017 incorporating Amendment 1.
- It is not considered that the applicant's comparisons to the existing Service Stations provide sufficient justification of an overriding community need, and is not relevant to the assessment of the application against the Western Downs Planning Scheme 2017 incorporating Amendment 1.
- The property is immediately adjoined by Lot 201 on SP183221 which is subject to a Development Approval (030.2020.37.001) for a Material Change of Use to establish Outdoor Sales in two stages. It is noted that Council originally refused part of the application to establish a Transport Depot which was an inconsistent use within the Major Centre Zone.
- Although the existing Service Stations in Chinchilla do provide refuelling services for heavy vehicles, there is currently no existing Service Station that provides suitable parking for heavy vehicle drivers to be able to rest, access amenities (toilets and showers) or purchase food and drink.
- The Assessing Officer recognises that there is a need for a Service Station in Chinchilla to provide these facilities to ensure that vehicles do not need to park within the Warrego Highway road reserve, however, it is considered that a development of this nature and scale would be more appropriately located in an Industrial Zone.
- It is also considered that development will restrict the potential for the property to be developed for other uses that are consistent within the Major Centre Zone in the future, which would meet the current and future community needs.
- The development is inconsistent with the intent of the Major Centre Zone to provide a variety of land uses that meet the community needs.
- Although the development has been designed to attempt to mitigate the offsite impacts to adjoining residences, the development will still likely impact the amenity of road users within the Riverdell Estate based on the volume and type of traffic that will access the site.
- It is considered that industrial development should be located in an Industrial Zone with sufficient access to the necessary supporting infrastructure and not in proximity of sensitive land uses. It is considered that there is a supply of suitably zoned land and of a sufficient size, that directly adjoins the Warrego Highway in Chinchilla that could be utilised for such a development.
- On this basis, it is not considered that the development complies, nor could be conditioned to comply with the Major Centre Zone Code.

#### Transport, Access and Parking Code

- The property has direct frontage to Johnson Street and to Ainsworth Street which are both Council controlled bitumen sealed roads.
- Johnson Street is currently a two-way bitumen sealed cul-de-sac road which is accessed at the intersection of Johnson Street with Ainsworth Street.
- Ainsworth Street provides the only access to the Warrego Highway for the Riverdell Estate including properties located in the Major Centre and Rural Residential Zones.

- The applicant proposes to create a one-way slip lane from the Warrego Highway for vehicles accessing the development from the east to enter Johnson Street to gain access to the property.
- The development would also be able to be accessed from the west by vehicles turning into Ainsworth Street and subsequently turning into Johnson Street.
- The proposed development will change the volume and type of traffic to access Johnson Street and the northern part of Ainsworth Street, as the development is targeted at attracting heavy vehicles.
- The Warrego Highway is a Type 1 B-Triple Road Train route, which is the largest design vehicle proposed to access Johnson Street and Ainsworth Street to access to the development.
- The development will also be accessed by other heavy vehicles as well as domestic vehicles, including caravans.
- The location of the proposed slip lane will result in the clearing of mature native vegetation within the road reserve of Johnson Street and will require works to maintain the rabbit fence which runs along the Warrego Highway road reserve.
- As the development sought to create a new road which intersected with the Warrego Highway, the State Assessment and Referral Agency was triggered as a Referral Agency for the application. The Concurrence Agency response for the application approved the proposed road access location in accordance with the *Transport Infrastructure Act 1994*.
- The applicant proposes two commercial crossovers to Johnson Street which will function as separate entry and exit points.
- It is considered that the applicant has demonstrated sufficient parking and manoeuvring on the property for heavy and light vehicles in accordance with the minimum requirements of the Transport, Access and Parking Code.
- The applicant provided a Traffic Impact Assessment in support of their application which did not demonstrate that two design vehicles could both use the intersection of Ainsworth and Johnson Streets simultaneously without the turning paths of the vehicles resulting in a conflict.
- Council issued an Information Request advising that the applicant would need to upgrade the intersection of Johnson and Ainsworth Streets to ensure that the maximum design vehicles were able to pass simultaneously. The applicant's response to the Information Request confirmed that the intersection was unable to accommodate the simultaneous turning paths of the largest design vehicle.
- The applicant advised that the scenario of two Type 1 B-Triple Road Trains using the intersection at the same time would be rare and that if this scenario was to occur, the sight lines and speed limit (20km per hour) would provide time for one vehicle to stop to allow the other to turn. The applicant's response stated that no upgrade to the intersection is considered to be necessary.
- The Assessing Officer has concerns about the suitability of the pavement structure of Johnson and Ainsworth Streets to accommodate the increased number of heavy vehicles and associated loadings.

- The existing pavement of Johnson and Ainsworth Streets comprises a Base Layer of 130mm Type 4.2 Gravel, over a Sub-base Layer of 170mm Type 4.4 Gravel with combined pavement thickness of 300mm.
- Council's Information Request requested the applicant provide a Pavement Impact Assessment as both roads had not been originally designed with a pavement depth to accommodate the traffic loads which would be generated by the development.
- The applicant's response to the Information Request advised that:
  - A pavement impact assessment was not necessary for the proposed development.
  - The applicant also provided that the pavement along Johnson and Ainsworth Streets intersection is designed to a sufficient pavement depth and that with a two coat bitumen seal, the applicant considers the surface is sufficient to accommodate heavy vehicle traffic associated with the operation of the development.
  - The applicant has advised that they would reseal Ainsworth Street and Johnson Street with a two coat bitumen seal subject to the development.
- As a Pavement Impact Assessment was not provided, Council's Consultant Development Engineer has advised that the strength of the existing subgrade is unknown and Council is unable to determine whether the existing pavement of Johnson and Ainsworth Streets is suitable for the development.
- Council's Consultant Development Engineer does not consider the applicant's response is sufficient. Council's Consultant Development Engineer considers that the development will result in accelerated deterioration of Council's road network which would increase maintenance costs and bring forward pavement reconstruction costs for Council.
- It is noted that the use of heavy vehicles at a lesser scale have impacted the pavement of Ainsworth Street historically, and it is considered that the development would potentially result in further maintenance of the road network if approved.
- It is not considered that the applicant has demonstrated that the development is consistent with the Transport, Access and Parking Code and the development is not supported.

#### Infrastructure Services Code

- The property is located within an urban locality and has access to all urban utilities including water, sewer, electricity and telecommunications.
- It is considered that the development could be conditioned to connect to the existing services in accordance with Council's Engineering standards.
- On 2 December 2020, Council's General Manager of Infrastructure Services sent a letter to residents within the Riverdell Estate (including Johnson Street) advising that high water usage in the afternoons has exceeded the design limits of the water infrastructure servicing the Riverdell Estate, which has limited water pressure available during peak periods.

Council advised residents that water infrastructure servicing the Riverdell Estate is proposed to be redesigned by Council to better service periods of peak demand for water in the next 12 months.

- The proposed development will increase the demand for water within the Riverdell Estate, as it will feature amenities (toilets and showers) and will be operational 24 hours a day, 7 days a week.
- Furthermore, the development will require water pressures above that of existing uses within the Riverdell Estate for firefighting purposes.
- Council's Utilities Manager has advised that the proposed development would have sufficient water pressure currently to meet the needs of the development.
- The applicant has advised that fire hydrant tests have been completed indicating that the development has sufficient pressure for firefighting purposes.
- The applicant has advised that the development would capture stormwater for use on the property (including maintaining landscaping) using an 80,000 litre tank to reduce the water consumption of the development and reduce stormwater flows generated by the development.
- The applicant has indicated that stormwater will be discharged from the property via the existing stormwater infrastructure at the frontage of Ainsworth Street and Johnson Street.
- The applicant has prepared a Stormwater Management Plan in response to Council's Information Request. Council's Consultant Development Engineer considers the Plan to be acceptable, but would require an amendment to reflect the current design of the development if the application was to be approved.
- The applicant has indicated that contaminated stormwater and fuel spillages will be captured and treated within the development footprint by a suitable system.
- It is considered that the development could be conditioned to comply with the Acceptable Outcomes of the Infrastructure Services Code subject to appropriate conditions of approval.

#### Infrastructure Overlay Code

- Part of the property is located within a buffer area for the Chinchilla Waste and Recycling Centre.
- The development is not a sensitive land use and is separated from the Chinchilla Waste and Recycling Centre by the Warrego Highway and State railway line.
- Operation of the development would not impact the operation of the Chinchilla Waste and Recycling Centre.
- On this basis, the development is consistent with the Infrastructure Overlay Code.

#### Scenic Amenity Overlay Code

• The property is located within the 100 metre Scenic Route Buffer Area of the Warrego Highway and requires assessment against the Scenic Amenity Overlay Code.

- The proposed development will not involve any building over 8.5 metres in height within the scenic route buffer.
- The applicant has indicated that the proposed Service Station will feature an illuminated sign which will be located on the property.
- It is not considered that this sign is likely to be a distraction to motorists using the Warrego Highway, as the verge between Johnson Street and the Warrego Highway is screened by a pocket of mature native vegetation.
- On this basis, it is considered that the development is consistent with the Scenic Amenity Overlay Code.

#### **3 Other Matters**

#### 3.1 Public Notification

Prior to the development application being submitted to Council, the applicant sent a flyer with an overview of the proposed Service Station, to all land owners in the Riverdell Estate as well as being advertised in the Chinchilla News on Thursday, 28 May 2020.

The applicant undertook formal public notification of the development for a period of 15 business days between 19 October 2020 and 9 November 2020. In this period, a total of 6 submissions were received objecting to the development, including five properly made submissions and one not properly made submission.

On 19 November 2020, the applicant responded to the submissions received during the Public Notification Period. In response to the submissions, the applicant changed the design of the development to provide an acoustic earth bund with a height of 2 metres above ground level along the southern boundary and southern part of the western boundary which would be covered in vegetation rather than providing an acoustic fence.

On 23 November 2020, Council advised the applicant that the change was not a minor change in response to submissions, and that the changed application would need to undergo further public notification to provide submitters with the opportunity to view the change and to lodge further submissions if they considered needed.

The applicant commenced public notification of the changed application between 25 November 2020 and 18 December 2020. Council received 13 further submissions objecting to the development, including 11 properly made submissions and 2 not properly made submissions.

On 4 January 2021, the applicant submitted a further response to the submissions received which included a minor change to the design of the earthen acoustic mound and additional water storage to capture stormwater for use by the development in maintaining landscaping treatments. The Assessing Officer considered that this was consistent with a change in response to a submission that would not attract a further submission. Accordingly, the application did not require further public notification subject to the further change to the application.

Council received a total of 19 submissions regarding the application. It is advised that all properly made submissions received during each Public Notification Period will have appeal rights subject to Council deciding the application.

Council's Assessing Officer has considered the matters raised in all submissions received and the applicant's response to the submissions in the Table of Assessment which is attached to this Report.

#### 3.2 Referral

The application required referral to the State Assessment and Referral Agency (SARA) as a Concurrence Agency under the *Planning Regulation 2017* due to the proximity of the property to the State controlled road network.

On 2 September 2020, SARA provided a Concurrence Agency response which included conditions of approval. The Concurrence Agency response is attached to this Report for consideration.

SARA, as a Concurrence Agency for the application, was also notified of the changes to the application and did not change their Concurrence Agency response in response to the changes to the development.

#### Consultation (Internal/External)

#### Internal

Council's Consultant Development Engineer has assessed the development application and provided advice.

Council's A/Planning and Environment Manager has reviewed the Report and provided comments where necessary.

Council's Utilities Manager has provided comments regarding the concerns relating to water pressure within the Riverdell Estate.

#### External

The State Assessment and Referral Agency has provided a Concurrence Agency response for the application which is attached to this Report.

#### Legal/Policy Implications (Justification if applicable)

An applicant may elect to appeal against Council's decision in accordance with the relevant Section of the *Planning Act 2016*, which states:

#### "Chapter 6 Dispute Resolution

#### Part 1 Appeal Rights

#### 229 Appeals to Tribunal or P&E Court

- (1) Schedule 1 states -
  - (a) matters that may be appealed to -
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person -
    - (i) who may appeal a matter (the **appellant**); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.

#### (3) The appeal period is -

- (a) for an appeal by a building advisory agency 10 business days after a Decision Notice for the decision is given to the Agency; or
- (b) for an appeal against a deemed refusal at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under Chapter 7, Part 4, to register premises or to renew the registration of premises 20 business days after a Notice is published under Section 269(3)(a) or (4); or
- (d) for an appeal against an Infrastructure Charges Notice 20 business days after the Infrastructure Charges Notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a Decision Notice has not been given - 30 business days after the applicant gives the Deemed Approval Notice to the Assessment Manager; or...
- ...(g) for any other appeal 20 business days after a Notice of the decision for the matter, including an Enforcement Notice, is given to the person.
- Note See the P&E Court Act for the Court's power to extend the appeal period."

#### **Budget/Financial Implications**

Nil

#### Human Rights Considerations

Section 4(b) of the Human Rights Act 2019 (Qld) (the Human Rights Act) requires public entities "to act and make decisions in a way compatible with human rights". There are no human rights implications associated with this Report.

#### Conclusion

The proposed development has been assessed against the requirements of the Western Downs Planning Scheme 2017 incorporating Amendment 1. It is recommended that the application be refused based on the grounds within the officer's recommendation.

#### Attachments

- 1. Locality Plans
- 2. Proposal Plans
- 3. Concurrence Agency Response
- 4. Table of Assessment of Submissions

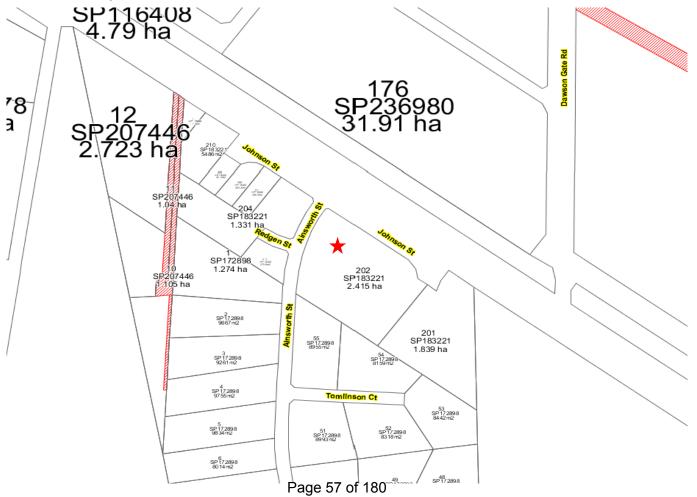
Authored by: Dominic Bradley, PLANNING OFFICER DEVELOPMENT ASSESSMENT

#### **Attachment 1 - Locality Plans**

#### **Aerial Map**



Lot and Plan Map



## Zone Map



## LEGEND

Major Centre Zone

Recreation and Open Space Zone

Rural Residential Zone / Rural Residential 4000 Precinct

# WATKINS WARREGO HWY SERVICE STATION PTY LTD (WWH) PROPOSED 24 HOUR TRUCKSTOP/ROADHOUSE 202 JOHNSON STREET CHINCHILLA, QUEENSLAND 4133 LOT 202 ON SP183221

# DRAWINGS INDEX

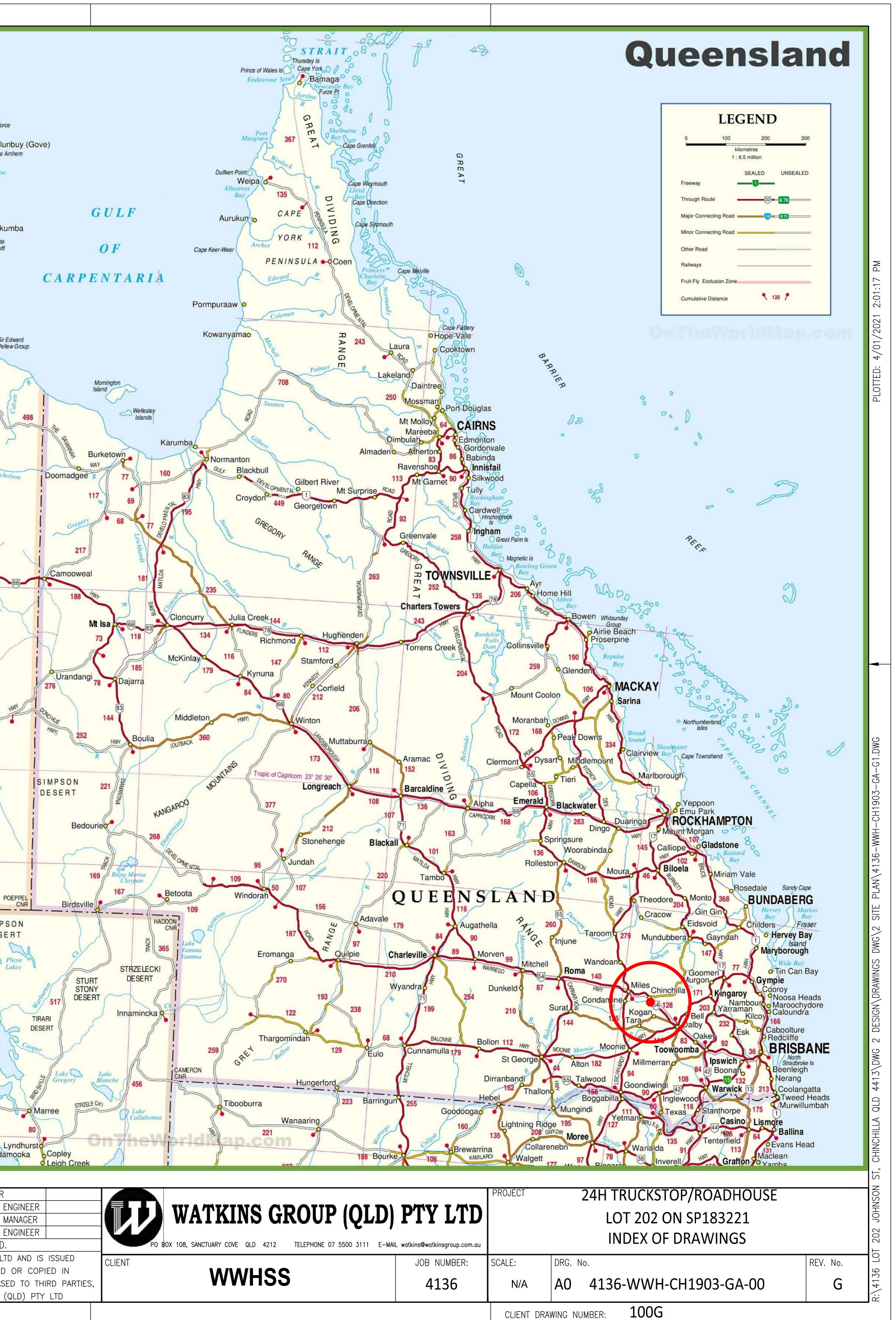
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| ROJE       | CT CODE 4134               |                             |                     |                                             |         | YEAR                                                                     | 20          | 20   | 20  | 20         | 20 | 20 | 20 |  |
| SITE:      | 202 JOHNSON STREET, CH     | INCHILLA. QUEENSI           | LAND                |                                             |         | MONTH                                                                    | 3           | 6    | 7   | 9          | 11 | 11 | 12 |  |
|            | - Watkins Warrego HWY Serv |                             |                     | /Y Service Station Trust                    | (WWH)   | DAY                                                                      | 10          | 26   | 13  | 8          | 19 | 24 | 31 |  |
|            | DRAWING NUMBER             |                             | DWR TITLE LINE 2    |                                             | CLIENT  | DESCRIPTION                                                              |             | SION |     |            |    |    |    |  |
|            |                            | DRAWING SET                 | 1                   |                                             | DRW NO. |                                                                          |             |      |     |            |    |    |    |  |
| <br>4136 - | WWH - CH1903 - GA - (      | 24H TRUCKSTOP/              | 7                   | INDEX OF DRAWINGS                           | 100     | Index of Drawings                                                        | A           | В    | С   | D          | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - GA - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | SITE LOCATION                               | 101     | Site Location                                                            | A           | В    | С   | D          | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - GA - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | SITE LAYOUT, ACCESS<br>AND EGRESS           | 102     | General Arrangement                                                      | A           | В    | С   | D          | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - GA - 0      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | HARDSTANDS AND<br>CONCRETE AREAS            | 103     | Site Roads, Hardstands and Concrete Areas                                | A           | В    | С   | D          | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - GA - (      | 24H TRUCKSTOP/              | LOT 202 ON SP183221 | AWNINGS AND CANOPYS                         | 104     | Awnings and Canopies                                                     | A           | В    | С   | D          | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - GA - (      | 24H TRUCKSTOP/              | LOT 202 ON SP183221 | BUILDING SETBACK                            | 105     | Service Station and Canopies Setback to<br>Adjacent Properties and Roads |             | В    | С   | D          | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - GA - (      |                             | LOT 202 ON SP183221 | SIGNAGE                                     | 106     | Site Signage and Traffic Signs                                           |             |      | С   | D          | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - SV - 0      | 24H TRUCKSTOP/              | LOT 202 ON SP183221 | DETAILED SURVEY                             | 131     | Site Survey                                                              | A           |      | A   | A          | A  | А  | A  |  |
| 4136 -     | WWH - CH1903 - SV - (      | 24H TRUCKSTOP/              | LOT 202 ON SP183221 | DETAILED SITE SURVEY                        | 132     | Site Survey                                                              | A           |      | A   | A          | A  | А  | A  |  |
|            |                            | DRAWING SET                 | 2                   | I                                           |         |                                                                          |             |      |     |            |    |    |    |  |
| 4136 -     | WWH - CH1903 - ISO - 0     | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | ISOMETRIC - EAST                            | 141     | ISO METRIC VIEW SITE                                                     |             |      |     |            | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - ISO - 0     | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | ISOMETRIC - WEST                            | 142     | ISO METRIC VIEW SITE                                                     |             |      |     |            | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - PV - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | PERSPECTIVE ELEVATION<br>FROM EAST & NORTH  | 151     | Elevation                                                                |             |      |     |            | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - PV - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | PERSPECTIVE ELEVATION<br>FROM SOUTH & WEST  | 152     | Elevation                                                                |             |      |     |            | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - EL - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | SOUTH EAST & NORTH<br>EAST ELEVATIONS       | 121     | Elevation                                                                | A           |      | С   | D          | E  | Е  | G  |  |
| 4136 -     | WWH - CH1903 - EL - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | NORTH WEST & SOUTH<br>WEST ELEVATIONS       | 122     | Elevation                                                                | A           |      | С   | D          | E  | Е  | G  |  |
| 4136 -     | WWH - CH1903 - FP - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | ROADHOUSE FOOR PLAN                         | 111     | Floor Plan                                                               | A           |      | С   | D          | E  | Е  | G  |  |
| 4136 -     | WWH - CH1903 - LS - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | LINE OF SIGHT - LOT 50 -<br>SITE VISABILITY | 161     | Light and Sound Barrier/Acoustic Sound<br>Mound                          |             |      |     |            | E  | F  | G  |  |
| 4136 -     | WWH - CH1903 - LS - (      | 24H TRUCKSTOP/<br>ROADHOUSE | LOT 202 ON SP183221 | LINE OF SIGHT - LOT 1 -<br>SITE VISABILITY  | 162     | Light and Sound Barrier/Acoustic Sound<br>Mound                          |             |      |     |            | E  | F  | G  |  |
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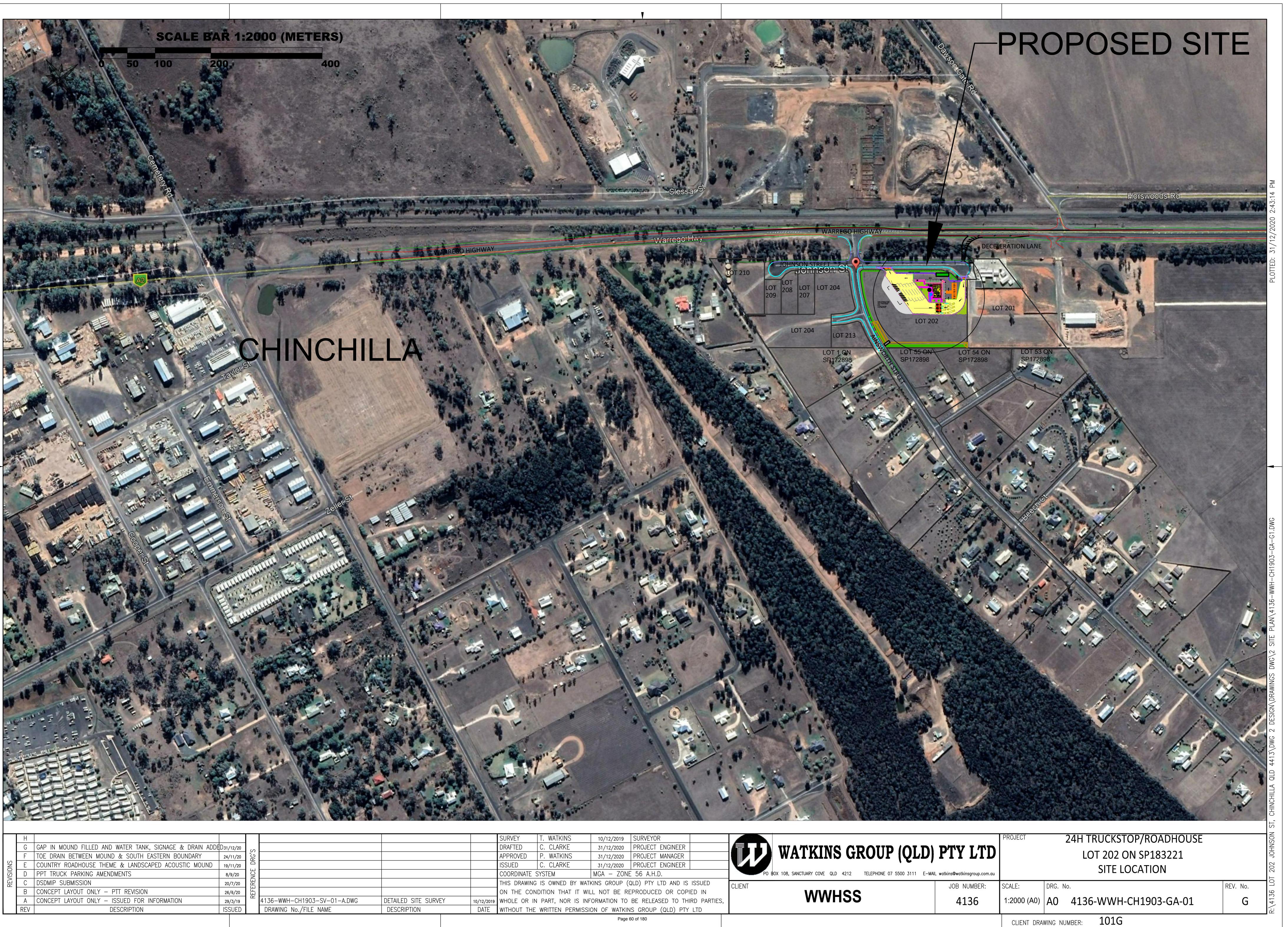
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|           | G   | GAP IN MOUND FILLED AND WATER TANK, SIGNAGE & DRAIN ADDE | D31/12/20 | S    |                     |
|           | F   | TOE DRAIN BETWEEN MOUND & SOUTH EASTERN BOUNDARY         | 24/11/20  | DRG' |                     |
| SNC       | E   | COUNTRY ROADHOUSE THEME & LANDSCAPED ACOUSTIC MOUND      | 19/11/20  |      |                     |
| REVISIONS | D   | PPT TRUCK PARKING AMENDMENTS                             | 8/9/20    | NCE  |                     |
| REV       | С   | DSDMIP SUBMISSION                                        | 20/7/20   | EREI |                     |
|           | В   | CONCEPT LAYOUT ONLY - PTT REVISION                       | 26/6/20   | REFE |                     |
|           | А   | CONCEPT LAYOUT ONLY - ISSUED FOR INFORMATION             | 29/3/19   | œ    | 4136-WWH-CH1903-S   |
|           | REV | DESCRIPTION                                              | ISSUED    |      | DRAWING No./FILE NA |
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. WATKINS 10/12/2019 SURVEYOR SURVEY C. CLARKE 31/12/2020 PROJECT ENGINEER DRAFTED P. WATKINS 31/12/2020 PROJECT MANAGER APPROVED 31/12/2020 PROJECT ENGINEER ISSUED C. CLARKE COORDINATE SYSTEM MGA – ZONE 56 A.H.D. THIS DRAWING IS OWNED BY WATKINS GROUP (QLD) PTY LTD AND IS ISSUED ON THE CONDITION THAT IT WILL NOT BE REPRODUCED OR COPIED IN SV-01-A.DWG DETAILED SITE SURVEY WHOLE OR IN PART, NOR IS INFORMATION TO BE RELEASED TO THIRD PARTIES, 10/12/2019 DESCRIPTION DATE WITHOUT THE WRITTEN PERMISSION OF WATKINS GROUP (QLD) PTY LTD

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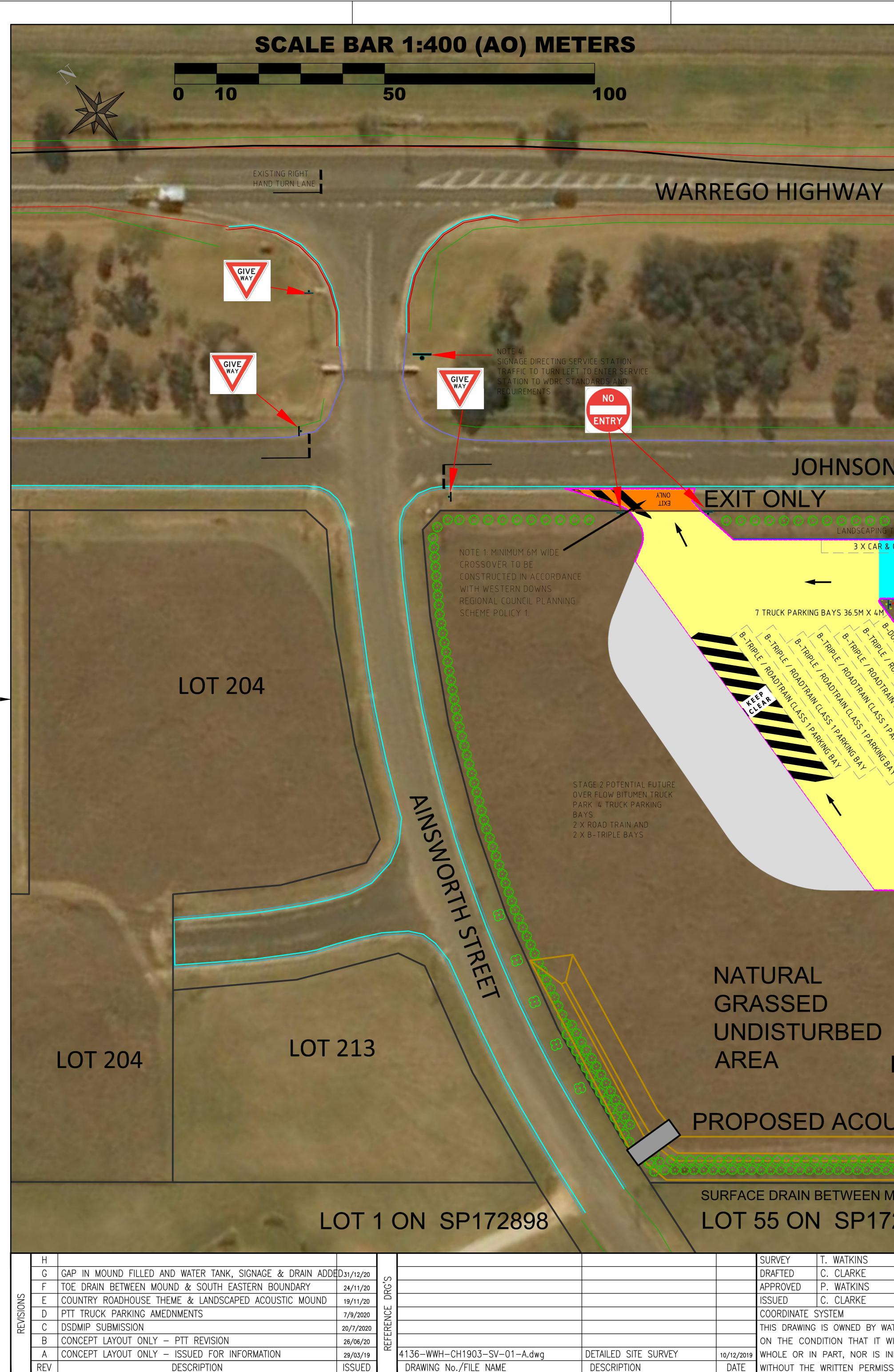
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|             |                     |      |            | APPROVED     | Ρ.   | WATKINS        | 31/12/2020    | PROJECT  | MANAGE  |
|             |                     |      |            | ISSUED       | C.   | CLARKE         | 31/12/2020    | PROJECT  | ENGINEE |
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|-------|---------|-----------|------|-----|------|------------------------|-------|-------------------------------|
| PO B  | OX 108, | SANCTUARY | COVE | QLD | 4212 | TELEPHONE 07 5500 3111 | E-MAI | L watkins@watkinsgroup.com.au |
| LIFNT |         |           |      |     |      |                        |       | JOB NUMBER                    |



EXIT ONLY

NEEP R CLEAR



3 X CAR & CARAVAN BAYS

NO

ENTR

ANDSCAPIN

7 TRUCK PARKING BAYS 36.5M X AIR & WATE

-

STAGE 2 POTENTIAL FUTURE OVER FLOW BITUMEN TRUCK PARK 4 TRUCK PARKING

LOT 202

NATURAL GRASSED UNDISTURBED AREA

10/12/2019 SURVEYOR

SURFACE DRAIN BETWEEN MOUND AND BOUNDARY LOT 55 ON SP172898

T. WATKINS

C. CLARKE

P. WATKINS

C. CLARKE

SURVEY

DRAFTED

ISSUED

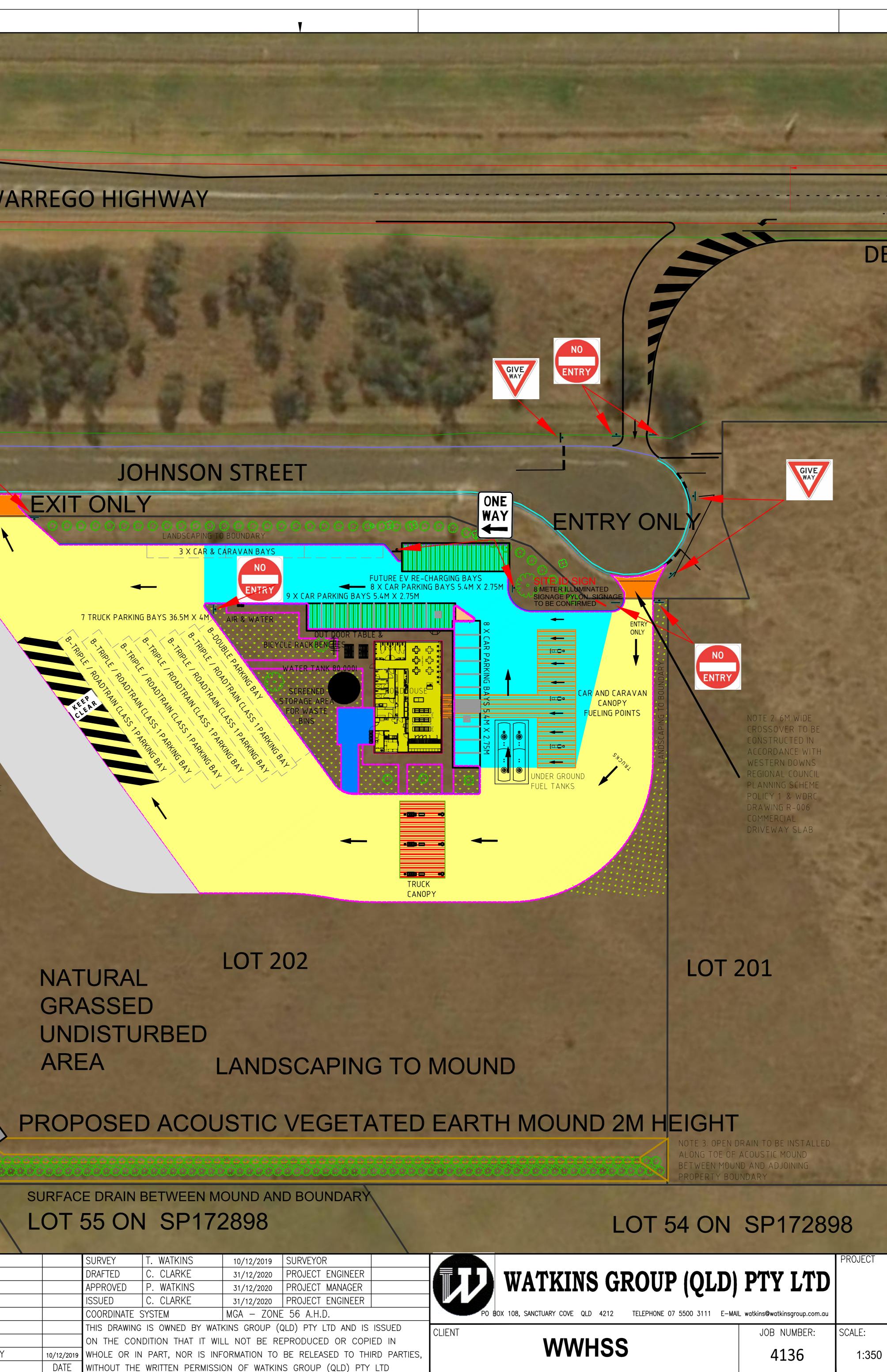
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DATE

APPROVED

DETAILED SITE SURVEY

COORDINATE SYSTEM MGA – ZONE 56 A.H.D. THIS DRAWING IS OWNED BY WATKINS GROUP (QLD) PTY LTD AND IS ISSUED ON THE CONDITION THAT IT WILL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, NOR IS INFORMATION TO BE RELEASED TO THIRD PARTIES, WITHOUT THE WRITTEN PERMISSION OF WATKINS GROUP (QLD) PTY LTD Page 61 of 180

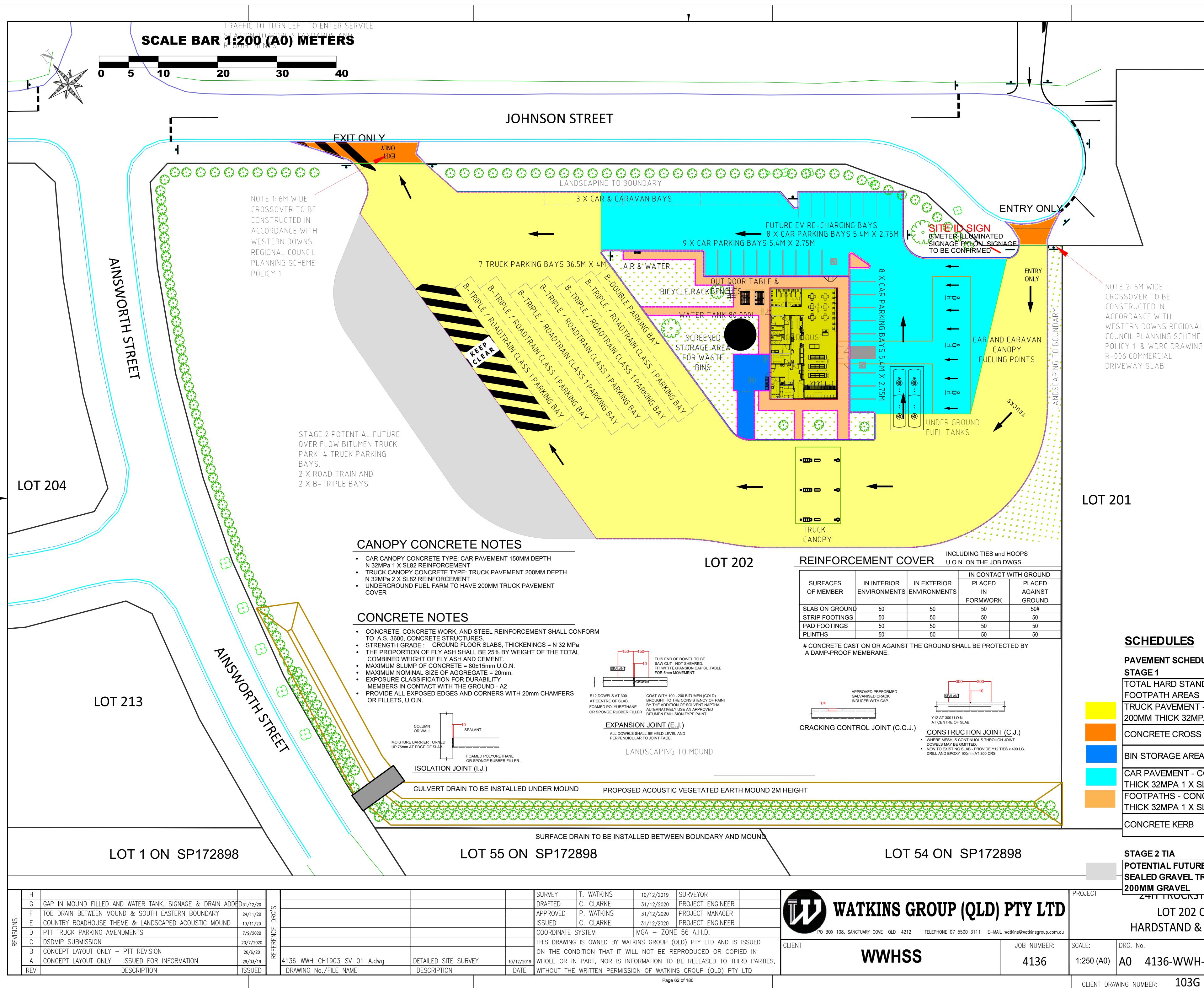


**DECELERATION LANE** 

# SCHEDULES

| PARKING SPACE SCHEDULE                                                                                         |        |                                              |  |  |  |  |  |
|----------------------------------------------------------------------------------------------------------------|--------|----------------------------------------------|--|--|--|--|--|
| CAR PARKING<br>2.75M (W) X 5.4M (L)                                                                            | 25     | NO.                                          |  |  |  |  |  |
| DISABLED CAR PARKING                                                                                           | 2      | NO.                                          |  |  |  |  |  |
| CARAVAN/BUS BAYS<br>2.75M (W) X 19M (L)                                                                        | 3      | NO.                                          |  |  |  |  |  |
| B-TRIPLE / ROADTRAIN CLASS 1<br>4.0M MINIMUM (W) X 36.5M (L)                                                   | 9      | NO. ഗ്ര                                      |  |  |  |  |  |
| B-DOUBLE<br>4.0M (W) X 36.5M (L)                                                                               | 3      | <b>ON</b><br>903-GA-G1.DWG                   |  |  |  |  |  |
| FUEL BOWSER SCHEDULE                                                                                           |        | 903-6/                                       |  |  |  |  |  |
| CAR BOWSERS 2 ROWS X 2                                                                                         | 4      | NO. H                                        |  |  |  |  |  |
| TRUCK BOWSERS                                                                                                  | 2      | NO.                                          |  |  |  |  |  |
| IMPERVIOUS AREA AND GFA SCHEDU<br>STAGE 1                                                                      | -      | <b>7</b><br>PLAN\4136-1                      |  |  |  |  |  |
|                                                                                                                | 5,183  |                                              |  |  |  |  |  |
|                                                                                                                | 1,911  |                                              |  |  |  |  |  |
| BIN STROAGE AREA                                                                                               |        | M2 7<br>M2                                   |  |  |  |  |  |
| FOOTPATHS                                                                                                      | 340    |                                              |  |  |  |  |  |
| BUILDINGS                                                                                                      | 334    | M2 აე                                        |  |  |  |  |  |
| KERBS                                                                                                          |        | M2                                           |  |  |  |  |  |
| TOTAL IMPERVIOUS AREA (TIA)                                                                                    | 7,897  | M2 M2                                        |  |  |  |  |  |
| GROSS FLOOR AREA (GFA)                                                                                         | 334    | M2<br>M2<br>M2<br>M2<br>M2<br>M2<br>M2<br>M2 |  |  |  |  |  |
|                                                                                                                |        | 4413\DWG                                     |  |  |  |  |  |
| STAGE 2 TIA                                                                                                    |        | 441                                          |  |  |  |  |  |
| POTENTIAL FUTURE OVER FLOW                                                                                     | 1 249  | M2                                           |  |  |  |  |  |
| SEALED GRAVEL TRUCK PARKING                                                                                    | 1,248  |                                              |  |  |  |  |  |
| LOT                                                                                                            | 53     | ST, CHINCHILLA                               |  |  |  |  |  |
| the second s |        | CHIN                                         |  |  |  |  |  |
| ON                                                                                                             | SP1728 |                                              |  |  |  |  |  |
| 24H TRUCKSTOP/ROADHOU                                                                                          | JSE    | NSON                                         |  |  |  |  |  |
| LOT 202 ON SP183221                                                                                            |        | NOSNHOL                                      |  |  |  |  |  |
| SITE LAYOUT, ACCESS AND EG                                                                                     | RESS   | 202                                          |  |  |  |  |  |
| DRG. No.                                                                                                       | REV.   | No.                                          |  |  |  |  |  |
| A0 4136-WWH-CH1903-GA-0                                                                                        |        | <b>B</b><br>R:\4136                          |  |  |  |  |  |

102G CLIENT DRAWING NUMBER:



|        | TRUCK PAVEMENT - CONCRETE<br>200MM THICK 32MPA 2 X SL82.                  | 5,183  | M2                           |
|--------|---------------------------------------------------------------------------|--------|------------------------------|
|        | CONCRETE CROSS OVERS                                                      | 129    | M2                           |
|        | BIN STORAGE AREA                                                          | 94     | M2                           |
|        | CAR PAVEMENT - CONCRETE 150MM<br>THICK 32MPA 1 X SL82.                    | 1,911  | M2                           |
|        | FOOTPATHS - CONCRETE 100MM<br>THICK 32MPA 1 X SL62.                       | 340    | M2                           |
|        | CONCRETE KERB                                                             | 35     | M                            |
|        | STAGE 2 TIA                                                               |        |                              |
|        | POTENTIAL FUTURE OVER FLOW<br>SEALED GRAVEL TRUCK PARKING<br>200MM GRAVEL | 1,248  | M2                           |
|        |                                                                           |        | HNS                          |
|        | LOT 202 ON SP183221                                                       |        |                              |
|        | HARDSTAND & CONCRETE ARE                                                  | AS     | T 202                        |
|        | DRG. No.                                                                  | REV. N | 0. <u>0</u> 9                |
| A0)    | A0 4136-WWH-CH1903-GA-03                                                  |        | B ⊽<br>R:\4136 LOT 202 JOHNS |
| t drav | WING NUMBER: 103G                                                         |        |                              |

STAGE 1

**PAVEMENT SCHEDULE** 

TOTAL HARD STAND, ROADS, AND

**SCHEDULES** 

FOOTPATH AREAS

DRIVEWAY SLAB

CROSSOVER TO BE

CONSTRUCTED IN

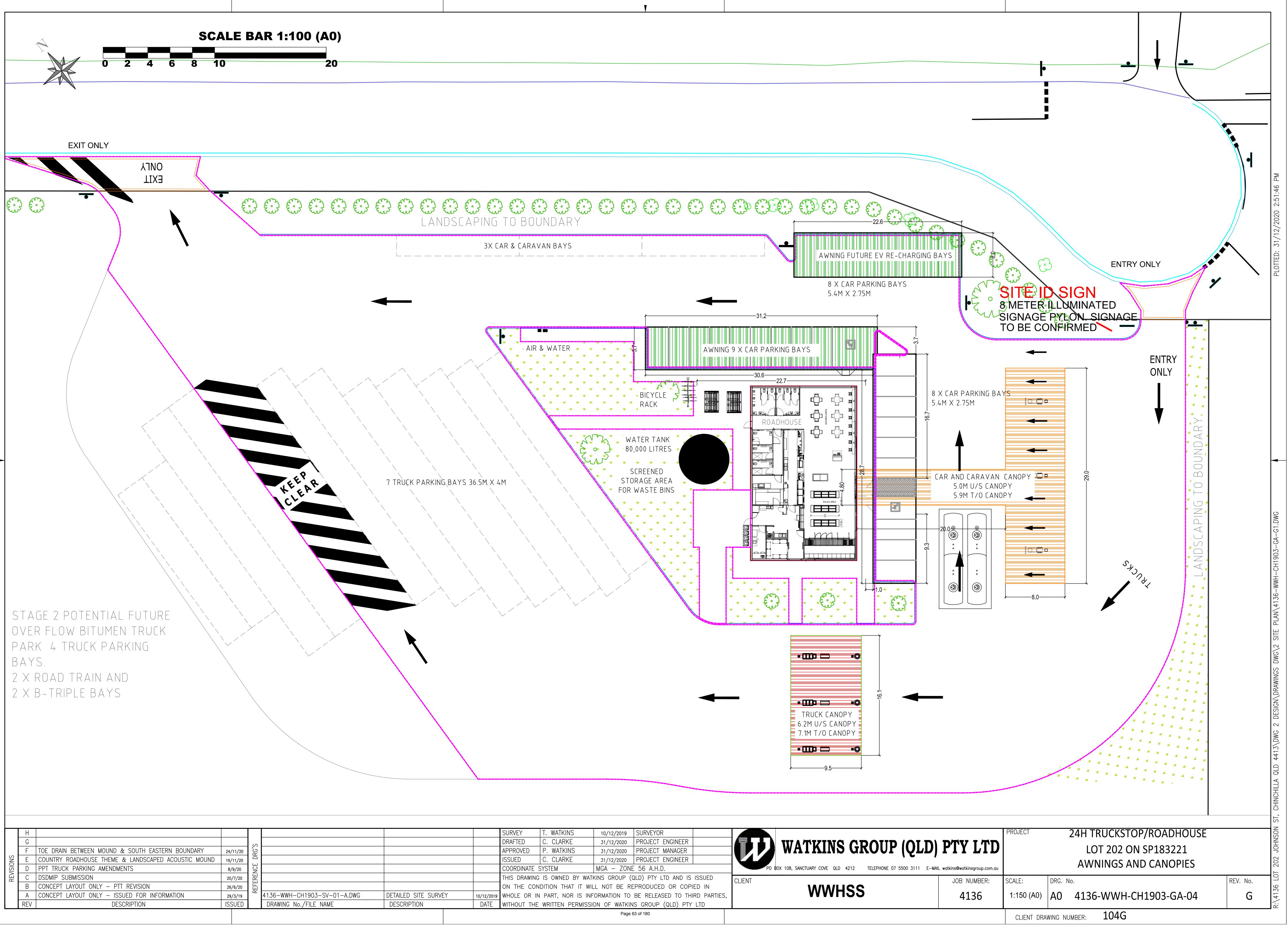
ACCORDANCE WITH

WESTERN DOWNS REGIONAL

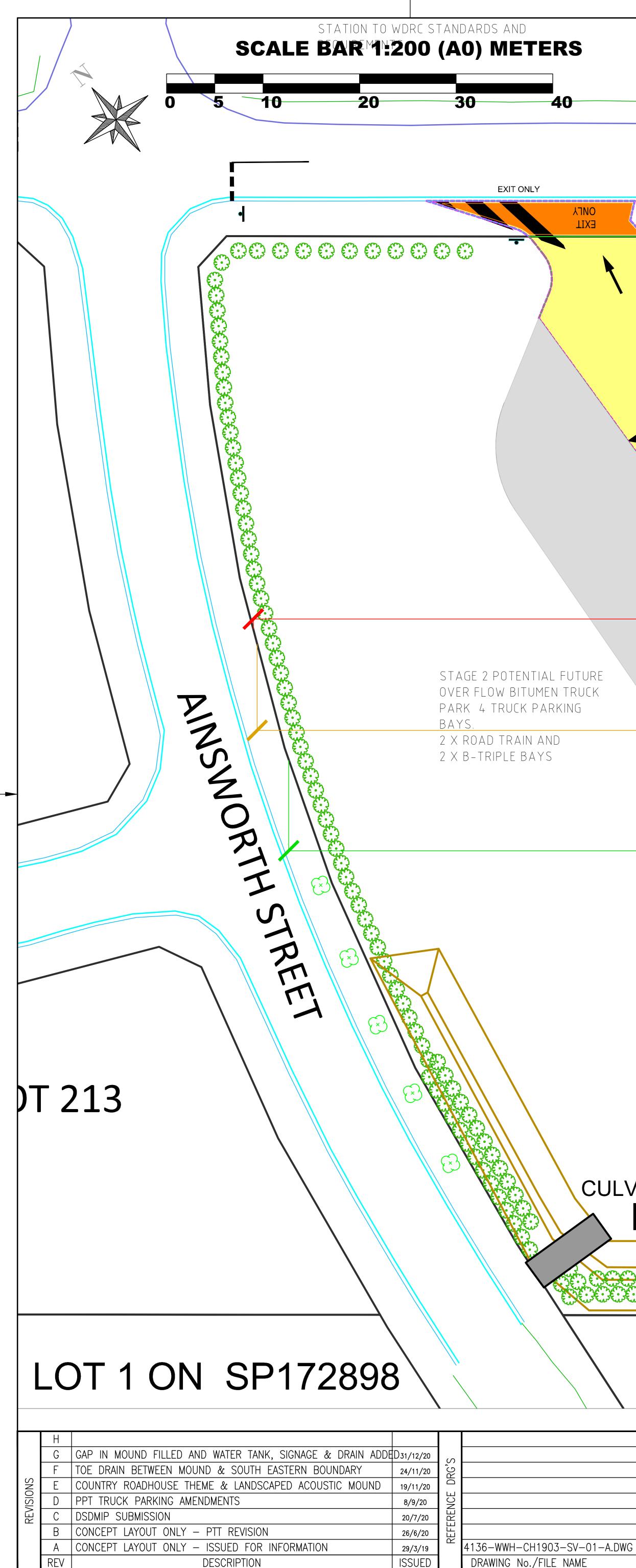
COUNCIL PLANNING SCHEME



7,692 M2



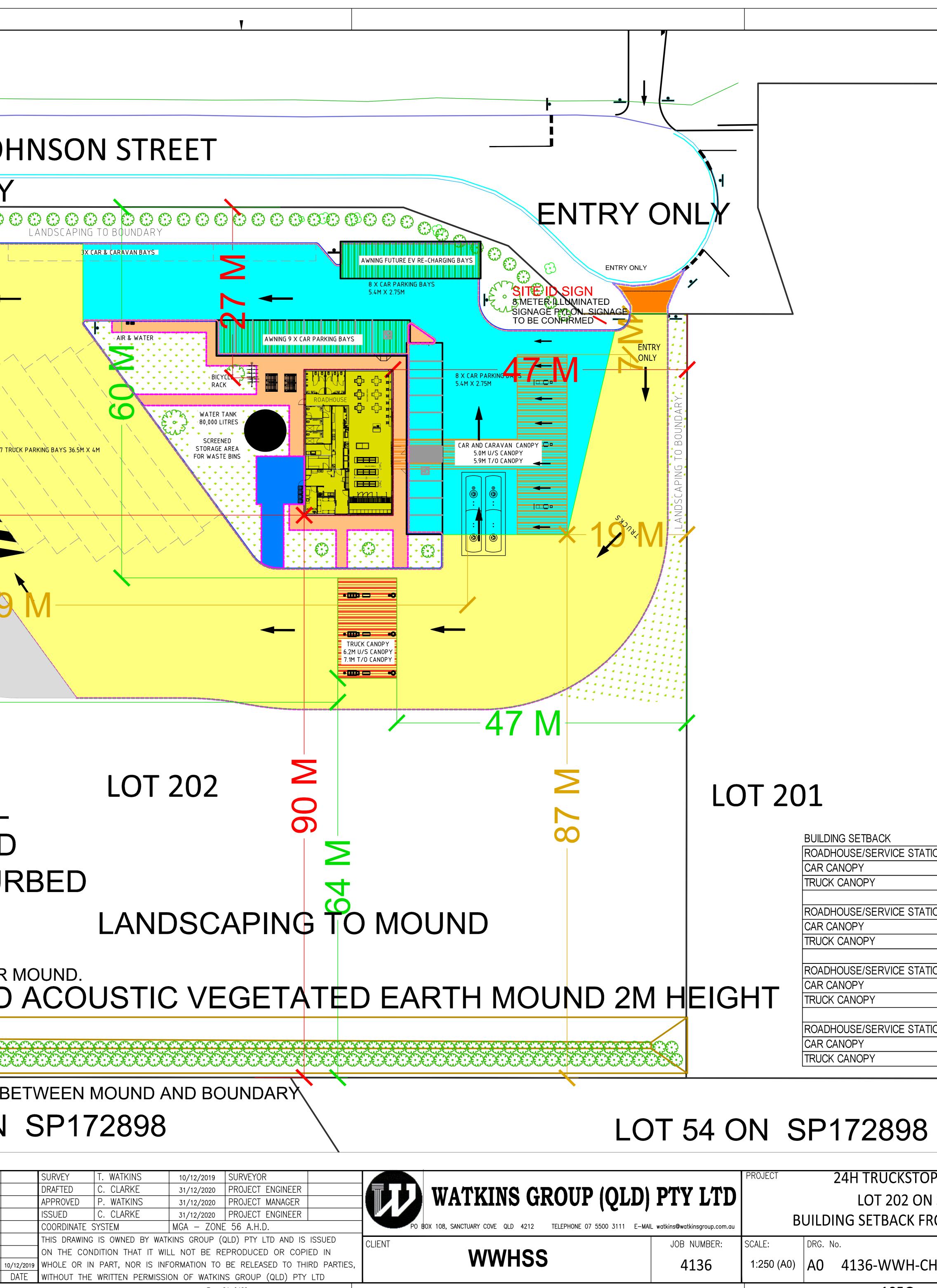
|             |                      |            | SURVEY       | T. WATKINS         | 10/12/2019    | SURVEYOR         |
|-------------|----------------------|------------|--------------|--------------------|---------------|------------------|
|             |                      |            | DRAFTED      | C. CLARKE          | 31/12/2020    | PROJECT ENGINEE  |
|             |                      |            | APPROVED     | P. WATKINS         | 31/12/2020    | PROJECT MANAGE   |
|             |                      |            | ISSUED       | C. CLARKE          | 31/12/2020    | PROJECT ENGINEE  |
|             |                      |            | COORDINATE S | SYSTEM             | MGA – ZONE    | 56 A.H.D.        |
|             |                      |            | THIS DRAWING | IS OWNED BY WAT    | KINS GROUP (C | QLD) PTY LTD AND |
|             |                      |            | ON THE CON   | DITION THAT IT WIL | L NOT BE RE   | PRODUCED OR C    |
| SV-01-A.DWG | DETAILED SITE SURVEY | 10/12/2019 | WHOLE OR IN  | PART, NOR IS INF   | ORMATION TO   | BE RELEASED TO   |
| AME         | DESCRIPTION          | DATE       | WITHOUT THE  | WRITTEN PERMISSI   | ON OF WATKIN  | S GROUP (QLD) F  |
|             |                      |            |              |                    |               |                  |



| JOHN                                            | <b>ISON STREET</b>                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                 |                                                                                                                                                                                                                                                                                                                                                                      |
|                                                 | ANDSCAPING TO BOUNDARY                                                                                                                                                                                                                                                                                                                                               |
|                                                 | AIR & WATER                                                                                                                                                                                                                                                                                                                                                          |
| TTURE<br>RUCK                                   | KING BAYS 36.5M X 4M                                                                                                                                                                                                                                                                                                                                                 |
| Inc. NG 149 149 149 149 149 149 149 149 149 149 |                                                                                                                                                                                                                                                                                                                                                                      |
| NATURAL<br>GRASSED<br>UNDISTURE                 | LOT 202                                                                                                                                                                                                                                                                                                                                                              |
| AREA                                            | LANDSCAPIN                                                                                                                                                                                                                                                                                                                                                           |
| CULVERT DRAIN UNDER MO<br>PROPOSED A            | OUND.<br>COUSTIC VEGET/                                                                                                                                                                                                                                                                                                                                              |
|                                                 |                                                                                                                                                                                                                                                                                                                                                                      |
| SURFACE DRAIN BETV<br>LOT 55 ON S               | WEEN MOUND AND BOUNDARY SP172898                                                                                                                                                                                                                                                                                                                                     |
| SV-01-A.DWG DETAILED SITE SURVEY 10/12/2019     | SURVEYT. WATKINS10/12/2019SURVEYORDRAFTEDC. CLARKE31/12/2020PROJECT ENGINEEAPPROVEDP. WATKINS31/12/2020PROJECT MANAGEISSUEDC. CLARKE31/12/2020PROJECT ENGINEECOORDINATE SYSTEMMGA - ZONE 56 A.H.D.THIS DRAWING IS OWNED BY WATKINS GROUP (QLD) PTY LTD ANDON THE CONDITION THAT IT WILL NOT BE REPRODUCED OR CWHOLE OR IN PART. NOR IS INFORMATION TO BE RELEASED TO |

DETAILED SITE SURVEY DESCRIPTION

Page 64 of 180



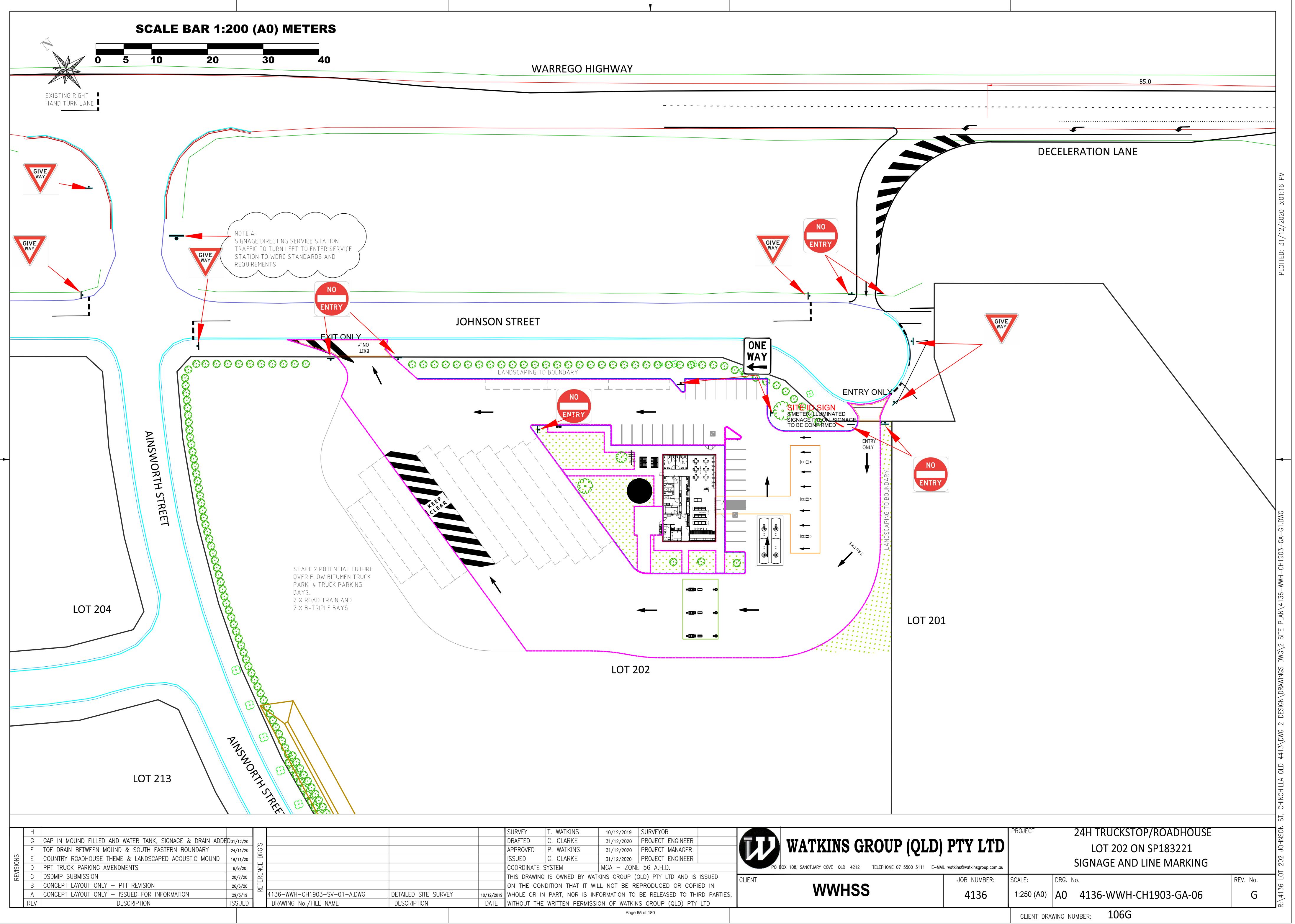
| ALE:        | DRG. N | 10.                      | REV. No. |  |
|-------------|--------|--------------------------|----------|--|
| :250 (A0)   | A0     | 40 4136-WWH-CH1903-GA-05 |          |  |
| CLIENT DRAV |        |                          |          |  |

24H TRUCKSTOP/ROADHOUSE

LOT 202 ON SP183221

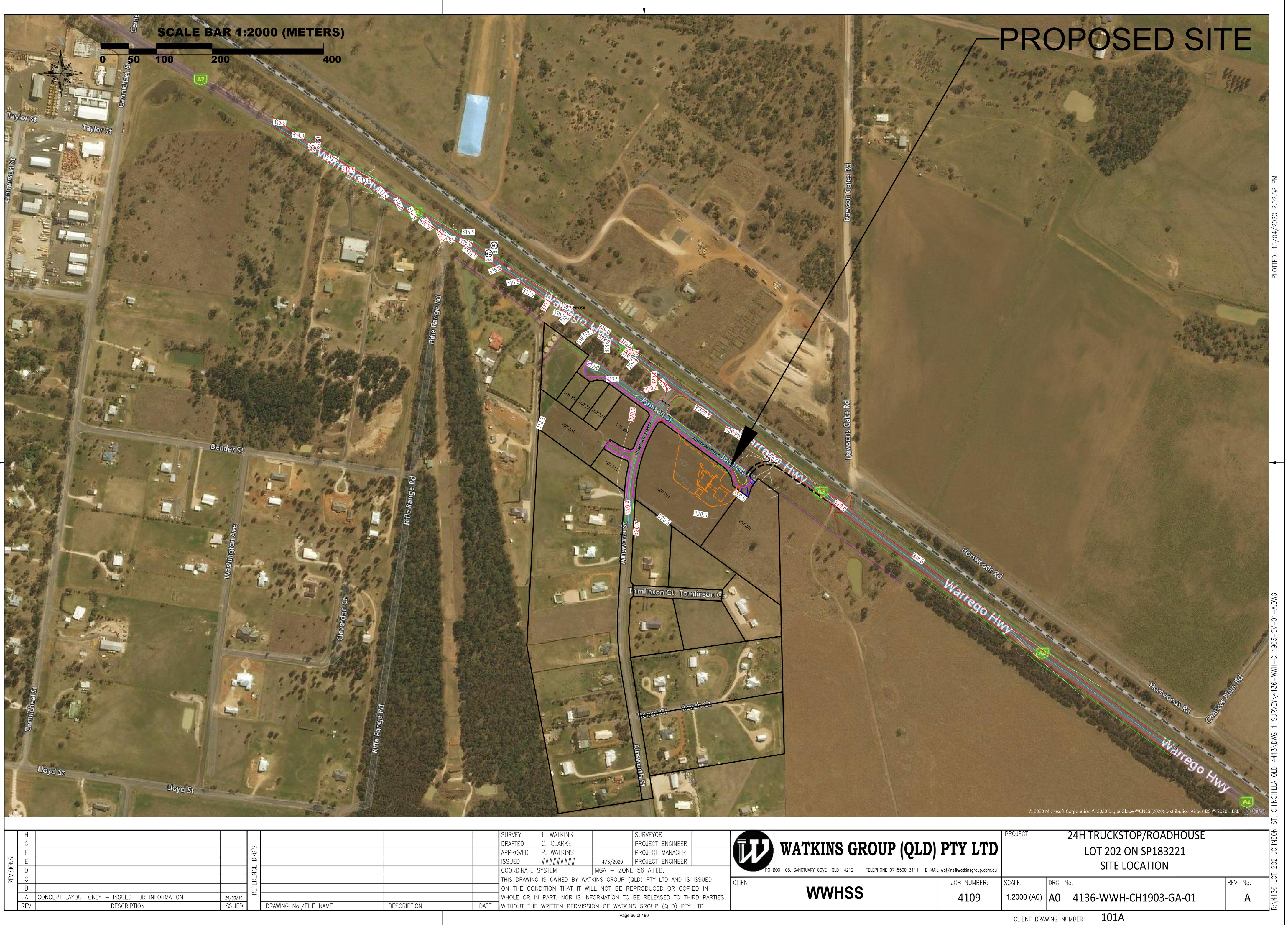
BUILDING SETBACK FROM LOT BOUNDARY

| ROADHOUSE/SERVICE STATI | ON JOHNSON STREET          | 27M  |
|-------------------------|----------------------------|------|
| CAR CANOPY              | JOHNSON STREET             | 7M   |
| TRUCK CANOPY            | JOHNSON STREET             | 60M  |
| ROADHOUSE/SERVICE STATI | ON AINSWORTH STREET        | 121M |
| CAR CANOPY              | AINSWORTH STREET           | 149M |
| TRUCK CANOPY            | AINSWORTH STREET           | 124M |
| ROADHOUSE/SERVICE STATI | ON LOT 201 ON SP183221     | 47M  |
| CAR CANOPY              | LOT 201 ON SP183221        | 19M  |
| TRUCK CANOPY            | LOT 201 ON SP183221        | 47M  |
| ROADHOUSE/SERVICE STATI | ON LOT 55 & 54 ON SP172898 | 90M  |
| CAR CANOPY              | LOT 55 & 54 ON SP172898    | 87M  |
| TRUCK CANOPY            | LOT 55 & 54 ON SP172898    | 64M  |





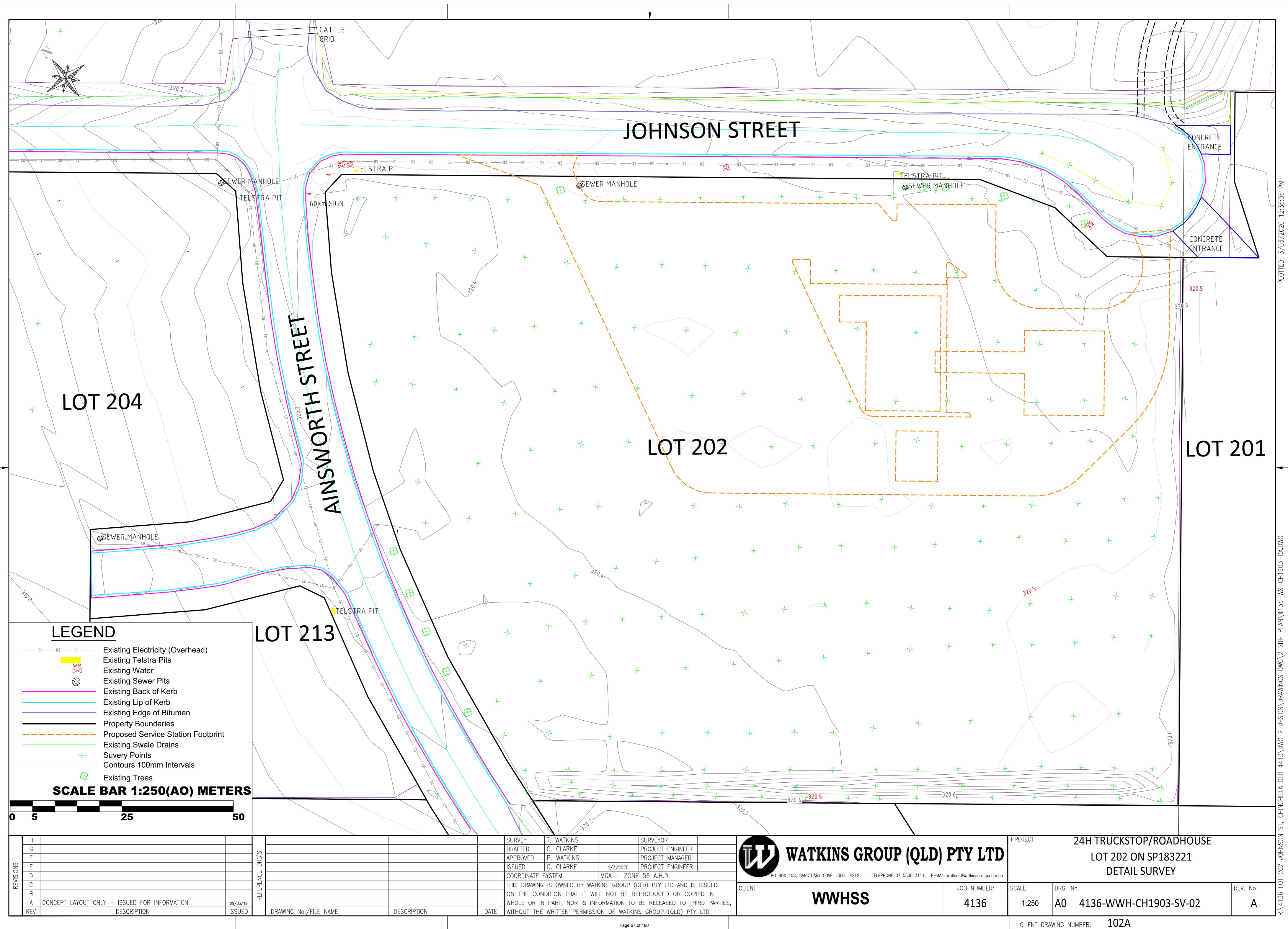
|             |                    |               | SURVEY       | T. WATKINS          | 10/12/2019   | SURVEYOR         |
|-------------|--------------------|---------------|--------------|---------------------|--------------|------------------|
|             |                    |               | DRAFTED      | C. CLARKE           | 31/12/2020   | PROJECT ENGINEE  |
|             |                    |               | APPROVED     | P. WATKINS          | 31/12/2020   | PROJECT MANAGE   |
|             |                    |               | ISSUED       | C. CLARKE           | 31/12/2020   | PROJECT ENGINEE  |
|             |                    |               | COORDINATE   | SYSTEM              | MGA – ZONE   | E 56 A.H.D.      |
|             |                    |               | THIS DRAWING | IS OWNED BY WAT     | KINS GROUP ( | QLD) PTY LTD AND |
|             |                    |               | ON THE CON   | IDITION THAT IT WIL | L NOT BE RE  | EPRODUCED OR C   |
| SV-01-A.DWG | DETAILED SITE SURV | EY 10/12/2019 | WHOLE OR IN  | I PART, NOR IS INF  | ORMATION TO  | BE RELEASED TO   |
| AME         | DESCRIPTION        | DATE          | WITHOUT THE  | WRITTEN PERMISSI    | ON OF WATKIN | IS GROUP (QLD) F |
|             |                    |               |              |                     | Page 6       | 65 of 180        |

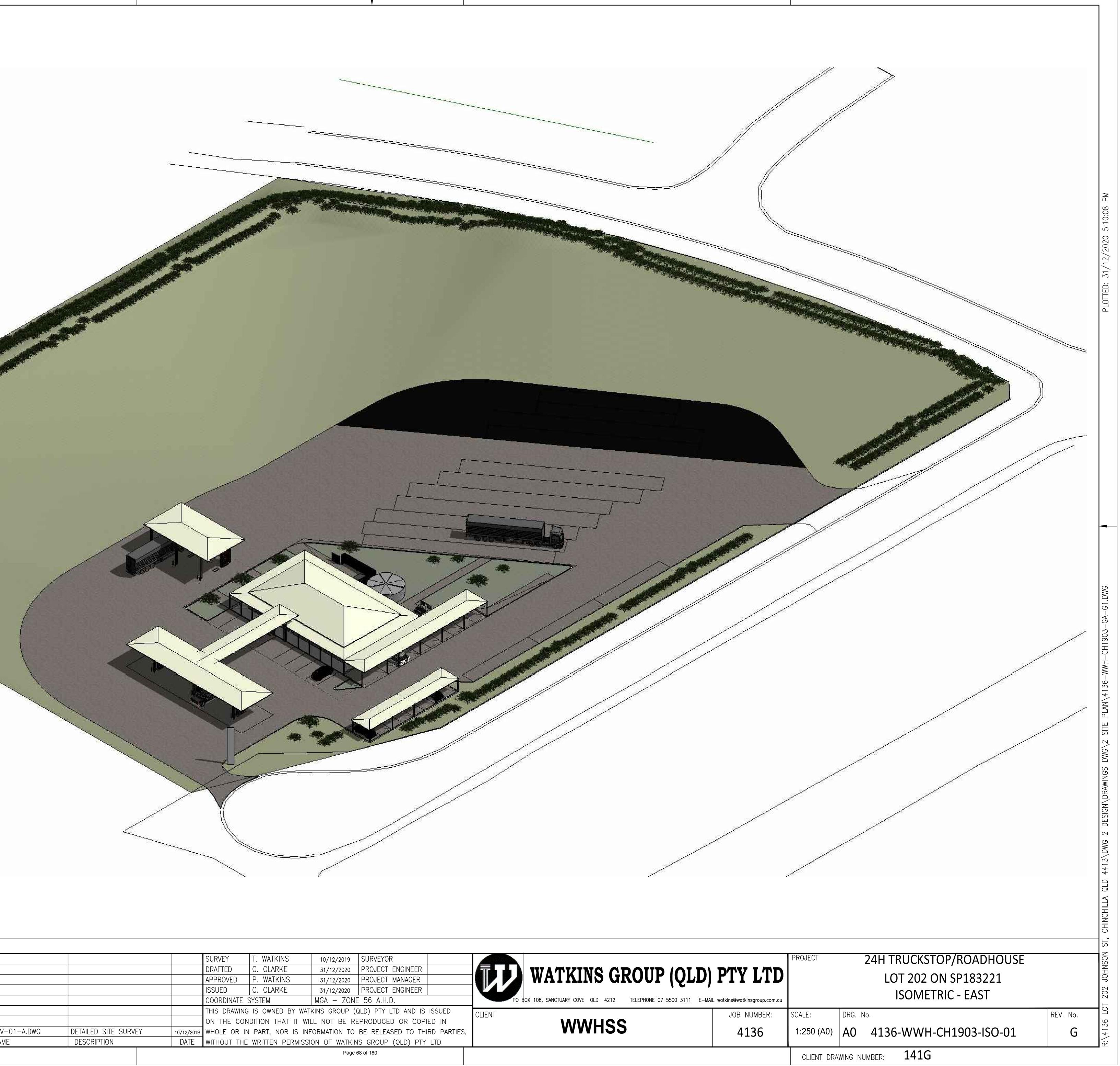


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|     |             |      |              |                    | Page         | 66 of 180        |
|-----|-------------|------|--------------|--------------------|--------------|------------------|
| AME | DESCRIPTION | DATE | WITHOUT THE  | E WRITTEN PERMISSI | ON OF WATKIN | IS GROUP (QLD) F |
|     |             |      | WHOLE OR IN  | N PART, NOR IS INF | ORMATION TO  | BE RELEASED TO   |
|     |             |      | ON THE CON   | NDITION THAT IT WI | ll not be re | EPRODUCED OR C   |
|     |             |      | THIS DRAWING | G IS OWNED BY WAT  | KINS GROUP ( | QLD) PTY LTD AND |
|     |             |      | COORDINATE   | SYSTEM             | MGA – ZONE   | 56 A.H.D.        |
|     |             |      | ISSUED       | #########          | 4/3/2020     | PROJECT ENGINEE  |
|     |             |      | APPROVED     | P. WATKINS         |              | PROJECT MANAGE   |
|     |             |      | DRAFTED      | C. CLARKE          |              | PROJECT ENGINEE  |
|     |             |      | SURVEY       | T. WATKINS         |              | SURVEYOR         |
|     |             |      |              |                    |              |                  |

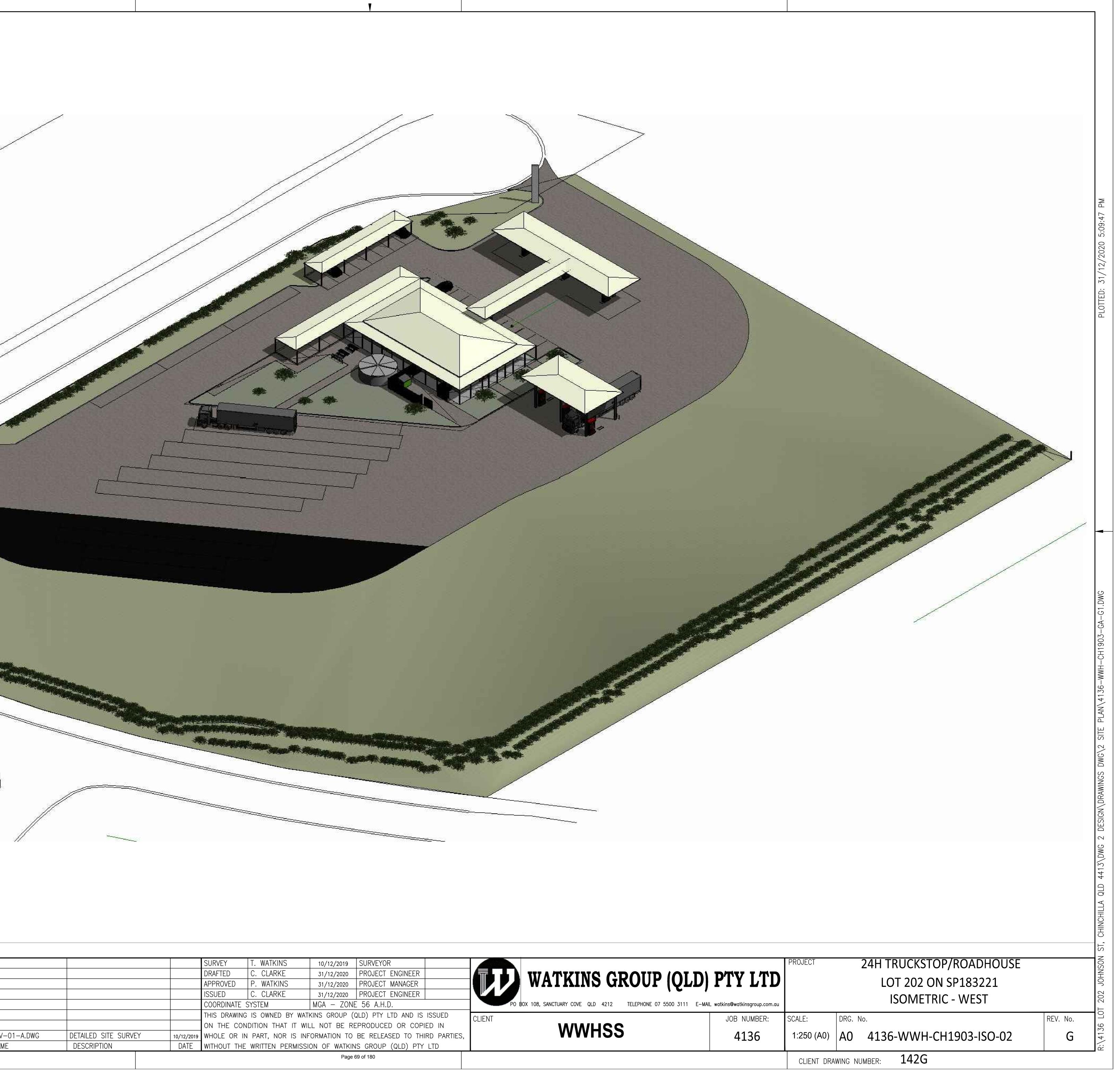
|      | WATKINS GROUP (QLD)                                              | PTY LTD                       |     |
|------|------------------------------------------------------------------|-------------------------------|-----|
|      | PO BOX 108, SANCTUARY COVE QLD 4212 TELEPHONE 07 5500 3111 E-MAI | L watkins@watkinsgroup.com.au |     |
| SUED | CLIENT                                                           | JOB NUMBER:                   | SCA |



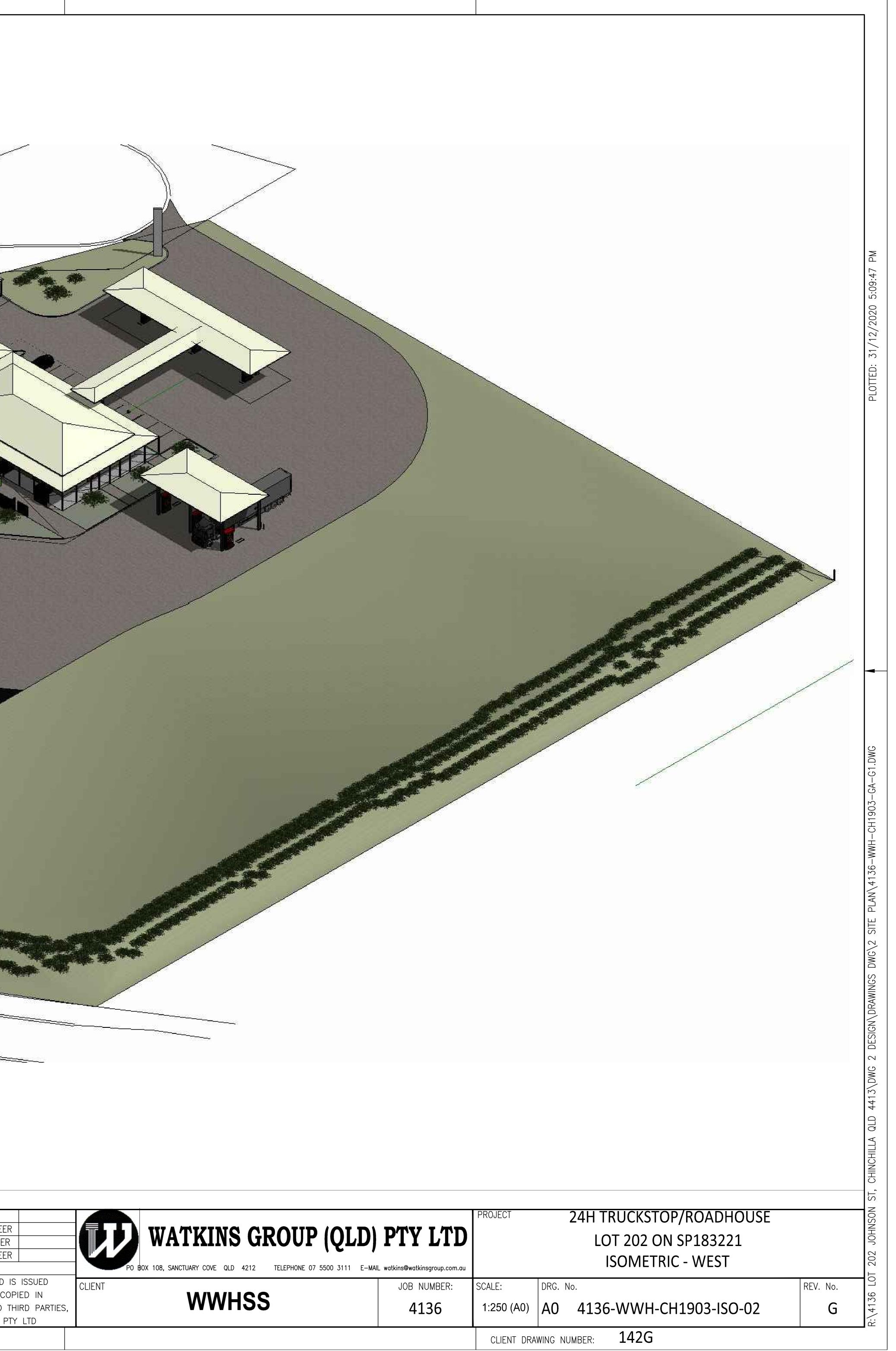


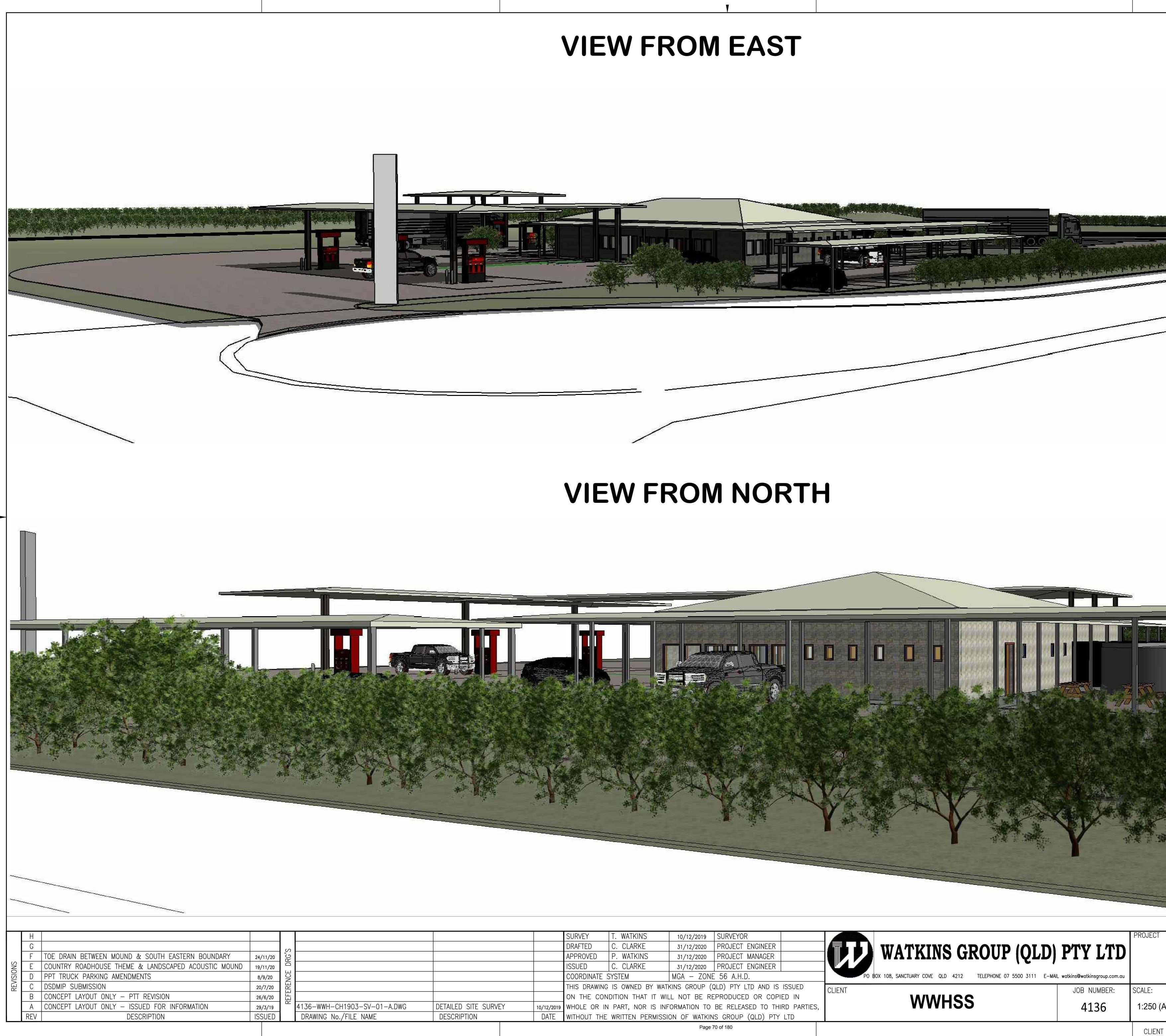
|             |                     |        |          | SURVEY                                           | T.   | WATKINS         | 10/12/2019   | SURVEYO   | R       |
|-------------|---------------------|--------|----------|--------------------------------------------------|------|-----------------|--------------|-----------|---------|
|             |                     |        |          | DRAFTED                                          | C.   | CLARKE          | 31/12/2020   | PROJECT   | ENGINEE |
|             |                     |        |          | APPROVED                                         | Ρ.   | WATKINS         | 31/12/2020   | PROJECT   | MANAGE  |
|             |                     |        |          | ISSUED                                           | C.   | CLARKE          | 31/12/2020   | PROJECT   | ENGINEE |
|             |                     |        |          | COORDINATE SYSTEM MGA – ZONE 56                  |      |                 | 56 A.H.I     | D.        |         |
|             |                     |        |          | THIS DRAWING IS OWNED BY WATKINS GROUP (QLD) PTY |      |                 |              | LD) PTY I | LTD AND |
|             |                     |        |          | ON THE CON                                       | DITI | ON THAT IT WIL  | L NOT BE RE  | PRODUCE   | D OR C  |
| SV-01-A.DWG | DETAILED SITE SURVI | EY 10, | /12/2019 | WHOLE OR IN                                      | PA   | RT, NOR IS INF  | ORMATION TO  | BE RELEA  | SED TO  |
| AME         | DESCRIPTION         |        | DATE     | WITHOUT THE                                      | WR   | ITTEN PERMISSIO | ON OF WATKIN | S GROUP   | (QLD) F |
|             |                     |        |          |                                                  |      |                 | Page 6       | 8 of 180  |         |

|                                                        |                                           |                | - | /           |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
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|                                                        |                                           |                |   | 8           |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             | /               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   | /           |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
| 87                                                     |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        | - 2011                                    |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | / |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2 |
|                                                        |                                           |                | Ż | /           |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             | 12              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   | 1           |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | - |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   | 2<br>2<br>• |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 | Carlos and a state of the state |   |
|                                                        |                                           |                |   |             | 1943 A          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | - |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | K |
|                                                        |                                           |                |   |             |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | J |
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| G<br>F TOE DRA                                         | IN BETWEEN MOUND &<br>7 ROADHOUSE THEME & | & LANDSCAPED A |   | 24/11/20    | E DRG'S         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |   |
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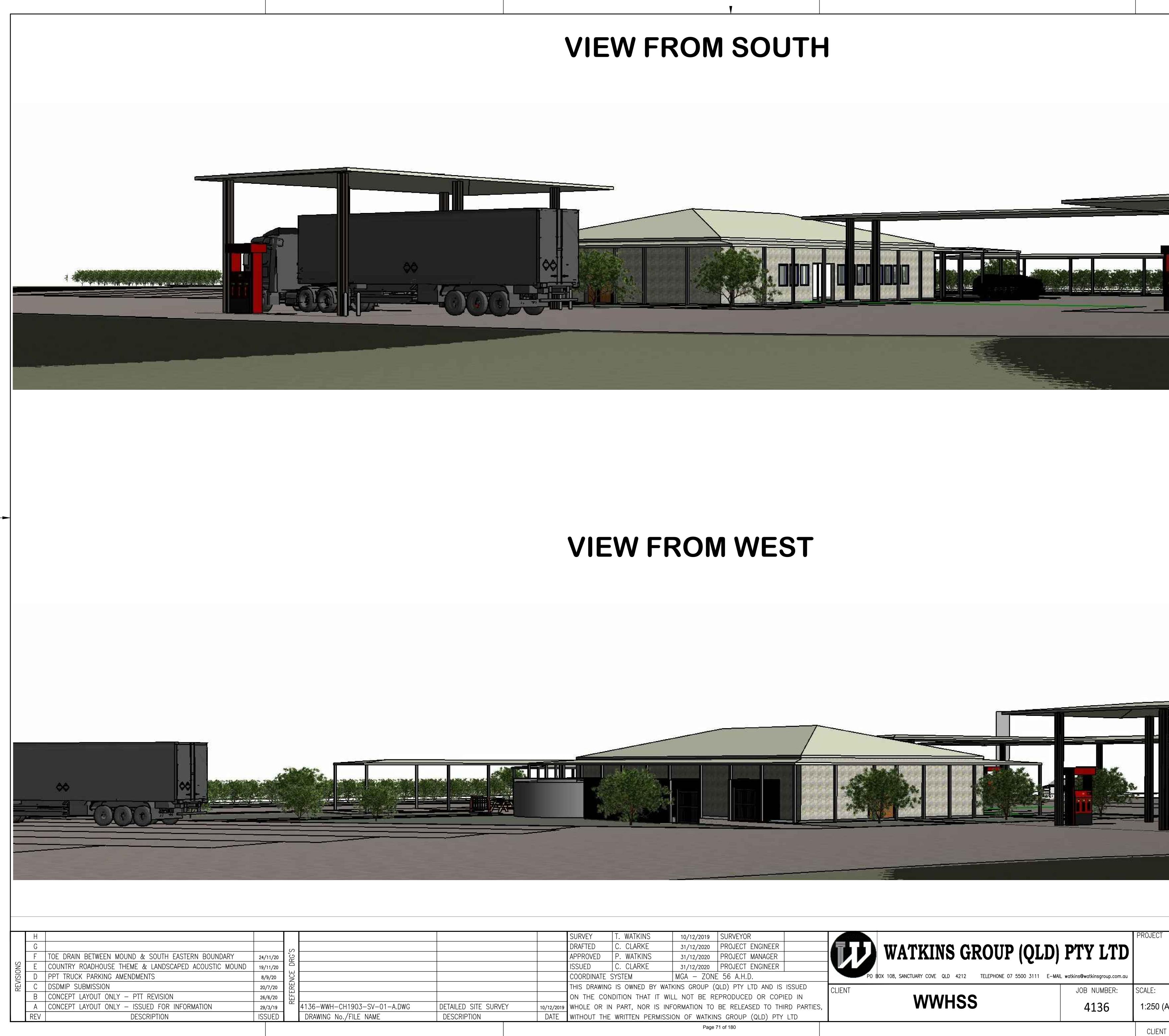
|             |                     |    |            | SURVEY                                         | Τ.   | WATKINS          | 10/12/2019   | SURVEYO  | R       |
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|             |                     |    |            | DRAFTED                                        | C.   | CLARKE           | 31/12/2020   | PROJECT  | ENGINE  |
|             |                     |    |            | APPROVED                                       | Ρ.   | WATKINS          | 31/12/2020   | PROJECT  | MANAGE  |
|             |                     |    |            | ISSUED                                         | C.   | CLARKE           | 31/12/2020   | PROJECT  | ENGINE  |
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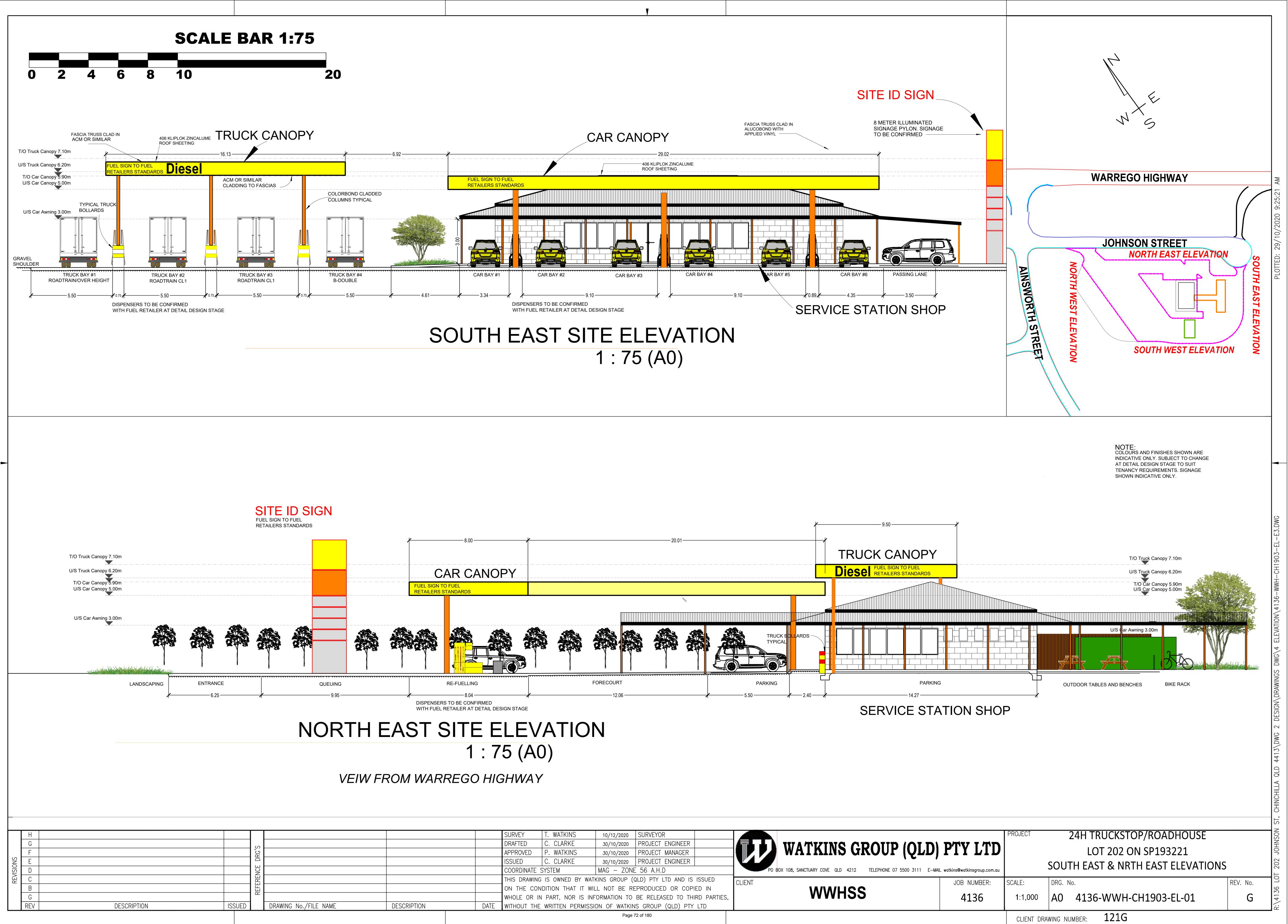
|             |                      |            | SURVEY       | T. WATKINS                   | 10/12/2019    | SURVEYOR         |  |  |
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|             |                      |            | DRAFTED      | C. CLARKE                    | 31/12/2020    | PROJECT ENGINEE  |  |  |
|             |                      |            | APPROVED     | P. WATKINS                   | 31/12/2020    | PROJECT MANAGE   |  |  |
|             |                      |            | ISSUED       | C. CLARKE                    | 31/12/2020    | PROJECT ENGINEE  |  |  |
|             |                      |            |              | COORDINATE SYSTEM MGA – ZONE |               |                  |  |  |
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|             |                      |            |              |                              | Page 7        | 70 of 180        |  |  |

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|                                                                                        | QLD 4413\DWG 2 DESIGN\DRAWINGS DWG\2 SITE PLAN\4136-WWH-CH1903-GA-G1.DWG |
| 24H TRUCKSTOP/ROADHOUSE<br>LOT 202 ON SP183221<br>ELEVATION PERSPECTIVE - NORTH & EAST | R:\4136 LOT 202 JOHNSON ST, CHINCHILLA QLD 4                             |

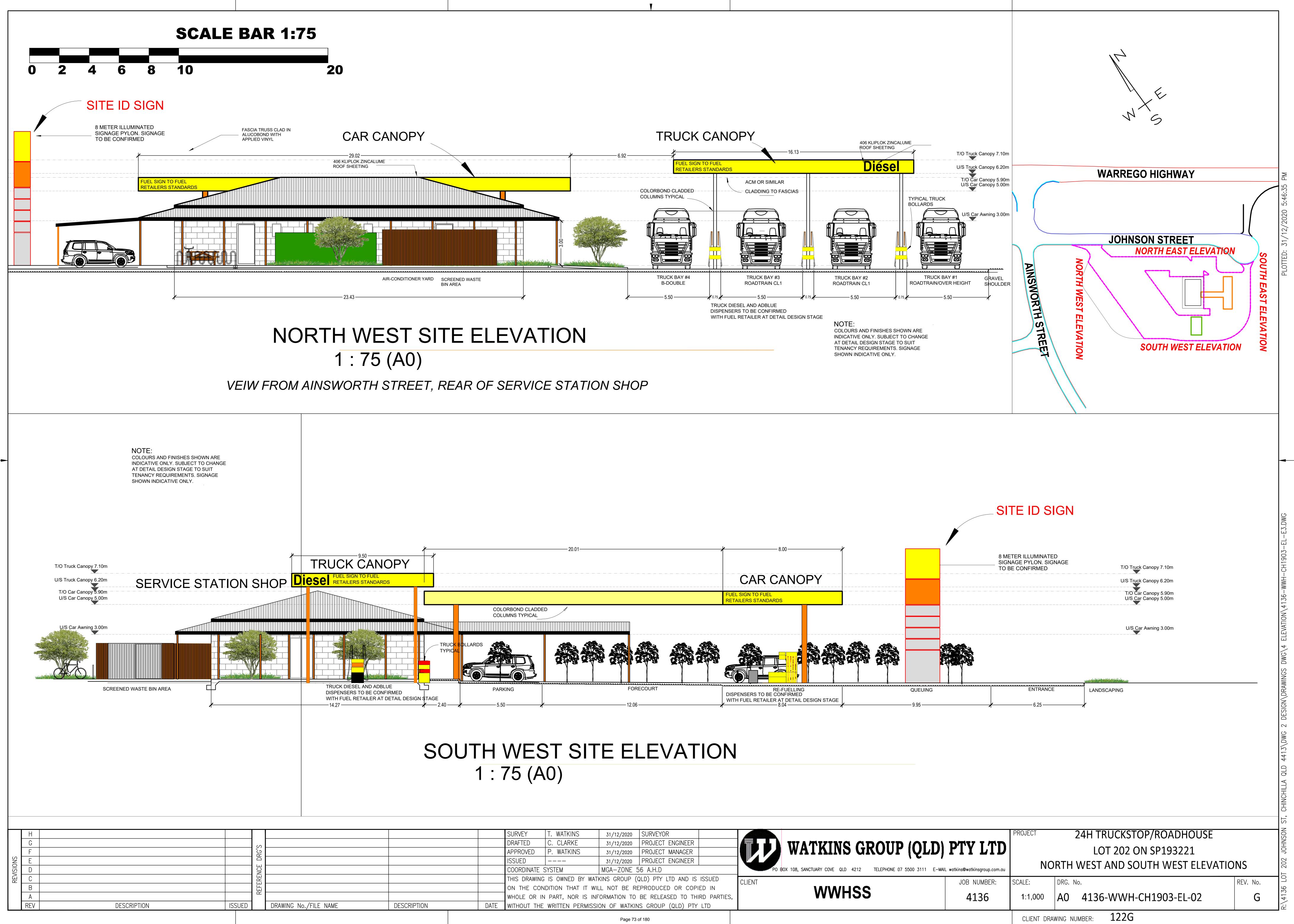


|             |                     |               | SURVEY                              | T. WATKINS         | 10/12/2019    | SURVEYOR         |
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|             |                     |               | DRAFTED                             | C. CLARKE          | 31/12/2020    | PROJECT ENGINEE  |
|             |                     |               | APPROVED                            | P. WATKINS         | 31/12/2020    | PROJECT MANAGE   |
|             |                     |               | ISSUED                              | C. CLARKE          | 31/12/2020    | PROJECT ENGINEE  |
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|             |                     |               |                                     |                    | Page 7        | 71 of 180        |

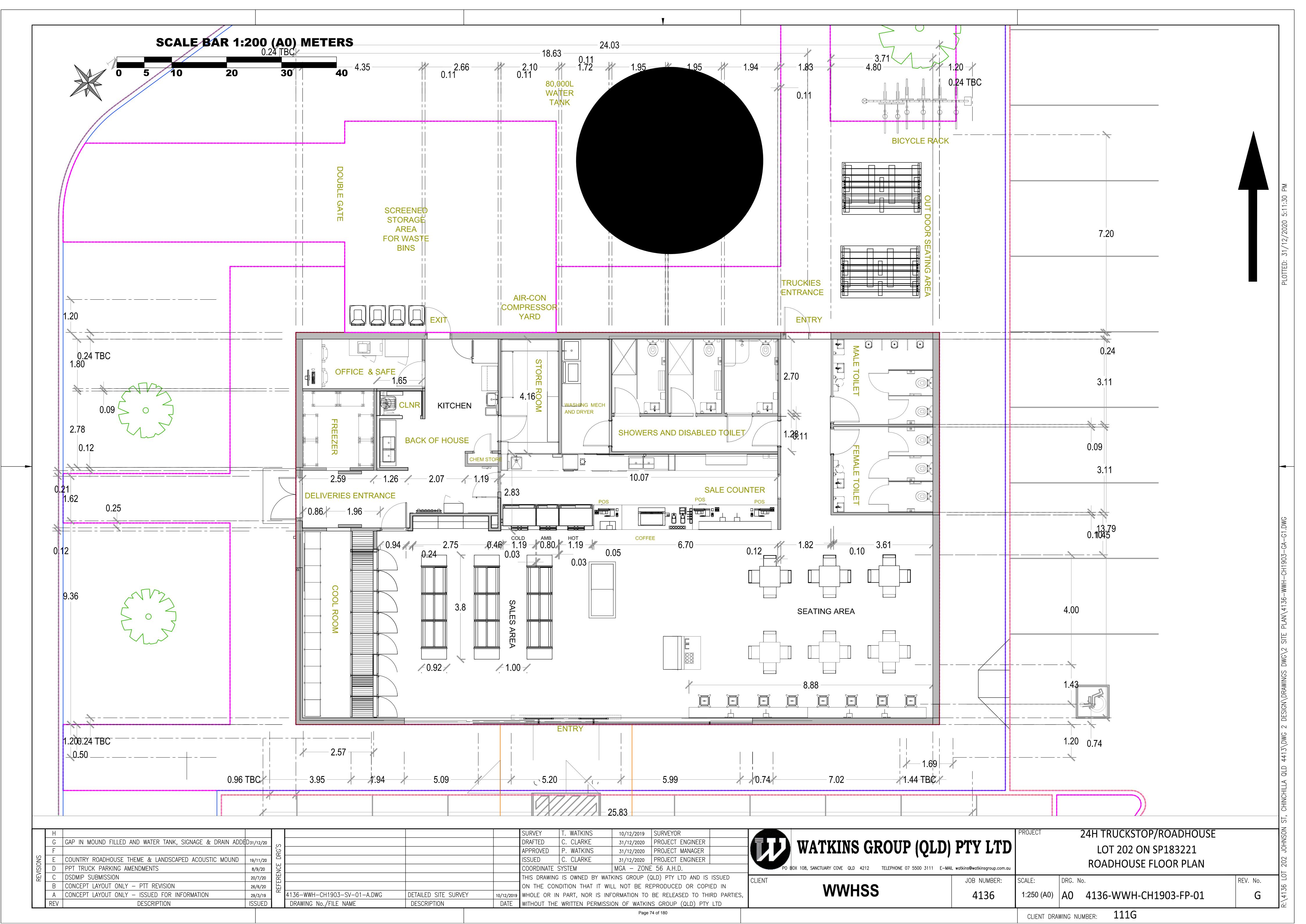
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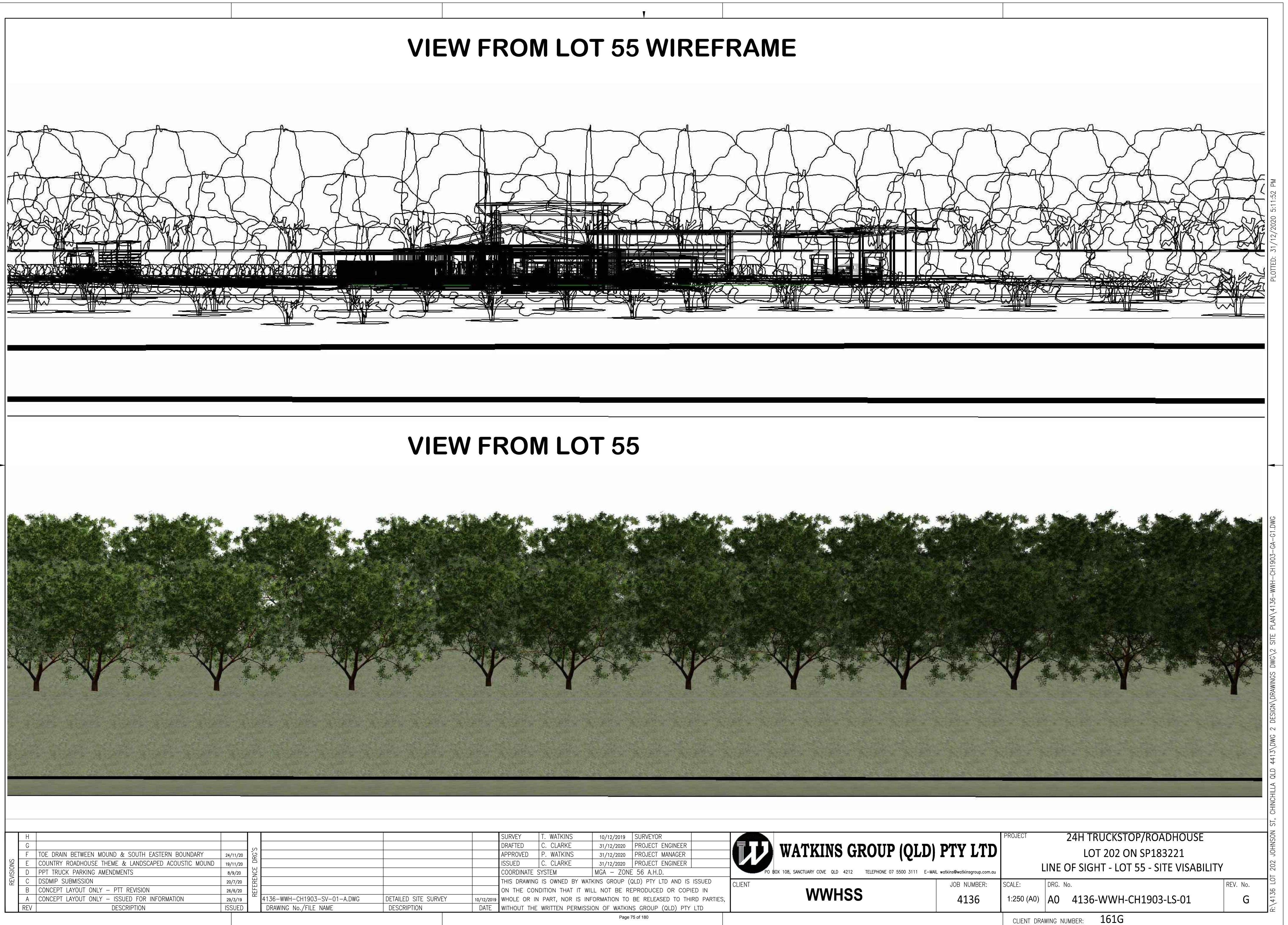


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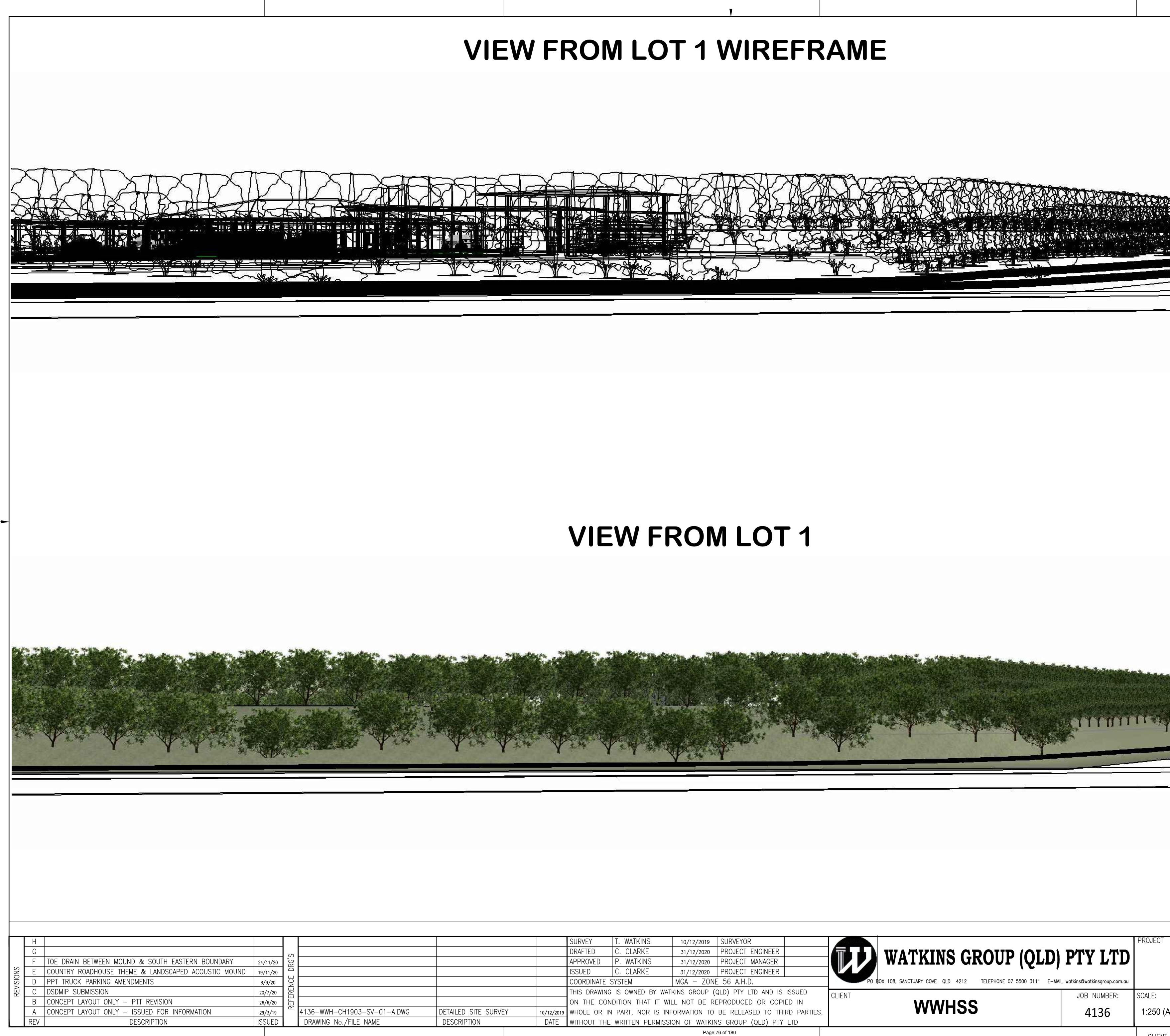


|      |             |      | SURVEY       | T. WATKINS                                          | 31/12/2020   | SURVEYOR        |  |  |  |
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|      |             |      | DRAFTED      | C. CLARKE                                           | 31/12/2020   | PROJECT ENGIN   |  |  |  |
|      |             |      | APPROVED     | P. WATKINS                                          | 31/12/2020   | PROJECT MANAG   |  |  |  |
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|            |                     |    |              | APPROVED          | Ρ.            | WATKINS          | 31/12/2020   | PROJECT  | MANAG  |
|            |                     |    |              | DRAFTED           | C.            | CLARKE           | 31/12/2020   | PROJECT  | ENGINE |
|            |                     |    |              | SURVEY            | T.            | WATKINS          | 10/12/2019   | SURVEYO  | R      |



|             |                     |            |            | SURVEY                                             | T.   | WATKINS          | 10/12/2019    | SURVEYO   | R       |
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|             |                     |            |            | APPROVED                                           | Ρ.   | WATKINS          | 31/12/2020    | PROJECT   | MANAGE  |
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| <b>Ser</b> an   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               | PM                    |
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| JECT            | 24H TRUCKSTOP/ROADHOUSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |               | ST,                   |
|                 | LOT 202 ON SP183221<br>LINE OF SIGHT - LOT 1 - SITE VISABILITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |               | LOT 202 JOHNSON       |
| _E:<br>250 (A0) | 1000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | REV. No.<br>G | R:\4136 L(            |
| CLIENT DR       | AWING NUMBER: 162G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                       |



**Queensland Treasury** 

SARA reference:2007-18065 SRACouncil reference:A8338 & LG7.6.1Applicant reference:049

2 September 2020

Chief Executive Officer Western Downs Regional Council PO Box 551 DALBY QLD 4405 info@wdrc.qld.gov.au

Attention: Ms Kate Swepson

Dear Kate

### SARA response—Johnson Street, Chinchilla

(Referral agency response given under section 56 of the Planning Act 2016)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency on 4 August 2020.

#### Response

| Outcome:          | Referral agency response – with conditions.                                         |
|-------------------|-------------------------------------------------------------------------------------|
| Date of response: | 2 September 2020                                                                    |
| Conditions:       | The conditions in <b>Attachment 1</b> must be attached to any development approval. |
| Advice:           | Advice to the applicant is in Attachment 2.                                         |
| Reasons:          | The reasons for the referral agency response are in Attachment 3.                   |

### **Development details**

| Description:  | Development permit                                                                                                                                                                                   | Material change of use for Service Station                                                                   |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| SARA role:    | Referral Agency.                                                                                                                                                                                     |                                                                                                              |
| SARA trigger: | Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1<br>(10.9.4.2.4.1)—Development application for a material change of use<br>near a state transport corridor (Planning Regulation 2017) |                                                                                                              |
|               | Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item (10.9.4.1.1.1) – Development impacting on state transport                                                                              |                                                                                                              |
| Page 1 of 7   |                                                                                                                                                                                                      | Darling Downs South West regional office<br>128 Margaret Street, Toowoomba<br>PO Box 825, Toowoomba QLD 4350 |

RA6-N

|                                      | infrastructure                                                                                                                                                                                                                                                                    |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SARA reference:                      | 2007-18065 SRA                                                                                                                                                                                                                                                                    |
| Assessment Manager:                  | Western Downs Regional Council                                                                                                                                                                                                                                                    |
| Street address:                      | Johnson Street, Chinchilla                                                                                                                                                                                                                                                        |
| Real property description:           | Lot 202 on SP183221                                                                                                                                                                                                                                                               |
| Applicant name:                      | Watkins Group (Qld) Pty Ltd<br>c/- Out of the Woods Planning                                                                                                                                                                                                                      |
| Applicant contact details:           | 14 Cobbold Lane<br>Maroochydore QLD 4558<br>wendy@outofthewoodsplanning.com.au                                                                                                                                                                                                    |
| State-controlled road access permit: | <ul> <li>This referral included an application for a road access location, under section 62A(2) of <i>Transport Infrastructure Act 1994</i>. Below are the details of the decision:</li> <li>Approved</li> <li>Reference: TMR20-030694</li> <li>Date: 1 September 2020</li> </ul> |
|                                      | If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at                                                                                                                                                    |

#### Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in Attachment 4.

www.downs.south.tmr.qld.gov.au

A copy of this response has been sent to the applicant for their information.

For further information please contact Bernadette Plummer, Principal Planning Officer, on (07) 4616 7307 or via email ToowoombaSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

logor.

Darren Cooper Manager - DDSW (Planning)

Watkins Group (Qld) Pty Ltd c/- Out of the Woods Planning, wendy@outofthewoodsplanning.com.au сс

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Attachment 1 - Referral agency conditions Attachment 2 - Advice to the applicant

Attachment 3 - Reasons for referral agency response

Attachment 4 - Representations about a referral agency response

Attachment 5 - Approved plans and specifications

State Assessment and Referral Agency

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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                  |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Mater            | ial Change of Use – Service Station                                                                                                                                                                                                                                                                      |                                   |
| Direct<br>develo | .2.4.1 and 10.9.4.1.1.1 —The chief executive administering the <i>Planning</i> or-General of Department of Transport and Main Roads to be the enforc opment to which this development approval relates for the administration relating to the following condition(s):                                    | ement authority for the           |
| Filling          | and excavation – low risk                                                                                                                                                                                                                                                                                |                                   |
| 1.               | Any excavation, filling/backfilling/compaction, retaining structures,<br>stormwater management measures and other works involving<br>ground disturbance must not encroach or de-stabilise the state-<br>controlled road or the land supporting this infrastructure, or cause<br>similar adverse impacts. | At all times.                     |
| Road             | works on a state-controlled road                                                                                                                                                                                                                                                                         |                                   |
| 2.               | <ul> <li>(a) Road works comprising an AUL(S) must be provided generally in accordance with the following plan:</li> <li>Site Layout, Access and Egress Plan prepared by</li> </ul>                                                                                                                       | Prior to the commencement of use. |
|                  | Watkins Group (Qld), reference Drawing No. 4136-<br>WWH-CH1903-GA-02, revision C (amended in red).                                                                                                                                                                                                       |                                   |
|                  | (b) The road works must be designed and constructed in<br>accordance with TMR's Road Planning and Design Manual (and<br>any material referenced therein).                                                                                                                                                |                                   |
| Signa            | ge and line marking                                                                                                                                                                                                                                                                                      |                                   |
| 3.               | (a) Signage and line marking must be provided generally in accordance with the following plan:                                                                                                                                                                                                           | Prior to the commencement of use. |
|                  | <ul> <li>Signage Plan prepared by Watkins Group (Qld),<br/>reference Drawing No. 4136-WWH-CH1903-GA-06,<br/>revision C</li> </ul>                                                                                                                                                                        |                                   |
|                  | (b) The signage and line marking must be in accordance with the<br>Manual of Uniform Traffic Control Devices (MUTCD).                                                                                                                                                                                    |                                   |
| Storn            | nwater management                                                                                                                                                                                                                                                                                        |                                   |
| 4.               | <ul><li>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</li><li>(b) Any works on the land must not:</li></ul>                                                                                                                 | (a)<br>At all times.              |
|                  | <ul> <li>create any new discharge points for stormwater runoff<br/>onto the state-controlled road;</li> <li>interfere with and/or cause damage to the existing</li> </ul>                                                                                                                                | (b)<br>At all times.              |
|                  | stormwater drainage on the state-controlled road;<br>iii. surcharge any existing culvert or drain on the state-<br>controlled road;<br>iv. reduce the quality of stormwater discharge onto the state-                                                                                                    |                                   |
|                  | in the second state the state                                                                                                                                                                                                                                                                            |                                   |

State Assessment and Referral Agency

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# Attachment 2—Advice to the applicant

| Ger | neral advice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |  |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| 1.  | Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |
| 2.  | The applicant should note that reference to the approved plans in Conditions 2 and 3 imply conceptual approval only. Further modifications and inclusions are likely to be required in order for submitted detailed designs to comply with the Department of Transport and Main Roads standards at the roadworks application (s33 <i>Transport Infrastructure Act 1994</i> ) stage. In particular, detailed designs may require, but should not limited to, necessary lane widening for provision of cycle lanes, lengthening of turn lanes, installation of lighting, signage and line marking, pavements, utilities and services, and roadsides and roadside furniture.                                                                                                                                  |  |  |
| Roa | d Access works approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |
| 3.  | Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994, written</i> approval is required from DTMR to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads on (07) 4639 0828 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland. The road access works approval process takes time – please contact Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction. |  |  |

State Assessment and Referral Agency

## Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the Planning Act 2016)

The development complies with State codes 1 and 6: Development in a state-controlled road environment and development impacting on state transport infrastructure of the SDAP. Specifically, the development:

- does not create a safety hazard for users of a state-controlled road
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
- does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads.
- does not compromise existing safe and direct access to public passenger transport infrastructure, including access by cycling and walking.

### Material used in the assessment of the application:

- The development application material and submitted plans
- Planning Act 2016
- Planning Regulation 2017
- The SDAP (version 2.6),
- The Development Assessment Rules
- SARA DA Mapping system

State Assessment and Referral Agency

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# Attachment 4— Representations about a referral agency response

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# Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response** 

# Part 6: Changes to the application and referral agency responses

#### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
  - (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a),
  - the concurrence agency must-
  - (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>&</sup>lt;sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016* 

<sup>&</sup>lt;sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

### Part 7: Miscellaneous

### 30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

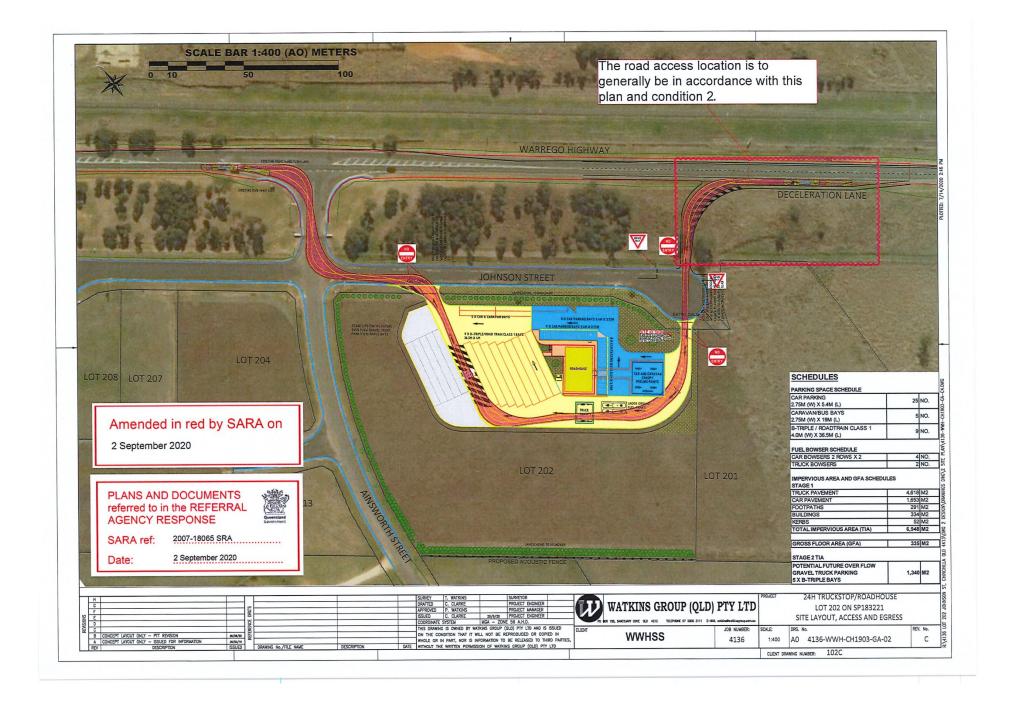
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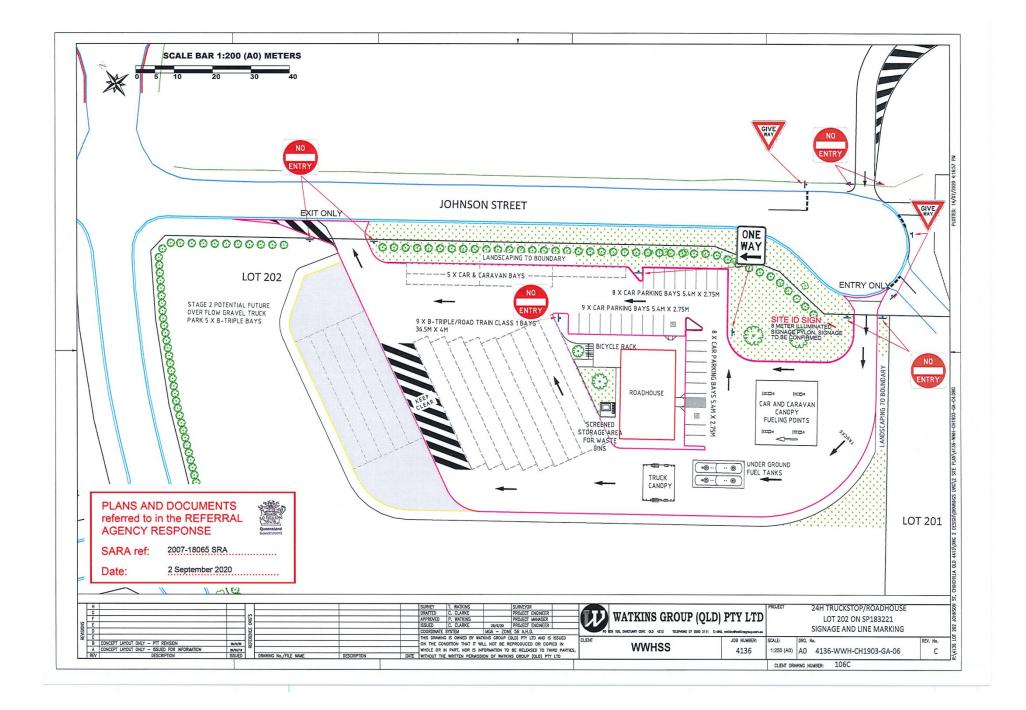
<sup>&</sup>lt;sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

## Attachment 5—Approved plans

State Assessment and Referral Agency

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| Submitters' Issues                                                          | Submitters' Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Applicant's Response to Submitters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Planning Officer's Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Inconsistent use and<br>overriding community<br>need for the<br>development | <ul> <li>"The applicant's effort at demonstrating an overriding community need is limited to identifying a perceived problem with trucks and trailers being parked on the side of the road."</li> <li>"The applicant asserts that the proposed development must be located adjacent to the highway for the benefit of passing truck traffic. A limited assessment has been made of suitably zoned land in Chinchilla and it has all be discounted on the basis that it is not sufficiently close to the highway."</li> <li>"We were under the impression the developer had to provide a valid planning justification as to why the development cannot be located in a more appropriate zone?? Eg out of a largely active family-based residential estate more suited to Road Trains and B- Triples. I don't feel satisfied at all that the developer has there is, in fact, an overriding community need."</li> <li>"There are already so many service stations around Chinchilla and so many other locations would be a lot more suitable and beneficial for the town as whole."</li> </ul> | <ul> <li>"In relation to community need, it has been shown that trucks and trailers are currently left on the side of the Warrego Highway and could potentially impact the safety of the State-controlled road. The proposed service station could potentially remove these trucks and trailers by providing parking for the whole vehicle, where the other service stations within Chinchilla do not.</li> <li>The proposed development, while being a service station, also has unique features that are not existing in the other service stations of Chinchilla:         <ul> <li>showers and showers for PWD;</li> <li>clothes washing and drying facilities;</li> <li>ease of access and egress for road trains and B-triples; and</li> <li>parking for road trains and B-triple trucks using the facility.</li> </ul> </li> <li>The finished facilities will also serve as a local shop and food and drink outlet for the convenience of the local residents of the Riverdell Estate.</li> <li>The country roadhouse themed service station will act as a tourist centre and promote tourism in Chinchilla, especially as it will be at the entrance to the eastern side of town.</li> <li>The roadhouse is designed to specifically cater to the needs of the seasonal 'grey nomads' with ample facilities for PWD and over-width car parking spaces and access.</li> </ul> | Service Station to function as a Tourist<br>Information Centre. Council already has a Tourist<br>Information Centre on the Warrego Highway<br>which directly adjoins the Big Melon and connects<br>to the Botanical Parkland which are tourist<br>attractions in Chinchilla.<br>It is not considered that "grey nomads" or tourists<br>would be better serviced by the development than<br>the other existing Service Stations which are<br>located on the Warrego Highway.<br>It is noted that the development seeks to provide<br>parking for heavy vehicles which is not provided<br>by other Service Stations in Chinchilla.<br>Although Council recognises there is a need for<br>such a development, it is not considered that this<br>constitutes an overriding community need to<br>justify establishing an inconsistent use within the<br>Major Centre Zone.<br>It is considered that such a development is better<br>located within an industrial locality with sufficient<br>infrastructure and being appropriately separated |

| Submitters' Issues                                                                                              | Submitters' Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Applicant's Response to Submitters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Planning Officer's Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <ul> <li>Unlike the other service stations in<br/>Chinchilla, the roadhouse/Travel Centre<br/>would provide a one-stop facility with<br/>parking for heavy vehicles and would<br/>therefore satisfy a community need by<br/>removing the trucks and trailers currently<br/>being left on the side of the Warrego<br/>Highway on a daily basis.</li> <li>The completed facility will provide full time<br/>employment and enable Chinchilla to enjoy<br/>the benefits of the traffic and tourism<br/>potential that the Warrego Highway<br/>affords. With unemployment nationally at<br/>historic highs, the benefits of creating<br/>employment in the current environment<br/>cannot be understated. "</li> </ul>                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Operating hours and<br>amenity impacts<br>including lighting,<br>noise and air<br>emissions (dust and<br>odour) | <ul> <li>"Light pollution in the existing area is very low<br/>as there are few streetlights and screening<br/>from the highway traffic. The implementation<br/>of a 24 hour service station would mean that<br/>there would be bright lights from both the<br/>building, parking lot and traffic."</li> <li>"The development would increase traffic, dust,<br/>noise and light 24hours/day which will be at<br/>detriment to the residents close by."</li> <li>"Odour and emissions are inevitable features<br/>of a service station but have not been<br/>addressed by the applicant. One would<br/>ordinarily expect air quality assessments and<br/>a proposal for vapour recovery systems. This<br/>is especially so, given the proximity to<br/>sensitive neighbouring residences."</li> <li>"Daily exposure to carcinogenic petrol, gas<br/>and diesel fumes will cause serious health<br/>issues for residents."</li> </ul> | <ul> <li>"The operation hours of the existing service stations within Chinchilla have set a planning precedent.</li> <li>In relation to noise, a Noise Impact Assessment has been provided compiled by a suitably qualified person that meets legislative requirements in terms of qualifications, methods/standards used.</li> <li>With the noise and light offsets in place, it has been shown that noise will not affect the residential estate householders during the proposed hours of operation.</li> <li>Further the developer has allowed an open space buffer zone between the facility and the property boundary next to the residential estate.</li> <li>As a result of noise concerns by the submitters, the 1.8m high acoustic fence has been replaced with a 2m high landscaped earth mound.</li> </ul> | for existing Service Stations to operate on a 24<br>hour basis within the Major Centre Zone.<br>This is incorrect, as the existing Service Stations<br>were not considered in the context of the Western<br>Downs Planning Scheme 2017 incorporating<br>Amendment 1.<br>The property directly adjoins properties that have<br>been developed for residential purposes and is<br>located within the Rural Residential Zone.<br>The applicant has provided an Acoustic<br>Management Report prepared by a qualified<br>Consultant to inform the design of the<br>development to limit the on-site noise and light |

| Submitters' Issues | Submitters' Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Applicant's Response to Submitters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Planning Officer's Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    | <ul> <li>"Increased noise level 24 hours a day especially at night, will negatively affect the public amenity and the peaceful environment of residents who live in the vicinity of the proposed service station. It will virtually be impossible to sleep with this noise."</li> <li>"Traffic has not been considered by the applicant in the context of its impact on amenity. The proposal will involve the introduction of B-Triple and B-Double vehicles into this neighbourhood. It will dramatically change the traffic amenity of the area."</li> <li>"Air Brakes, banging of trailers, refrigerated trailers and lights not only from vehicles but from the service station itself will be an inconvenience."</li> </ul> | <ul> <li>Not only will the mound provide an equivalent (or better) acoustic barrier to the residential area, but the mound will also provide mitigation of any light issues by providing additional height to the vegetation.</li> <li>Claims by non-adjoining households that they would be affected by noise from traffic during the night are completely without merit given the distance from the facility.</li> <li>As discussed above, with the 2m high landscaped earth mound in place, it is not expected that lights from the proposed service station or lights from vehicles entering and manoeuvring around the site will impact sensitive receptors.</li> <li>For avoidance of doubt, all traffic and parking areas on the site will be sealed. These surfaces will be either concrete or pavement with a bitumen seal. Further, footpaths within the site will be constructed from either pavers or concrete. The unused proportion of the site will remain grassed and the acoustic mound will be landscaped.</li> <li>In relation to odour, compliance with the applicable air quality objectives will be dealt with at the detailed design phase. This can easily be conditioned as part of an approval.</li> <li>A number of submitters have expressed concerns about rubbish. For avoidance of doubt, the site will be provided with rubbish receptacles as per Council requirements. A screened bin enclosure has been included in the design."</li> </ul> | The applicant has proposed landscaping and a 2 metre high earthen mound to reduce the potential for light and noise emissions from the development.<br>The applicant has advised that the development will be sealed and that vehicle movements will not generate dust that will impact on adjoining land uses.<br>The applicant has not provided an Odour Assessment Report in support of their application to address the potential odour emissions from the development on sensitive land users.<br>The proposed development will be set back from adjoining land uses and will be buffered by the proposed landscaping and acoustic barrier which will also assist in buffering odour emissions from the development.<br>The applicant provided assurances that at detailed design stage, the applicant will ensure that the development complies with Schedule 1 Air Quality Objectives of the <i>Environmental Protection (Air) Policy 2019</i> which is the current legislation for air quality requirements.<br>The likely off-site amenity impacts associated with the proposed development can potentially be suitably managed. However, it is considered likely that changing the type and volume of traffic entering the local road network is likely to have an impact on local road users and on the amenity and character of the Major Centre Zone. |

| Submitters' Issues                                                              | Submitters' Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Applicant's Response to Submitters                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Planning Officer's Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Traffic impacts and<br>suitability of the road<br>network for heavy<br>vehicles | <ul> <li>"Currently, the Riverdell Estate traffic consists of residents and their visitors. There is also a high likelihood that the roadway will be damaged due to heavy vehicles having to perform a right-hand turn to exit the estate prior to accessing the Warrego Highway."</li> <li>"Children and adults who normally ride bikes or walk on the roads for exercise would be at greater risk due to the increase in traffic."</li> <li>"Despite the proposed development specifically targeting the heavy vehicle market, the intersection of Ainsworth Street and Johnson Street cannot accommodate the intended traffic."</li> <li>"Entry into and out of the estate on the Warrego Highway will be dangerous even with turning lanes plus Dawson Gate turnoff. Johnson Street is definitely too narrow for road trains to traverse. The condition of the bitumen is also very poor. "</li> </ul> | <ul> <li>"In relation to traffic, it has been shown that traffic utilising the travel centre/service station will transit Johnson Street and will not transit the residential estate.</li> <li>With signage in place, it is unlikely that traffic from the Warrego Highway would enter the residential estate to access or depart the service station. The only traffic that would enter the estate from the service station would be the residents themselves.</li> <li>The applicant has offered to reseal the eastern side of Johnson Street and the Ainsworth Street intersection to Council's standard of a prime and two-coat seal.</li> <li>Another submitter stated that the road was not designed for an increase in traffic. The submission ignores the fact that Council approved the road pavement design for use as a Commercial Zone."</li> </ul> | <ul> <li>The development will change the function of Johnson Street from a commercial cul-de-sac road to function as a slip lane for heavy vehicles exiting the Warrego Highway.</li> <li>The development will also use the Ainsworth Street intersection to access the property.</li> <li>Council's Consultant Development Engineer considers that the intersection of Ainsworth Street and Johnson Street is sufficiently designed and will not require an upgrade to service the development based on the sight lines at the intersection, speed limits and proposed signage.</li> <li>It is not considered likely that heavy vehicle traffic from the development would access the part of Ainsworth Street within the Rural Residential Zone, as this road does not connect into any arterial road.</li> <li>It is considered that appropriate signage could be provided directing traffic to the Service Station on Johnson Street.</li> <li>Although traffic from the development will utilise the Major Centre Zoned part of Ainsworth Street and the Warrego Highway is the only access for residents and tenants on properties within the Rural Residential Zone and tenants on properties within the Rural Residential Zone and tenants on properties within the Rural Residential Zone and the warrego Highway is the only access for residents and tenants on properties within the Rural Residential Zone and the warrego Highway is the only access for residents and tenants on properties within the Rural Residential Zone land of Riverdell Estate.</li> <li>The development does have the potential to result in congestion and increased traffic which will impact the amenity and character of the Major Centre Zone.</li> <li>Council has concerns regarding the suitability of the pavement of Johnson and Ainsworth Streets to accommodate the increase in the number of heavy vehicles and associated loadings.</li> </ul> |

| Submitters' Issues     | Submitters' Concerns                                                                                                                                                                                                                                                      | Applicant's Response to Submitters                                                                                                                                                                                                                   | Planning Officer's Comments                                                                                                                                                                                                                                    |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        |                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                      | Council's Consultant Development Engineer is not satisfied with the applicant's response to the Information Request.                                                                                                                                           |
|                        |                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                      | Council's Consultant Development Engineer<br>considers that the development will result in<br>accelerated deterioration of Council's road<br>network which would increase maintenance<br>costs and bring forward pavement reconstruction<br>costs for Council. |
| Water and sewer supply | <ul> <li>"The proposed development would require<br/>additional water/sewerage which we already<br/>have limited in the estate."</li> </ul>                                                                                                                               | <ul> <li>"A fire hydrant system flow test was carried<br/>out with acceptable residual pressure and<br/>flow.</li> </ul>                                                                                                                             |                                                                                                                                                                                                                                                                |
|                        | - "Construction of a commercial business that<br>large in an area with no ground infrastructure<br>(such as sewerage) does not seem in the best<br>interest of the community."                                                                                            | <ul> <li>A number of submitters from the second<br/>public notification period have expressed<br/>concern over the current water shortage<br/>within the Riverdell Estate. As a result of<br/>this, the applicant has added 80,000 litres</li> </ul> | sewer system for the Rural Residential Zoned                                                                                                                                                                                                                   |
|                        | - "The Town water is a current issue, as 5 times<br>in the last 1-2 weeks between 4 and 8 pm (that<br>I can recall), there has been a water outage<br>for between 30mins and 2hrs. and Rivendell<br>Estate, only is now currently on a level of                           | of water storage at the rear of the service<br>station to the design drawings. This should<br>alleviate the extent of requirement for<br>reticulated water supply to the proposed<br>service station."                                               | demand for water within the Riverdell Estate, as it will feature amenities (toilets and showers) and                                                                                                                                                           |
|                        | Estate only is now currently on a level of<br>restriction. A service Station would only put<br>more stress on our plumbing system, water<br>levels and restrictions."                                                                                                     | Service Station.                                                                                                                                                                                                                                     | Furthermore, the development will require water<br>pressures above that of existing uses within the<br>Riverdell Estate for firefighting purposes due to<br>the nature of the development.                                                                     |
|                        | <ul> <li>"On the assumption that the proposed<br/>development would rely upon the same water<br/>supply infrastructure, it would appear that the<br/>existing infrastructure is unable to support the<br/>additional demands of the proposed<br/>development."</li> </ul> |                                                                                                                                                                                                                                                      | Council is aware that the Riverdell Estate has had<br>recent issues with water supply and pressure.<br>Council is currently in the process of upgrading<br>water pressure within Riverdell Estate.                                                             |
|                        |                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                      | Council's Utilities Manager has advised that the development would have sufficient water pressure currently to meet the needs of the development.                                                                                                              |
|                        |                                                                                                                                                                                                                                                                           | Page 92 of 180                                                                                                                                                                                                                                       | The applicant has advised that fire hydrant tests<br>have been completed indicating that the<br>development has sufficient pressure for<br>firefighting purposes.                                                                                              |

| Submitters' Issues                                       | Submitters' Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                  | Applicant's Response to Submitters                                                                                                                                                                                                                                                                                                                                                             | Planning Officer's Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stormwater<br>management and<br>impact on<br>groundwater | <ul> <li>"The underground fuel tanks will contaminate soil over time well beyond the life of the service station and will adversely impact on surrounding residential properties."</li> <li>"The development will pose issues around the underground hydrocarbon tanks as these are known to commonly leak which could pose threat to our residents and underground water bores in the estate and nearby environmentally sensitive areas."</li> </ul> | <ul> <li>"In response to concerns raised about groundwater contamination and for avoidance of doubt, all underground fuel tanks will be double-walled in accordance with current relevant legislation legal requirements.</li> <li>The applicant has indicated that additional devices (oily separator systems) could be conditioned and implemented at the detailed design phase."</li> </ul> | The applicant has advised that the development<br>would capture stormwater for use on the property<br>(including maintaining landscaping) using an<br>80,000 litre tank to reduce the water consumption<br>of the development and reduce stormwater flows<br>generated by the development.<br>It is considered that the applicant's proposed<br>water retention tank will provide sufficient water<br>storage to ensure that landscaping buffers<br>proposed for the development would be<br>maintained.<br>The applicant submitted a Stormwater<br>Management Report with the original application.<br>The applicant has indicated that uncontaminated<br>stormwater will be discharged from the property<br>via the existing stormwater infrastructure at the<br>frontage of Ainsworth Street and Johnson Street.<br>The applicant also intends to capture stormwater<br>from roofed areas using the water tank which will<br>reduce the stormwater flow from the<br>development.<br>The applicant has indicated that contaminated<br>stormwater and fuel spillages will be captured and<br>treated within the development footprint by an oily<br>water separator system. |
|                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                | The diesel and fuel tanks will be double walled to prevent leakages and ground water and soil contamination.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Impact on property<br>prices in Riverdell<br>Estate      | <ul> <li>"It can be expected that the housing prices in<br/>the Riverdell Estate will be impacted by the<br/>proposed development as the appeal of the<br/>area is changed."</li> </ul>                                                                                                                                                                                                                                                               | The applicant has not provided a response to this matter.                                                                                                                                                                                                                                                                                                                                      | This concern is not a planning matter and therefore cannot be relied on as a ground for submission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                          | <ul> <li>"Housing and Rental prices of the properties<br/>adjacent to the service station will<br/>substantially decrease, simply for being in<br/>proximity to a 24 hours facility."</li> </ul>                                                                                                                                                                                                                                                      | Page 93 of 180                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| Submitters' Issues                        | Submitters' Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Applicant's Response to Submitters                        | Planning Officer's Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hazard to residents<br>from an explosion  | <ul> <li>"Fuel and gas tanks are an explosion risk and<br/>could endanger the lives and homes of<br/>residents nearby."</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The applicant has not provided a response to this matter. | It is considered that the development is<br>appropriately separated, and that the earthen<br>bund would provide additional protection in the<br>event of an explosion.<br>Service Stations are regulated by Workplace<br>Health and Safety Queensland (WHSQ). There<br>are requirements that Service Station Operators<br>must comply with in terms of safety, as well as<br>design and site separation distances which are<br>provided from technical sources such as<br>Australian Standards.<br>If approved, the proposed Service Station would<br>need to comply with all applicable WHSQ<br>requirements.                                        |
| Privacy and crime risk                    | <ul> <li>"Petrol stations are a prime target for robberies<br/>and attract inebriated and noisy patrons<br/>seeking convenience items and food in the<br/>early hours of the morning and this will disturb<br/>the public amenity and threaten the safety of<br/>residents."</li> <li>"There is a concern that the development<br/>would result in more traffic down Ainsworth<br/>Street which would provide privacy concerns<br/>for Riverdell Residents."</li> </ul>                                                                                                              | The applicant has not provided a response to this matter. | It is not considered that these matters are relevant<br>to Council's assessment of the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Danger to wildlife and<br>the environment | <ul> <li>"Currently, resident kangaroos migrate from<br/>the Chinchilla Rifle Range up through<br/>Riverdell Estate and can be seen feeding on<br/>the proposed development site most<br/>evenings. The increase in lighting and traffic<br/>flow will cause an increase in kangaroo,<br/>human vehicular interaction."</li> <li>"The development could tear down the<br/>currently established row of mature trees on<br/>the Warrego Highway Road Reserve which<br/>act as buffer for the Highway."</li> <li>"How do they propose to keep the rabbit fence<br/>intact?"</li> </ul> | The applicant has not provided a response to this matter. | Access to the Warrego Highway and clearing<br>within the road reserve is not within the<br>jurisdiction of Council and is assessed by the<br>State Assessment and Referral Agency<br>(Department of Transport and Main Roads as<br>Technical Agency).<br>It is not considered that the migration routes of<br>wildlife is a matter relevant to Council's<br>assessment of the application.<br>The entry to Riverdell Estate features an existing<br>grate which serves as part of the rabbit fence. If<br>approved, the development could be conditioned<br>to maintain the existing rabbit fence infrastructure<br>and provide upgrades if required. |



| Title               | (035.2020.461.001) Community and Liveability Report Development<br>Application Reconfiguring a Lot (Boundary Realignment) Lots 4 and 7<br>on SP121097 at 130 Branch Creek Road and 23 Armstrong Street West<br>Dalby Harrison |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date                | 4 January 2021                                                                                                                                                                                                                |
| Responsible Manager | T. Summerville, PLANNING AND ENVIRONMENT MANAGER                                                                                                                                                                              |

#### Summary

The purpose of this Report is for Council to decide the Development Application seeking a Development Approval for Reconfiguring a Lot (Boundary Realignment) of land legally described as Lot 4 on SP121097 and Lot 7 on SP121097 and situated at 130 Branch Creek Road and 23 Armstrong Street West, Dalby.

#### Link to Corporate Plan

Strategic Priority: Strong Economic Growth

- There is a confidence in our strong and diverse economy.
- We're open for business and offer investment opportunities that are right for our region.
- We optimise our tourism opportunities, unique experiences and major events.
- Business and industry in our region live local and buy local.
- Our region is a recognised leader in energy, including clean, green renewable energies.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received and that:

1. The development application for Reconfiguring a Lot (Boundary Realignment) of land described as Lots 4 and 7 on SP121097, located at 130 Branch Creek Road and 23 Armstrong West Dalby, be approved, subject to the following conditions:

#### APPROVED PLAN

1. The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

| Drawing No:  | 001012_PSLP, Sheet 1 of 1, Rev B                                     |
|--------------|----------------------------------------------------------------------|
| Description: | Proposed Boundary Realignment Plan, prepared by bplanned & surveyed, |
|              | dated <b>0</b> 9/09/2020                                             |

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

### APPROVED DEVELOPMENT

3. The approved development is Reconfiguring a Lot for a Boundary Realignment as shown on the Approved Plan.

### COMPLIANCE, TIMING AND COSTS

- 4. All conditions of the approval shall be complied with before execution of the Plan of Survey, unless otherwise noted within these conditions.
- 5. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.
- 6. The Plan of Survey shall not be executed until a letter of compliance is received demonstrating the development's compliance with all conditions of this approval.

### FEES AND CHARGES

7. All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

#### MAINTENANCE

8. The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan subject to and modified by any conditions of this approval.

#### LOT NUMBERING

9. The numbering of all approved lots shall remain as indicated on the Approved Plan (unless otherwise amended/approved by Council.

#### LANDSCAPING

- 10. All declared weeds and pests shall be removed from the subject land and the subject land kept clear of such nuisance varieties at all time during the course of the development works and any ensuing defects liability period.
- 11. Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land shall be retained where possible, and action taken to minimise disturbance during construction work.

# LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS

- 12. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- 13. Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of work associated with the development.

#### EARTHWORKS - GENERAL

14. No earthworks are permitted as part of this approval other than any works ancillary to existing or future buildings.

#### ACCESS

15. Ensure the existing vehicular property access to Armstrong Street West from Proposed Lot 1 is maintained in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.

16. Ensure the existing vehicular property access to Branch Creek Road from Proposed Lot 2 is maintained in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.

### **SERVICES - EXISTING CONNECTIONS**

- 17. Ensure that all services provided to the existing houses on Proposed Lots 1 and 2 are wholly located within the lot(s) it serves.
- 18. Be responsible for the full cost of any alterations necessary to public utility installations in connection with the development.

### **ON-SITE WASTEWATER DISPOSAL**

- 19. If the on-site wastewater disposal area for the septic system servicing Proposed Lot 1 conflicts with the proposed boundary of subdivision, or does not meet the setback requirements in the Queensland Plumbing and Wastewater Code, the applicant shall submit to Council, an amended proposal plan for Council's endorsement that ensures that the on-site wastewater disposal arrangement is wholly located within Proposed Lot 1.
- 20. If required, the on-site wastewater disposal system servicing the residence on Proposed Lot 1 shall be upgraded to meet the requirements of Australian Standard 1547:2012 On-site Domestic Wastewater Management, and the Queensland Plumbing and Wastewater Code.
- **NOTE:** The applicant shall obtain a Plumbing Approval for any upgrade to the existing effluent disposal system or installation of a new effluent disposal system and removal of the existing system.

#### ADVISORY NOTES

#### NOTE 1: Flood Hazard

The subject land is located within in the Extreme, High and Medium Flood Hazard Areas illustrated by the Flood Hazard Overlay Map in the Western Downs Planning Scheme 2017 incorporating Amendment 1. Where the floor level of a habitable building is not elevated above the defined flood level, the building may be subject to inundation during a flood event.

### NOTE 2: Currency Period

A part of a development approval lapses at the end of the currency period. The standard currency period for Reconfiguring a Lot (4 years after the approval starts to have effect) as stated in Section 85 of the *Planning Act 2016* applies to this approval.

#### NOTE 3: Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website www.datsip.qld.gov.au.

#### NOTE 4: General Environmental Duty

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 development site during all stages of the development including earthworks, construction and operation.

### NOTE 5: General Safety of Public During Construction

The Work Health and Safety Act 2011 and Manual of Uniform Traffic Control Devices must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

### NOTE 6: Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

### NOTE 7: Duty to Notify of Environmental Harm

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

### **Background Information**

The relevant background information to this application is as follows:

| Application No: 035.2020.461.001 | Assessment No: A2600 & A2601                                 | Keywords Index: LG7.9.1   |  |  |
|----------------------------------|--------------------------------------------------------------|---------------------------|--|--|
| PART 1: APPLICATION              |                                                              |                           |  |  |
| Applicant:                       | Brett Harrison                                               |                           |  |  |
|                                  | C/- bplanned and Surveyed Pty Ltd                            |                           |  |  |
| Owner:                           | Lot 4: Mr B Harrison                                         |                           |  |  |
|                                  | Lot 7: Mr B and Mrs RA Harrison                              |                           |  |  |
| Site Address:                    | 130 Branch Creek Road and 23 Armstrong West, Dalby           |                           |  |  |
| Site Area:                       | Lot 4: 30,290m <sup>2</sup>                                  |                           |  |  |
|                                  | Lot 7: 12,270m <sup>2</sup>                                  |                           |  |  |
|                                  | Total: 42,560m <sup>2</sup>                                  |                           |  |  |
| Real Property Description:       | Lots 4 & 7 on SP121097                                       |                           |  |  |
| Proposed Development:            | Boundary Realignment                                         |                           |  |  |
| Level of Assessment:             | Impact                                                       |                           |  |  |
| Type of Application:             | Reconfiguring a Lot                                          |                           |  |  |
| Relevant Planning Scheme:        | Western Downs Planning Scheme 2017 incorporating Amendment 1 |                           |  |  |
| Zone:                            | Lot 4: Rural Residential                                     |                           |  |  |
|                                  | Lot 7: Rural                                                 |                           |  |  |
| Precinct:                        | Lot 4: Rural Residential Precinct 4000                       |                           |  |  |
| Overlays:                        | Airport Environs -                                           | OLS Conical Limitation    |  |  |
|                                  | Flood Hazard                                                 | Medium, High & Extreme    |  |  |
|                                  | Stormwater Overland Flow Path -                              | Major and Minor           |  |  |
|                                  | Extractive Industry                                          | Petroleum Lease 198       |  |  |
| Dro la dramant Maatin m          | Agricultural Land Classification -                           | Class A Agricultural Land |  |  |
| Pre-lodgement Meeting:           | No                                                           |                           |  |  |
| Application Lodgement Date:      | 10/09/2020                                                   | Data 40/00/0000           |  |  |
| Properly Made Application:       | Yes                                                          | Date: 10/09/2020          |  |  |
| Confirmation Notice Issued:      | Yes                                                          | Date: 16/09/2020          |  |  |
| PART 3: INFORMATION REQUES       |                                                              | Data: 01/00/0000          |  |  |
| Information Request Issued:      | Yes                                                          | Date: 21/09/2020          |  |  |
| Applicant's Response:            | Yes                                                          | Date: 07/10/2020          |  |  |
| PART 4: PUBLIC NOTIFICATION      |                                                              | D                         |  |  |
| Start Date:                      | Yes                                                          | Date: 05/11/2020          |  |  |
| Notice of Compliance Received:   | Yes                                                          | Date: 30/11/2020          |  |  |
| Submissions:                     | Nil                                                          |                           |  |  |

| PART 5: DECISION PERIOD |            |  |
|-------------------------|------------|--|
| Date of Commencement:   | 01/12/2020 |  |
| Decision Due Date:      | 21/01/2021 |  |

#### Report

#### 1. Background Information

#### 1.1 Site Context

The properties subject to the application are legally described as Lot 4 on SP121097 and Lot 7 on SP121097 and are located at 130 Branch Creek Road and 23 Armstrong Street West Dalby.

Lot 4 on SP121097 is located within the Rural Residential Zone (Rural Residential Precinct 4000), gains access from Branch Creek Road, is a battle axe configuration and has an area of 1.839ha. The property features an existing residence and a residential shed.

Lot 7 on SP121097 is located within the Rural Zone, gains access from Armstrong Street West, is of a regular shape and has an area of 3.209ha. The property features an existing residence, rural outbuildings, an animal holding yard and a rural dam.

The properties subject to the application are impacted by the Airport Environs Overlay, Flood Hazard Overlay, Stormwater Overland Flow Path Overlay, Infrastructure Overlay, Extractive Industry Overlay and Agricultural Land Classification Overlay Mapping of the Planning Scheme.

#### 1.2 Proposal

The applicant has lodged a development application for a Boundary Realignment on the subject site.

As a result of the development, the area of Lot 7 on SP121097 will decrease from 3.029ha to 1.401ha (Proposed Lot 1) while Lot 4 on SP121097 will increase from 1.227ha to 2.855ha (Proposed Lot 2). The development will result in the existing rural dam on Lot 7 now being associated with the residential dwelling and outbuildings on Lot 4 (Proposed Lot 2).

The development will not impact on the frontage of Proposed Lots 1 or 2 to Armstrong Street West and Branch Creek Road respectively. Proposed Lot 1 will retain the existing bitumen driveway to the formed gravel section of Armstrong Street West associated with the existing residence on the property. Proposed Lot 2 will retain the existing gravel access to Branch Creek Road.

Both properties are serviced by Council's reticulated water network and are also connected to the reticulated power network. Each property is serviced by an on-site effluent disposal system associated with the existing residence on each property.

#### 2. Assessment

# 2.1 Assessment against the Western Downs Planning Scheme 2017 incorporating Amendment 1 (the Planning Scheme)

- A Development Application for Reconfiguring a Lot (Boundary Realignment) is Code Assessable development within the Rural Residential Zone and the Rural Zone of the Planning Scheme.
  - The land subject to the application is also impacted by Extreme and High Flood Hazard Areas within the Overlay Mapping of the Planning Scheme. Accordingly, the application is Impact Assessable development under the Planning Scheme.

- As the application is Impact Assessable development, it requires assessment against all relevant Assessment Benchmarks of the Planning Scheme, which include:
  - Strategic Plan
  - Reconfiguring a Lot Code
  - Rural Zone Code
  - Rural Residential Zone Code
  - Infrastructure Services Code
  - Transport Access and Parking Code
  - Infrastructure Overlay Code
  - Flood Hazard Overlay Code
  - Stormwater Overland Flow Path Overlay Code
  - Natural Resource Overlay Code
  - Airport Environs Overlay Code

The application has been assessed against the abovementioned assessment benchmarks and discussed below:

#### Strategic Plan

- The development is a realignment of two lots which have been developed and used historically for rural residential purposes.
- The development will not increase the number of lots at risk of flooding and the use of each land parcel will remain consistent with the intent of the relevant Zones.
  - It is not considered that the development conflicts with the policy elements of the Strategic Plan of the Planning Scheme.

#### **Reconfiguring a Lot Code**

- The applicant seeks to reduce the size of Lot 7 on SP121097 from 3.029ha to 1.401ha and correspondingly increase the size of Lot 4 on SP121097 from 1.227ha to 2.855ha.
- The existing frontages of each lot to Branch Creek Road and Armstrong Street West will not change as a result of the development.
- Lot 4 on SP121097 is located within the Rural Residential Zone and will be consistent with the minimum lot size for the Rural Residential Zone as prescribed under Acceptable Outcome 1.1 of the Reconfiguring a Lot Code.
- Lot 7 on SP121097 is located within the Rural Zone and does not comply with the minimum lot size for the Rural Zone as prescribed under Acceptable Outcome 1.1 of the Reconfiguring a Lot Code.
- Lot 7 on SP121097 is currently well below the minimum lot size for the Rural Zone and is not considered to be a viable size or location for productive agricultural purposes.
- Lot 7 on SP121097 and Lot 4 on SP121097 have been used historically for rural residential purposes and the resulting lots will continue to be used for this purpose subject to the boundary realignment.
- It is considered that the proposed development will result in a logical configuration for the existing uses on both properties.

On this basis, the development is considered to be consistent with the Reconfiguring a Lot Code.

#### **Rural Zone Code**

- Lot 7 on SP121097 is located within the Rural Zone and subject to the development, Proposed Lot 1 and part of Proposed Lot 2 will be located within the Rural Zone.
- Although Lot 7 on SP121097 is located within the Rural Zone, it is considered that the property has been historically fragmented and alienated for productive rural activities.
- It is considered that the historical use and existing use of the land are consistent with a rural residential land parcel, considering the land is serviced by urban infrastructure networks (reticulated water supply) which typically service lots within the Rural Residential Zone.
- The proposed development will not require any changes or upgrades to the existing access arrangements or to other reticulated infrastructure networks.
- Subject to the development, the residence and outbuildings on Proposed Lot 1 do not comply with the 15m side or rear setback requirements for the Rural Zone as prescribed under Acceptable Outcome 3.2 of the Rural Zone Code.
- It is not considered that the reduced setback will materially impact the amenity of either Lots 1 or 2, or on the Rural Zone and that the existing residence on Proposed Lot 1 will continue to be screened from the road frontage and the proposed boundary by existing mature vegetation.
- The proposed development is not of a nature that will impact the amenity or character of the Rural Zone and is considered to be consistent with the configuration and size of surrounding rural lots within the locality.
- It is considered that the development is consistent with the Performance Outcome of the Rural Zone Code.

#### **Rural Residential Zone Code**

- Lot 4 on SP121097 is located within the Rural Residential Zone (Rural Residential Precinct 4000).
- The development will not result in any non-compliance with the design or siting requirements within the Rural Residential Zone Code.
- Proposed Lot 2 is of a size consistent with the minimum lot size for the Rural Residential Zone and is consistent with the character of surrounding rural residential lots within the locality.

#### **Transport, Access and Parking Code**

- The development has been conditioned to ensure that the existing accesses are maintained to the relevant engineering access standards.
- Both lots will have suitable space for the parking and manoeuvring of domestic vehicles associated with each residence.
- The development is consistent with the relevant assessment benchmarks of the Transport, Access and Parking Code.

#### Infrastructure Services Code

- The existing residences will continue to be located on separate lots as a result of the proposed development.
- Each existing residence is connected to Council's water network via separate connections.
- The residences on Proposed Lot 1 and Lot 2 are both serviced by existing onsite effluent disposal systems.
- The existing on-site effluent disposal system servicing the residence on Proposed Lot 2 will be entirely located within proposed Lot 2 subject to the development.
- However, Council sought clarification from the applicant on the location and design of the existing on-site effluent disposal system and the treatment area servicing the residence on Proposed Lot 1.
- The applicant stated within their response to the Information Request that the on-site effluent disposal system and associated septic trench are located entirely within Proposed Lot 1 and would be set back 6 metres from the proposed boundary. The applicant did not provide plans illustrating the location of the septic system in their response.
- Council's Consultant Development Engineer has recommended conditions to ensure that the on-site waste water disposal system is entirely within Proposed Lot 1 and meets the relevant engineering standards.
- On this basis, the development is considered to comply with the relevant Acceptable Outcomes of the Infrastructure Services Code subject to the conditions of approval.

#### Infrastructure Overlay Code

- Part of Proposed Lot 1 is located within a gas pipeline buffer illustrated by the Overlay Mapping of the Planning Scheme.
- It is considered that the proposed development will not impact the operation or safety of the gas pipeline, and the development is consistent with the Infrastructure Overlay Code.

#### Flood Hazard Overlay Code

- Lot 7 on SP121097 is identified within the Extreme, High and Medium Flood Hazard Areas, while Lot 4 on SP121097 is located within the High and Medium Flood Hazard Areas within the Overlay Mapping of the Planning Scheme.
- The proposed development will realign the boundary between the two existing properties which each already contain existing residences.
- The development will not increase the number of people living on either property and does not propose any additional building or earthworks that could impact the conveyance of flood water through each property.
  - The applicant will not change the existing access arrangements to Branch Creek Road or Armstrong Street West which are formed roads.

- The occupants of either property would be able to safely evacuate the property in the event of an emergency.
- On this basis, the development is considered to be consistent with the Flood Hazard Overlay Code.

#### Stormwater Overland Flow Path Overlay Code

- Both properties are impacted by a Major Flow Path within the Overlay Mapping of the Planning Scheme. In addition, existing Lot 7 is mapped as containing minor flow paths.
- The proposed development will not result in any additional buildings or earthworks on the subject land that will impact the hydrological capacity of either property.
- Conditions will be applied to ensure that the development maintains the hydraulic capacity of the flow path of the property.
- On this basis, it is considered that the development is consistent with the Stormwater Overland Flow Path Overlay Code subject to the recommended conditions of approval.

#### Natural Resources Overlay Code

- Lot 7 on SP121097 is currently located within the Rural Zone and is identified as Class A Agricultural Land within the Overlay Mapping of the Planning Scheme.
- The proposed lots created by the development do not comply with the minimum lot size of 500ha for land that is identified as Class A Agricultural Land under Acceptable Outcome AO6.2 of the Natural Resources Overlay Code.
- Lot 7 on SP121097 adjoins land in the Rural Residential Zone and has historically been used for rural residential purposes.
- It is not considered that Lot 7 on SP121097 has a sufficient area or is in a location that is viable for agricultural activities.
- On this basis, it is considered that the proposed development is consistent with the Natural Resources Overlay Code, as it will not result in the loss of productive agricultural land.

#### **Airport Environs Overlay Code**

- The property is located within the OLS Conical Limitation for the Dalby Airport illustrated by the Overlay Mapping of the Planning Scheme.
- The development will not involve any additional buildings or structures and will not impact the safety or operation of the Dalby Airport.
  - The development is consistent with the Airport Environs Overlay Code.

#### 3. Other Matters

#### 3.1. Referral

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The development application did not require referral to a Referral Agency identified within the *Planning Regulation 2017*.

#### 3.2 Public Notification

- The application required public notification be undertaken for a period of 15 business days.
- During the Public Notification Period for the application, no submissions were received from the public.

#### Consultation (Internal/External)

Council's Consultant Development Engineer has assessed the development application and provided advice and recommended conditions of approval where applicable.

Council's A/Planning and Environment Manager has reviewed the Report and provided comments where necessary.

#### Legal/Policy Implications (Justification if applicable)

An applicant may elect to appeal against Council's decision in accordance with the relevant Section of the *Planning Act 2016*, which states:

#### "Chapter 6 Dispute Resolution

#### Part 1 Appeal Rights

#### 229 Appeals to Tribunal or P&E Court

- (1) Schedule 1 states -
  - (a) matters that may be appealed to -
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person -
    - (i) who may appeal a matter (the **appellant**); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is -
  - (a) for an appeal by a building advisory agency 10 business days after a Decision Notice for the decision is given to the Agency; or
  - (b) for an appeal against a deemed refusal at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under Chapter 7, Part 4, to register premises or to renew the registration of premises 20 business days after a Notice is published under Section 269(3)(a) or (4); or

- (d) for an appeal against an Infrastructure Charges Notice 20 business days after the Infrastructure Charges Notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a Decision Notice has not been given - 30 business days after the applicant gives the Deemed Approval Notice to the Assessment Manager; or...
- ...(g) for any other appeal 20 business days after a Notice of the decision for the matter, including an Enforcement Notice, is given to the person.
- Note See the P&E Court Act for the Court's power to extend the appeal period."

#### **Budget/Financial Implications**

Nil

#### Human Rights Considerations

Section 4(b) of the Human Rights Act 2019 (Qld) (the Human Rights Act) requires public entities "to act and make decisions in a way compatible with human rights".

There are no human rights implications associated with this Report.

#### Conclusion

The proposed development has been assessed against the requirements of the Western Downs Planning Scheme 2017 incorporating Amendment 1. It is recommended that the application be approved, subject to the recommended conditions

#### Attachments

- 1. Locality Plans
- 2. Proposal Plans

Authored by: Dominic Bradley, PLANNING OFFICER DEVELOPMENT ASSESSMENT

## Attachment 1 - Locality Plans

Aerial Map - 130 Armstrong Street Dalby (Lot 4)

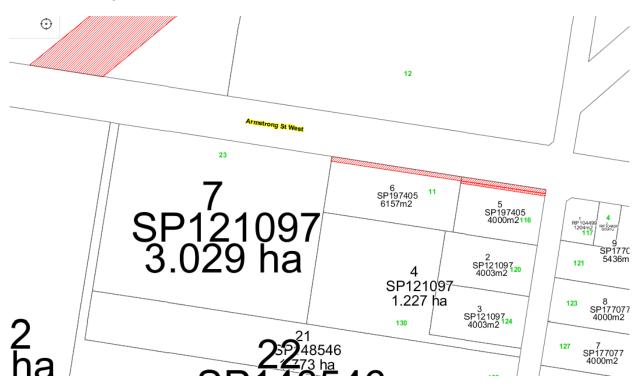


Aerial Map - 23 Armstrong Street West Dalby (Lot 7)

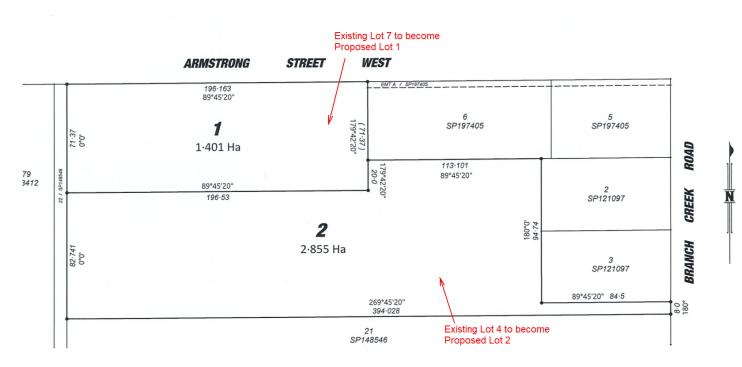


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Lot and Plan Map



**Proposed Lot Configuration** 



Zone Map



#### LEGEND

Rural Zone

Rural Residential Zone / Rural Residential 4000 Precinct

### Stormwater Overland Flow Path Overlay Map

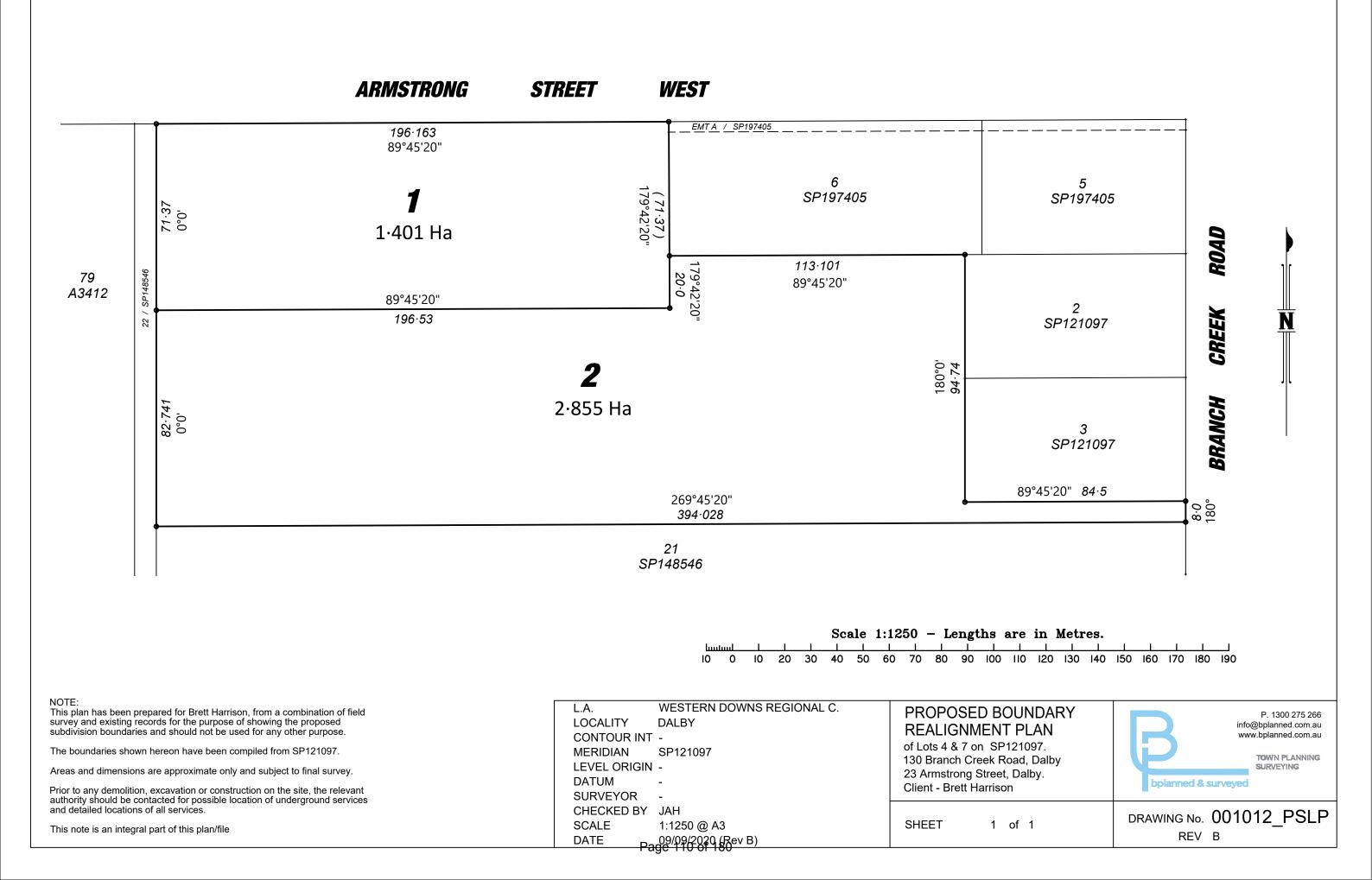


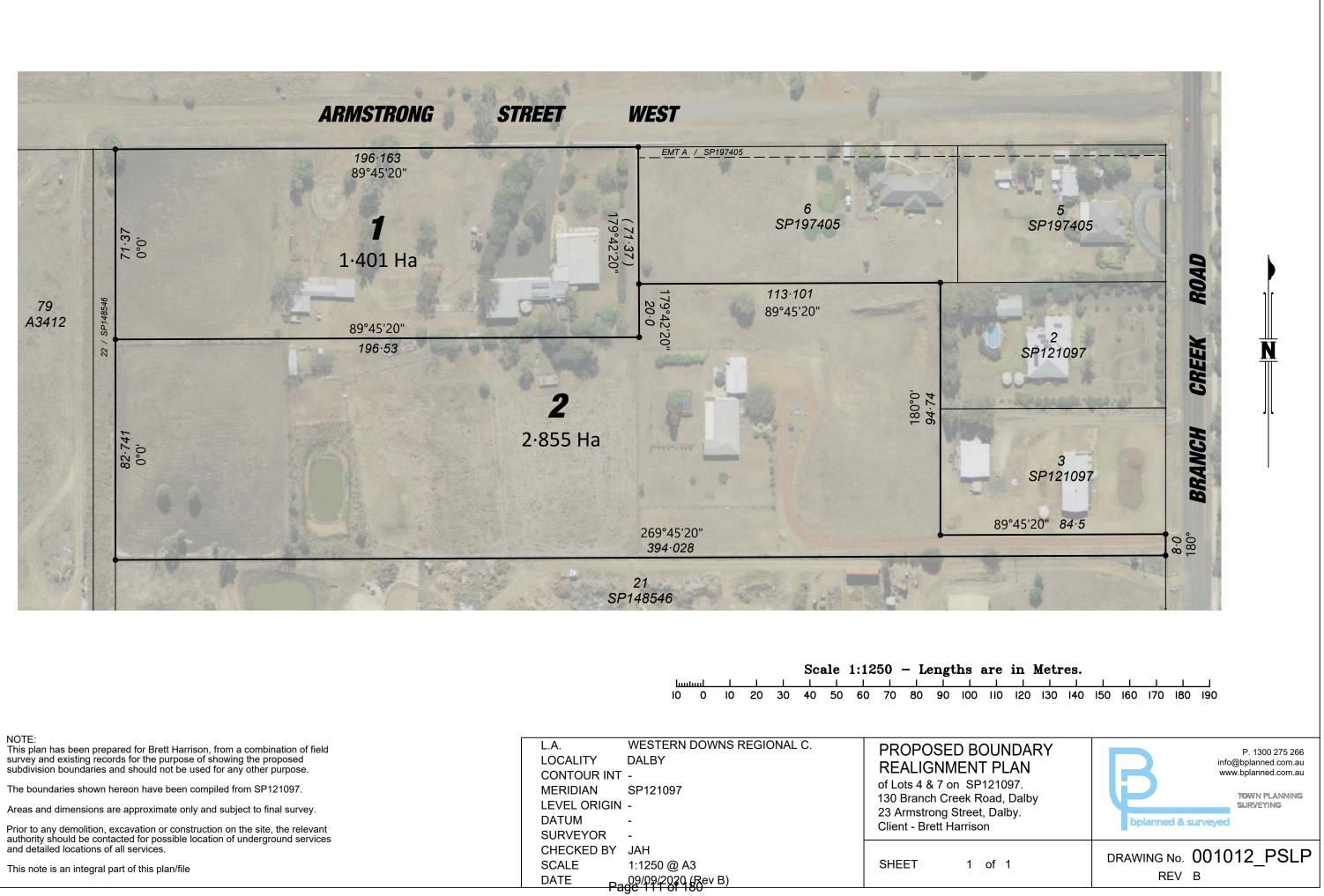
#### LEGEND

Stormwater Overland Flow

Major Flow Path

Minor Flow Path





| an has been prepared for Brett Harrison, from a combination of field<br>and existing records for the purpose of showing the proposed<br>ision boundaries and should not be used for any other purpose. | L.A. WESTERN DOWNS REGIONAL C.<br>LOCALITY DALBY<br>CONTOUR INT - | PROPOSED BOUI<br>REALIGNMENT PI                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| undaries shown hereon have been compiled from SP121097.                                                                                                                                                | MERIDIAN SP121097                                                 | of Lots 4 & 7 on SP1210<br>130 Branch Creek Road,<br>23 Armstrong Street, Da<br>Client - Brett Harrison |
| and dimensions are approximate only and subject to final survey.                                                                                                                                       | LEVEL ORIGIN -<br>DATUM -                                         |                                                                                                         |
| any demolition, excavation or construction on the site, the relevant<br>ty should be contacted for possible location of underground services<br>tailed locations of all services.                      | SURVEYOR -<br>CHECKED BY JAH                                      |                                                                                                         |
| ote is an integral part of this plan/file                                                                                                                                                              | SCALE 1:1250 @ A3                                                 | SHEET 1 of                                                                                              |
|                                                                                                                                                                                                        | DATE 09/09/2020 (Rev B)                                           |                                                                                                         |



| Title               | Executive Services Chief Executive Officer Report December 2020 |
|---------------------|-----------------------------------------------------------------|
| Date                | 8 January 2021                                                  |
| Responsible Manager | R. Musgrove, CHIEF EXECUTIVE OFFICER                            |

#### Summary

The purpose of this Report is to provide Council with the significant meetings, forums and delegations attended by the Chief Executive Officer during the month of December 2020.

#### Link to Corporate Plan

Strategic Priority: Strong Economic Growth

- There is a confidence in our strong and diverse economy.
- We're open for business and offer investment opportunities that are right for our region.
- We optimise our tourism opportunities, unique experiences and major events.
- Business and industry in our region live local and buy local.
- Our region is a recognised leader in energy, including clean, green renewable energies.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received and noted

#### **Background Information**

Nil

#### Report

Meetings, delegations and forums attended by the Chief Executive Officer during the month of December 2020:

| Date             | Who/Where                                                | Details    |
|------------------|----------------------------------------------------------|------------|
| 1 December 2020  | <ul> <li>Development Assessment Panel Meeting</li> </ul> | Dalby      |
|                  | Meeting with Cleanco                                     | Brisbane   |
| 2 December 2030  | Toowoomba Surat Basin Enterprise Catch Up                | Brisbane   |
| 3 December 2020  | Meeting with Local Government Association Queensland     | Brisbane   |
|                  | Meeting with Architect                                   | Brisbane   |
| 7 December 2020  | <ul> <li>Planning and Pre Agenda Meeting</li> </ul>      | Chinchilla |
|                  | Councillor Information Session                           | Chinchilla |
| 9 December 2020  | <ul> <li>Ordinary Meeting of Council</li> </ul>          | Dalby      |
|                  | Councillor Information Session                           | Dalby      |
| 10 December 2020 | Meeting with Wambo Wind Farm                             | Dalby      |

#### Consultation (Internal/External)

**Chief Executive Officer** 

Legal/Policy Implications (Justification if applicable)

Nil

**Budget/Financial Implications** 

Nil

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

#### Conclusion

The foregoing represents activities undertaken by the Chief Executive Officer during the month of December 2020.

#### Attachments

Nil

Authored by: A. Lyell, Executive Services Administration Officer



| - |      |  |
|---|------|--|
|   | ITIO |  |
|   | ILIC |  |
|   |      |  |

Date

#### Executive Services Report Outstanding Actions December 2020

8 January 2021

**Responsible Manager** 

R. Musgrove, CHIEF EXECUTIVE OFFICER

#### Summary

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 9 December 2020.

#### Link to Corporate Plan

Strategic Priority: Strong Economic Growth

- There is a confidence in our strong and diverse economy.
- We're open for business and offer investment opportunities that are right for our region.
- We optimise our tourism opportunities, unique experiences and major events.
- Business and industry in our region live local and buy local.
- Our region is a recognised leader in energy, including clean, green renewable energies.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received and noted.

#### **Background Information**

Nil

#### Report

The purpose of this Report is to provide Council with an update on the status of Outstanding Council Meeting Action Items to the Meeting held on 9 December 2020.

#### 1. Outstanding Council Meeting Action List (As at 9 December 2020)

| Meeting<br>date | Item description                        | File No.                                                                                                               | Council Resolution/Task                | Responsible<br>Division |
|-----------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-------------------------|
| 21/06/2017      | Corporate Services                      | AD6.6.2                                                                                                                | MOVED by Cr. I.J. Rasmussen            | Corporate               |
|                 | Confidential Report<br>Authorise Chief  |                                                                                                                        | Seconded by Cr. R.C. Brown             | Services                |
|                 | Executive Officer<br>Negotiate Purchase |                                                                                                                        | That this Report be received and that: |                         |
| Properties      |                                         | 1. Council authorise the Chief Executive                                                                               |                                        |                         |
|                 |                                         | Officer to negotiate the acquisition of properties as proposed up to the amount in the table on page 81 of the report. |                                        |                         |
|                 |                                         | CARRIED (7,1)                                                                                                          |                                        |                         |

| Meeting<br>date | Item description                                                                                                                              | File No. | Council Resolution/Task                                                                                                                                                                                                                           | Responsible<br>Division    |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
|                 |                                                                                                                                               |          | FOR VOTE: Cr. P.M. McVeigh, Cr R.C. Brown,<br>Cr. C.T. Tillman, Cr. K.A. Maguire, Cr. G.M.<br>Olm, Cr. I.J. Rasmussen, Cr. A.N. Smith<br>AGAINST VOTE: Cr. P.T. Saxelby<br>ABSENT. DID NOT VOTE: Cr. D.E. Ashurst                                 | DIVISION                   |
| 23/09/2020      | Corporate Services<br>Report of Audit<br>Committee Meeting 18<br>August 2020                                                                  | AD6.6.2  | Moved By: Cr. M. J. James<br>Seconded By: Cr. P. T. Saxelby<br>That an update be provided by the Chair of the<br>Audit Committee to Councillors at a future<br>information session<br>CARRIED                                                     | Corporate<br>Services      |
| 23/09/2020      | Executive Services<br>Report Cr M. J. James<br>Notice of Motion<br>Development of a<br>Communications and<br>Community<br>Engagement Strategy | AD6.6.2  | Moved By: Cr. M. J. James<br>Seconded By: Cr. K. A. Bourne<br>That Council resolves to develop and adopt a<br>communications and community Engagement<br>Strategy to be prepared in consultation with<br>Councillors.                             | Executive<br>Services      |
| 28/10/2020      | Infrastructure Services<br>Report Charley's Creek<br>Bridge, Burncluith Road<br>Naming Consideration                                          | AD6.6.2  | CARRIED<br>Moved By: Cr. P.T. Saxelby<br>Seconded by: Cr. A.N. Smith<br>That this report be received and that:<br>1. The bridge over Charley's Creek on<br>Burncluith Road is to be considered for<br>formal naming.                              | Infrastructure<br>Services |
| 28/10/2020      | Infrastructure Services<br>Report Charley's Creek<br>Bridge, Burnt Bridge<br>Road Naming<br>Consideration                                     | AD6.6.2  | CARRIED<br>Moved By: Cr. O.G. Moore<br>Seconded by: Cr. K.A. Bourne<br>That this report be received and that:<br>1. The major culvert structure over Charley's<br>Creek on Burnt Bridge Road is to be<br>considered for formal naming.<br>CARRIED | Infrastructure<br>Services |
| 28/10/2020      | Review of Council<br>Meetings Policy                                                                                                          | AD6.6.2  | Moved By: Cr. M.J. James<br>Seconded By: Cr. A.N. Smith<br>That Council conduct a review of the Council<br>meeting policy and ensure it accommodates<br>recent changes to state legislation.<br>CARRIED                                           | Corporate<br>Services      |

#### Consultation (Internal/External)

Chief Executive Officer; General Manager (Community & Liveability); General Manager (Corporate Services); General Manager (Infrastructure Services); and Relevant Managers, Coordinators and Officers.

Legal/Policy Implications (Justification if applicable)

Nil

#### **Budget/Financial Implications**

Nil

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

#### Conclusion

This report is provided to inform Council of the progress of resolutions of Council.

#### Attachments

Nil

Authored by: J. Weier, SENIOR EXECUTIVE OFFICER



| Title               | Corporate Services Report Entertainment and Hospitality - Council Policy |
|---------------------|--------------------------------------------------------------------------|
| Date                | 6 January 2021                                                           |
| Responsible Manager | P. Greet, CUSTOMER SUPPORT AND GOVERNANCE MANAGER                        |

#### Summary

The purpose of this Report is to present the draft amended Entertainment and Hospitality - Council Policy for Council's consideration and approval.

#### Link to Corporate Plan

Strategic Priority: Financial Sustainability

- We are recognised as a financially intelligent and responsible Council.
- Our long term financial planning guides informed and accountable decision making.
- Our value for money culture enables us to deliver our core functions sustainably.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Effective asset management ensures that we only own and maintain assets that are utilised.

#### **Material Personal Interest/Conflict of Interest**

Nil

#### **Officer's Recommendation**

That this Report be received and that:

1. Council adopt the amended Entertainment and Hospitality - Council Policy pursuant to section 196(1) of the *Local Government Regulation 2012.* 

#### **Background Information**

The Entertainment and Hospitality - Council Policy has been periodically reviewed in accordance with Council's adopted Policy Framework. The Entertainment and Hospitality - Council Policy was due for review in May 2020 and as such has been reviewed to ensure organisational relatively and legislative compliance.

#### Report

The Entertainment and Hospitality - Council Policy is a statutory policy required in accordance with section 196(1) of the *Local Government Regulation* 2012 (LG Regulation). The policy outlines the control of expenditure on official entertainment and hospitality by Council in order to comply with the requirements of section 196 of the LG Regulation and community standards.

The policy has been reviewed to provide clearer descriptions of acceptable expenditure on entertainment and hospitality for official Council purposes. Specifically, a clearer statement that personal expenses must not be paid by Council is proposed, whilst recognising that reasonable expenditure may be incurred in the course of carrying out official responsibilities.

Proposed amendments to the policy are marked up in Attachment 1 for Council's consideration.

It is considered that the policy is otherwise working effectively in so far as it meets Council's legislative obligations and there have been no complaints or compliance issues as a result of the operation of the policy.

#### Consultation (Internal/External)

The proposed amendments to the Entertainment and Hospitality - Council Policy have been endorsed by the Executive Management Team.

#### Legal/Policy Implications (Justification if applicable)

As previously indicated in this Report, the Entertainment and Hospitality - Council Policy has been periodically reviewed in accordance with Council's adopted Policy Framework. There have been no legislative changes affecting this policy since Council's last review.

Council is required to prepare and adopt a policy about Council's spending on entertainment and hospitality pursuant to section 196 of the LG Regulation which provides:-

#### 196 Entertainment and hospitality

(1) A local government must prepare and adopt a policy about the local government's spending on entertainment or hospitality (an **entertainment and hospitality policy**).

Examples of entertainment or hospitality—

- entertaining members of the public in order to promote a local government project
- providing food or beverages to a person who is visiting the local government in an official capacity

• providing food or beverages for a conference, course, meeting, seminar, workshop or another forum

that is held by the local government for its councillors, local government employees or other persons

• paying for a councillor or local government employee to attend a function as part of the councillor's or employee's official duties or obligations as a councillor or local government employee

(2) A local government may spend money on entertainment or hospitality only in a way that is consistent with its entertainment and hospitality policy

#### **Budget/Financial Implications**

Expenditure on entertainment and hospitality is provided in Council's operational budget.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

In accordance with section 58 of the Human Rights Act 2019 (the HR Act), consideration has been given to relevant human rights.

It is considered that this policy does not impact on any human rights identified in the Human Rights Act 2019.

#### Conclusion

Council is required by legislation to prepare and adopt an entertainment and hospitality policy. In accordance with Council's adopted Policy Framework, the existing Entertainment and Hospitality - Council Policy has been reviewed and proposed amendments presented to Council for consideration and adoption.

#### Attachments

- 1. Mark Up Amendments Entertainment and Hospitality Council Policy
- 2. Final Proposed Entertainment and Hospitality Council Policy

Authored by: K.M. Gillespie, GOVERNANCE COORDINATOR



# Entertainment and Hospitality- Council Policy

| Effective Date         | 17 August 2016 - Ordinary Meeting of Council                                             |  |
|------------------------|------------------------------------------------------------------------------------------|--|
| Policy Owner           | Customer Support and Governance Manager                                                  |  |
| Link to Corporate Plan | Strategic Theme 1: Effective and Inclusive GovernanceFinancial Sustainability            |  |
| Review Date            | May 2020July 2024                                                                        |  |
|                        | Local Government Act 2009                                                                |  |
|                        | Local Government Regulation 2012                                                         |  |
|                        | Fringe Benefits Act 1986                                                                 |  |
| Related Legislation    | Queensland Local Government Officer's Award 1998                                         |  |
|                        | Local Government Employees' (Excluding Brisbane City Council) Award State 2003;          |  |
|                        | Engineering Aware - State;                                                               |  |
|                        | Building Trades Public Sector Aware - State.                                             |  |
|                        | Councillor Expenses and Reimbursement- Council Policy                                    |  |
| Related Documents      | Procurement - Council Policy                                                             |  |
|                        | Drug and Alcohol Policy - Organisational Policy                                          |  |
|                        | Western Downs Regional Council (External) Enterprise Bargaining Certified Agreement 2013 |  |
|                        | Western Downs Regional Council (Internal) Enterprise Bargaining Certified Agreement 2013 |  |

| Policy Version | Approval Date | Adopted/Approved            |
|----------------|---------------|-----------------------------|
| 1              | 17/08/2016    | Ordinary Meeting of Council |
|                |               |                             |
|                |               |                             |
|                |               |                             |

This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. <u>A hard copy of this electronic document is uncontrolled.</u>



### 1. PURPOSE

The purpose of this policy is to ensure that expenditure on entertainment and hospitality is reasonable and appropriate, is incurred in the public interest, and that approval for such expenditure/ applicable allowances follows standard Council procedures. To provide a framework to manage entertainment and hospitality expenditure, to obtain the most reasonable and appropriate outcome which meets the requirements of legislative and community standards.

#### 2. SCOPE

This Policy relates to expenditure by Council for entertainment and hospitality, providing guidelines for Council Officers and Authorised Council Representatives.

#### 3. POLICY

#### 3.1 Principles

Section 196 of the *Local Government Regulation 2012* (the Regulation) requires that Council adopt a policy about Council's spending on entertainment or hospitality (an Entertainment and Hospitality Policy).

Council recognises that reasonable and appropriate expenditure for the purposes of entertainment and hospitality may be incurred by Councillors and Council employees in the ordinary course of carrying out their respective responsibilities.

The following principles apply to all entertainment and hospitality expenditure by Council. All expenditure must be:-

- a) For official Council purposes and/or incurred in the public interest.
- b) Reasonable and appropriate to Council's business.
- c) Commensurate with the benefit received by Council or the public.
- d) Properly documented .

-In accordance with all other related policies, procedures and practices.

<del>e)</del>

f)e) Expenditure incurred by Council which is not reasonable and appropriate (e.g. private expenses) must been repaid to Council within 30 days of being incurred/invoicedimmediately.

#### 3.2 Acceptable Entertainment or Hospitality

These guidelines will apply in all cases where hosting is determined by the Council, Chief Executive Officer or appropriate General Manager to be a necessary activity.

Examples of where hosting is appropriate would include:

#### **Civic and Public Functions**

A service or function provided by Council for hosting and entertaining of:-

a) invited members of the public for promoting an initiative or project of Council; and

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b) government officials, dignitaries or elected politicians from all levels of government visiting the local government area in an official capacity.

Page 2 of 4

Included are citizenship ceremonies, community engagement activities, volunteers functions, hosting prospective senior staff, developers and investors, community organisations, media and other significant community events.

#### Conference, Workshops, Meetings and Seminars

Approved attendance at a conference, course, meeting, seminar, workshop or another forum that is:-

- a) held by the local government for its Councillors, Officers or other persons; or
- b) paid for a Councillor or Officer to attend a function as part of their official duties or obligations.

If any employee is away from their usual place of work and <u>has travelled external to the Western</u> <u>Downs regional area</u> (e.g Brisbane or Toowoomba) a claim may be made for reasonable lunch costs for the day.

#### **Sanctioned Social Functions**

Approved social functions hosted by Council for its Councillors or Employees.

Included are annual Christmas parties and employer reward and recognition presentations for provision of services to the public, retirement functions, functions in honour of a long standing employee or elected member.

#### 3.3 Guidelines for Entertainment and Hospitality Expenditure

The following guidelines apply for entertainment and hospitality expenditure:

- a) Councillors and employees incurring expenditure must be able to identify the benefit to the community and how the expenditure contributes to promoting Council's policy and strategic outcomes e.g. the expenditure must be justifiable.
- b) Approval from the relevant authorised officer should be sought before expenditure is incurred. Where this is not practical, reimbursement may be sought subject to the guidelines of the policy.
- c) Personal expenses must not be paid by Council. In the event Eexpenditure incurred by a Councillor or Officer which is not reasonable and appropriate or considered non-official/private, the Council officer or Councillors incurring the cost must make restitution (private expenses) must be repaid to Council within 30 days of an invoice being issued by Councilimmediately.
- d) In granting approval for expenditure, the relevant authorised officer should ensure that such expenditure complies with the principles of this policy.
- e) Hospitality for Council visitors, guests and benefactors will typically take the form of meals and should be undertaken involving a minimum number of Councillors and employees who will be able to advance Council business by their attendance.
- f) The consumption of alcohol has social connotations and its provision has characteristics of entertainment. As representatives of Council, employees may consume alcohol only in moderation for the purposes of hospitality. Employees must be able to perform their duties in a safe manner in accordance with Council policy and the law.
- g) Purchases of alcohol on behalf of Council must be authorised by the Chief Executive Officer prior to the purchase being made.
- h) Spouse/Partner Entertainment, Accommodation & Hospitality Costs will be met by Council in instances where the spouse/partner of a Councillor or Staff member is invited by the Council or the Chief Executive Officer to attend an approved function.



#### 3.4 Exceptions / Expanded Definition of Permissible Activities

Expansion of the permissible entertainment activities may be extended from time to time to include events authorised by the Chief Executive Officer.





# Entertainment and Hospitality- Council Policy

| Effective Date         | 17 August 2016 - Ordinary Meeting of Council                                                                                      |  |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------|--|
| Policy Owner           | Customer Support and Governance                                                                                                   |  |
| Link to Corporate Plan | Financial Sustainability                                                                                                          |  |
| Review Date            | July 2024                                                                                                                         |  |
| Related Legislation    | Local Government Act 2009<br>Local Government Regulation 2012                                                                     |  |
| Related Documents      | Councillor Expenses and Reimbursement- Council Policy<br>Procurement - Council Policy<br>Drug and Alcohol - Organisational Policy |  |

| Policy Version | Approval Date | Adopted/Approved            |
|----------------|---------------|-----------------------------|
| 1              | 17/08/2016    | Ordinary Meeting of Council |
|                |               |                             |
|                |               |                             |
|                |               |                             |

This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. <u>A hard copy of this electronic document is uncontrolled.</u> Page 1 of 4

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#### 1. PURPOSE

To provide a framework to manage entertainment and hospitality expenditure, to obtain the most reasonable and appropriate outcome which meets the requirements of legislative and community standards.

#### 2. SCOPE

This Policy relates to expenditure by Council for entertainment and hospitality, providing guidelines for Council Officers and Authorised Council Representatives.

#### 3. POLICY

#### 3.1 Principles

Section 196 of the *Local Government Regulation 2012* (the Regulation) requires that Council adopt a policy about Council's spending on entertainment or hospitality (an Entertainment and Hospitality Policy).

Council recognises that reasonable and appropriate expenditure for the purposes of entertainment and hospitality may be incurred by Councillors and Council employees in the ordinary course of carrying out their respective responsibilities.

The following principles apply to all entertainment and hospitality expenditure by Council. All expenditure must be:-

- a) For official Council purposes and/or incurred in the public interest.
- b) Reasonable and appropriate to Council's business.
- c) Commensurate with the benefit received by Council or the public.
- d) Properly documented.

In accordance with all other related policies, procedures and practices.

e) Expenditure incurred by Council which is not reasonable and appropriate (e.g. private expenses) must been repaid to Council immediately.

#### 3.2 Acceptable Entertainment or Hospitality

These guidelines will apply in all cases where hosting is determined by the Council, Chief Executive Officer or appropriate General Manager to be a necessary activity.

Examples of where hosting is appropriate would include:

#### **Civic and Public Functions**

A service or function provided by Council for hosting and entertaining of:-

- a) invited members of the public for promoting an initiative or project of Council; and
- b) government officials, dignitaries or elected politicians from all levels of government visiting the local government area in an official capacity.

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Included are citizenship ceremonies, community engagement activities, volunteers functions, hosting prospective senior staff, developers and investors, community organisations, media and other significant community events.

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#### **Conference, Workshops, Meetings and Seminars**

Approved attendance at a conference, course, meeting, seminar, workshop or another forum that is:-

- a) held by the local government for its Councillors, Officers or other persons; or
- b) paid for a Councillor or Officer to attend a function as part of their official duties or obligations.

#### **Sanctioned Social Functions**

Approved social functions hosted by Council for its Councillors or Employees.

Included are annual Christmas parties and employer reward and recognition presentations for provision of services to the public, retirement functions, functions in honour of a long standing employee or elected member.

#### 3.3 Guidelines for Entertainment and Hospitality Expenditure

The following guidelines apply for entertainment and hospitality expenditure:

- a) Councillors and employees incurring expenditure must be able to identify the benefit to the community and how the expenditure contributes to promoting Council's policy and strategic outcomes e.g. the expenditure must be justifiable.
- b) Approval from the relevant authorised officer should be sought before expenditure is incurred. Where this is not practical, reimbursement may be sought subject to the guidelines of the policy.
- c) Personal expenses must not be paid by Council. In the event expenditure incurred by a Councillor or Officer which is not reasonable and appropriate or considered non-official/private, the Council officer or Councillors incurring the cost must make restitution to Council immediately.
- d) In granting approval for expenditure, the relevant authorised officer should ensure that such expenditure complies with the principles of this policy.
- e) Hospitality for Council visitors, guests and benefactors will typically take the form of meals and should be undertaken involving a minimum number of Councillors and employees who will be able to advance Council business by their attendance.
- f) The consumption of alcohol has social connotations and its provision has characteristics of entertainment. As representatives of Council, employees may consume alcohol only in moderation for the purposes of hospitality. Employees must be able to perform their duties in a safe manner in accordance with Council policy and the law.
- g) Purchases of alcohol on behalf of Council must be authorised by the Chief Executive Officer prior to the purchase being made.
- h) Spouse/Partner Entertainment, Accommodation & Hospitality Costs will be met by Council in instances where the spouse/partner of a Councillor or Staff member is invited by the Council or the Chief Executive Officer to attend an approved function.

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#### 3.4 Exceptions / Expanded Definition of Permissible Activities

Expansion of the permissible entertainment activities may be extended from time to time to include events authorised by the Chief Executive Officer.





| Title               | Corporate Services Report Advertising Spending - Council Policy |  |
|---------------------|-----------------------------------------------------------------|--|
| Date                | 6 January 2021                                                  |  |
| Responsible Manager | P. Greet, CUSTOMER SUPPORT AND GOVERNANCE MANAGER               |  |

#### Summary

The purpose of this Report is to present the draft amended Advertising Spending - Council Policy for Council's consideration and approval.

#### Link to Corporate Plan

Strategic Priority: Financial Sustainability

- We are recognised as a financially intelligent and responsible Council.
- Our long term financial planning guides informed and accountable decision making.
- Our value for money culture enables us to deliver our core functions sustainably.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Effective asset management ensures that we only own and maintain assets that are utilised.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received and that:

1. Council adopt the amended Advertising Spending - Council Policy pursuant to section 197(1) of the *Local Government Regulation 2012.* 

#### Background Information

The Advertising Spending - Council Policy has been periodically reviewed in accordance with Council's adopted Policy Framework. The Advertising Spending - Council Policy was due for review in May 2020 and as such has been reviewed to ensure organisational relatively and legislative compliance.

#### Report

The Advertising Spending - Council Policy is a statutory policy required in accordance with section 197(1) of the *Local Government Regulation* 2012 (LG Regulation). The Policy outlines the control of expenditure on advertisements placed by Council in various media to ensure that this advertising is in accordance with the public interest and complies with the requirements of the LG Regulation.

The Policy has been reviewed, with the proposed amendments marked up in Attachment 1 for Council's consideration.

The proposed amendments include clearer descriptions of acceptable use of Council advertising expenditure and provide a link to Council's strategic and operational objectives.

It is considered that the policy is otherwise working effectively in so far as it meets Council's legislative obligations and there have been no complaints or compliance issues as a result of the operation of the Policy.

#### Consultation (Internal/External)

The proposed amendments to the Advertising Spending - Council Policy have been endorsed by the Executive Management Team.

#### Legal/Policy Implications (Justification if applicable)

As previously indicated in this Report, the Advertising Spending - Council Policy has been periodically reviewed in accordance with Council's adopted Policy Framework. There have been no legislative changes affecting this policy since Council's last review.

Council is required to prepare and adopt an advertising spending policy pursuant to section 197 of the LG Regulation which provides:-

#### 197 Advertising spending

(1) A local government must prepare and adopt a policy about the local government's spending on advertising (an **advertising spending policy**).

(2) A local government may spend money on advertising only-

(a) if—

(i) the advertising is to provide information or education to the public; and (ii) the information or education is provided in the public interest; and

(b) in a way that is consistent with the local government's advertising spending policy.

(3) Advertising is promoting, for the payment of a fee, an idea, goods or services to the public.

#### **Budget/Financial Implications**

Expenditure on advertising is provided in Council's operational budget.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

In accordance with section 58 of the *Human Rights Act 2019* (the HR Act), consideration has been given to relevant human rights particularly:-

- the right to seek and receive information incorporated in the right to freedom of expression as embodied in section 21 of the HR Act; and
- the right to take part in public life (section 23) of the HR Act.

It is considered that this Policy does not limit or restrict the identified human rights and therefore Council is acting compatibly with human rights.

#### Conclusion

Council is required by legislation to prepare and adopt an advertising spending policy. In accordance with Council's adopted Policy Framework, the existing Advertising Spending - Council Policy has been reviewed and proposed amendments presented to Council for consideration and adoption.

#### Attachments

- 1. Mark Up Amendments Advertising Spending Council Policy
- 2. Final Proposed Advertising Spending Council Policy

Authored by: K.M. Gillespie, GOVERNANCE COORDINATOR

| Customer Contact <b>1300 COUNCIL (1300 268 624)</b><br>07 4679 4000 |  |
|---------------------------------------------------------------------|--|
| www. <b>wdrc.qld.gov.au</b><br>info@wdrc.qld.gov.au                 |  |

WESTERN DOWNS Regional council

# **Advertising Spending - Council Policy**

| Effective Date         | Ordinary Meeting of Council - 17 August 2016                                                                          |  |
|------------------------|-----------------------------------------------------------------------------------------------------------------------|--|
| Policy Owner           | Customer Support and Governance General Manager                                                                       |  |
| Link to Corporate Plan | Strategic Theme 1: Effective and Inclusive GovernanceFinancial Sustainability                                         |  |
| Review Date            | May <u>20202024</u>                                                                                                   |  |
| Related Legislation    | Local Government Act 2009<br>Local Government Regulation 2012                                                         |  |
| Tiolatou Logiolation   | Local Government Electoral Act 2011                                                                                   |  |
|                        | Community Engagement - Council Policy                                                                                 |  |
| Related Documents      | Procurement - Council Policy                                                                                          |  |
|                        | Standard Work Practice- Placement of Newspaper Advertising and Public<br>Notices Caretaker Period Provisions Protocol |  |

| Policy Version | Approval Date | Adopted/Approved                             |
|----------------|---------------|----------------------------------------------|
|                | 17/08/2016    | Ordinary Meeting of Council - 17 August 2016 |
|                |               |                                              |
|                |               |                                              |
|                |               |                                              |

This policy may not be current as Council regularly reviews and updates its policies. The latest controlled version can be found in the policies section of Council's intranet or Website. A hard copy of this electronic document is uncontrolled.



# **Advertising Spending - Council Policy**

#### 1. PURPOSE

To provide guidelines outlining the control on expenditure on advertisements placed by Council in various media to ensure that this advertising is in accordance with the public interest, and complies with the requirements of section 197 of the *Local Government Regulation 2012* (the Regulation).

#### 2. SCOPE

This policy applies to any paid advertisement or notice in any media that promotes an idea, goods or services (including facilities) provided by Western Downs Regional Council-to the public.

This policy does not apply to advertising for:-

- a) the acquisition or disposal of property, plant and equipment used, or to be used by Council in its business:
- b) for tenders, quotations or expressions of interest;
- c) staff recruitment purposes; or
- d) reports published in the media where no payment is made for the report.

#### 3. POLICY

#### 3.1 Principles

Council is committed to the efficient, economic and responsible use of public resources and recognises that in order to achieve its strategic and operational objectives, reasonable expenditure on advertising is in the public interest to provide information or educate the public.

Council may spend money on advertising only:-

'(2) (a) if—

- (i) the advertising is to provide information or education to the public; and
- (ii) the information or education is provided in the public interest; and
- (b) in a way that is consistent with the local government's advertising spending policy.
- (3) Advertising is promoting, for the payment of a fee, an idea, goods or services to the public.1'

Advertising should be used where the purposes of Council, or the benefit of the community, is advanced. It should not be used to promote the particular achievements or plans of particular Councillors or groups of Councillors, or used in an election, or for any purpose intended to provide material personal gain for a Councillor or Council employee.

#### 3.2 Provisions

All advertising expenditure must be:-

- a) reasonable;
- b) cost effective;
- c) within relevant budget allocation;
- d) for official purposes; and
- e) able to withstand public scrutiny.

3.3 Acceptable uses of Council advertising expenditure are:

 a) To advise the public of new or continuing services, programs, facilities and venues provided by Council;



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## **Advertising Spending - Council Policy**

- b) To advertise, promote and increase public awareness of new, changed or continuing policy, advise the public about changes to existing services, programs, facilities and venues provided by Council;
- c) To increase the use of a service, program, <u>activity</u>, facility or venue provided by Council on a commercial basis with a view to profit;
- d) To change the behaviour of people in Council's area for the benefit of all or some of the community or to achieve the objectives of Council;
- e) To advise the public of the time, place and content of scheduled meetings of Council;
- f) To advise the public of the decisions or outcomes made by Council at its meetings;
- g) To request feedback or comment on proposed policies or activities of Council in accordance with Council's Community Engagement Policy; or other matters of interest to Council or the community;
- h) To advertise matters required by legislation to be advertised;
- i) To promote social education information (e.g. road safety campaigns, health campaigns, emergency service information etc);
- To advise the public on proposed community events, progress on Council works, services and projects and other matters of public interest;
- h)k)To advise the public of due dates for payment of rates and charges;
- i)] To achieve Council's plans, goals and activities; and/or
- <u>i)m)</u>To promote the Western Downs Region for the purposes of tourism, events or economic development.

Section 90D of the *Local Government Act 2009* prohibits Council publishing or distributing election material during a caretaker period prior to the local government election. <u>Election material is anything able to, or intended to -</u>

a) influence an elector about voting at an election; or a)b)affect the result of an election.<sup>2</sup>

#### 3.4 Authorisation of Advertising

All advertising must be approved by the Chief Executive Officer or delegate and in accordance with Council's financial delegations.

The approving officer must ensure that:

- a) the expenditure is in accordance with this policy;
- b) the cost of the advertisement is appropriate for the number of people it is intended to inform and provides a commensurate benefit to the Council and/or to the public; and
- c) the cost is available in the relevant budget item and meets the usual requirements for expenditure approvals.

<sup>2</sup> Local Government Act 2019 - section 90B(2)



# **Advertising Spending - Council Policy**

| Effective Date                                                                                     | Ordinary Meeting of Council - 17 August 2016                                                         |  |  |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--|--|
| Policy Owner                                                                                       | Customer Support and Governance                                                                      |  |  |
| Link to Corporate Plan                                                                             | Financial Sustainability                                                                             |  |  |
| Review Date                                                                                        | May 2024                                                                                             |  |  |
| Related Legislation                                                                                | Local Government Act 2009<br>Local Government Regulation 2012<br>Local Government Electoral Act 2011 |  |  |
| Related Documents       Community Engagement - Council Policy         Procurement - Council Policy |                                                                                                      |  |  |

| Policy Version | Approval Date | Adopted/Approved                             |
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(ii) the information or education is provided in the public interest; and
(b) in a way that is consistent with the local government's advertising spending policy.
(3) Advertising is promoting, for the payment of a fee, an idea, goods or services to the public.<sup>11</sup>

Advertising should be used where the purposes of Council, or the benefit of the community, is advanced. It should not be used to promote the particular achievements or plans of particular Councillors or groups of Councillors, or used in an election, or for any purpose intended to provide material personal gain for a Councillor or Council employee.

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- a) reasonable;
- b) cost effective;
- c) within relevant budget allocation;
- d) for official purposes; and
- e) able to withstand public scrutiny.

#### 3.3 Acceptable uses of Council advertising expenditure are:

a) To advise the public of new or continuing services, programs, facilities and venues provided by Council;

<sup>&</sup>lt;sup>1</sup> Local Government Regulation 2012 - section 197(2) and (3)

- b) To advertise, promote and increase public awareness of new, changed or continuing policy, services, programs, facilities and venues provided by Council;
- c) To increase the use of a service, program, activity, facility or venue provided by Council;
- d) To change the behaviour of people in Council's area for the benefit of all or some of the community or to achieve the objectives of Council;
- e) To advise the public of the time, place and content of scheduled meetings of Council;
- f) To advise the public of the decisions or outcomes made by Council at its meetings;
- g) To request feedback or comment on proposed policies or activities of Council or other matters of interest to Council or the community;
- h) To advertise matters required by legislation to be advertised;
- i) To promote social education information (e.g. road safety campaigns, health campaigns, emergency service information etc);
- j) To advise the public on proposed community events, progress on Council works, services and projects and other matters of public interest;
- k) To advise the public of due dates for payment of rates and charges;
- I) To achieve Council's plans, goals and activities; and/or
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- b) the cost of the advertisement is appropriate for the number of people it is intended to inform and provides a commensurate benefit to the Council and/or to the public; and
- c) the cost is available in the relevant budget item and meets the usual requirements for expenditure approvals.

<sup>&</sup>lt;sup>2</sup> Local Government Act 2019 - section 90B(2)



### Title Corporate Services Report - Building Our Regions Funding Commitment

| Date                | 6 January 2021                 |
|---------------------|--------------------------------|
| Responsible Manager | A. Ritchie, FACILITIES MANAGER |

#### Summary

The purpose of this Report is to seek Councils' formal commitment for the delivery of the Tara Lagoon Masterplan project in partnership with the State Government under the Building Our Regions funding program.

#### Link to Corporate Plan

Strategic Priority: Active Vibrant Communities

- Our parks, open spaces, and community facilities are well utilised and connect people regionally.

Strategic Priority: Financial Sustainability

- We are recognised as a financially intelligent and responsible Council.

Strategic Priority: Great Liveability

- Our residents enjoy convenience of modern infrastructure and quality essential services.
- Valued recreational spaces, sporting and community facilities are provided regionally.

Strategic Priority: Strong Economic Growth

- We optimise our tourism opportunities, unique experiences, and major events.

#### Material Personal Interest/Conflict of Interest

Nil

#### Officer's Recommendation

That this Report be received, and that Council confirm their previous approval of:

- 1. a financial contribution of \$2,401,500, being 50% of the total project cost (\$4,803,000);
- 2. commitment to delivering the project; and
- 3. acceptance of any funding shortfall.

#### **Background Information**

A submission was put forward for co-funding under Round 5 of the Building Our Regions (BOR) Fund for the Tara Lagoon Masterplan. In May 2020, Council received notification from BOR that they had been successful in obtaining 50% co-funding for the project.

#### Report

At its Ordinary Meeting of Council held 27 April 2020, Council adopted its COVID-19 Recovery Package which included the Tara Lagoon Masterplan project. The Council resolution approved a financial allocation for the detailed design of eight projects, together with commitment to funding the projects upon securing co-funding from State or Federal Government.

The Building Our Regions Round 5 Program Guidelines specifically requires Council to "provide a resolution from Council that it has budgeted their financial contribution to the project, is committed to delivering the approved project, and acknowledges responsibility for any funding shortfall if costs or other contributors change." Therefore, to satisfy these administrative requirements a formal resolution as detailed is required.

#### Consultation (Internal/External)

Building Our Regions Department of State Development, Manufacturing, Infrastructure and Planning

Legal/Policy Implications (Justification if applicable)

Nil

#### **Budget/Financial Implications**

Council has allocated \$2,401,500 in the 2020/21 budget for the Tara Lagoon Masterplan Project to match the 50% co-funding approved by BOR.

#### Human Rights Considerations

There are no human rights implications associated with this report.

#### Conclusion

The Tara Lagoon Masterplan will see the creation of a destination quality parkland and drawcard for locals and visitors to enjoy all year round. The natural beauty of the lagoon will be enhanced by a range of camping, picnicking and playground upgrades. Whilst this is an investment into a local asset for community and travellers to use, it will also generate considerable economic stimulus during and after construction which is vital for a region that has struggled against the effects of long-term drought and the COVID-19 pandemic.

This report seeks Council's confirmation of its' commitment to deliver this project to satisfy BOR funding guidelines.

#### Attachments

Nil

Authored by: K. Goss, FACILITIES PROGRAM MANAGER



# Title Corporate Services Financial Report December 2020 Date 7 January 2021

**Responsible Manager** 

E. Lambert, CHIEF FINANCIAL OFFICER

#### Summary

The purpose of this Report is to provide Council with the Financial Report for the period ending 31 December 2020.

#### Link to Corporate Plan

Strategic Priority: Financial Sustainability - We are recognised as a financially intelligent and responsible Council.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received, and that:

- 1. Council notes the December 2020 Financial Report, and
- 2. Resolves to approve \$1.271 million in capital expenditure and \$1.205 million in capital revenue being added to Council's 2020-21 capital works program.

#### Background Information

The Chief Executive Officer is required by Section 204 (2) of the Local Government Regulation 2012 to present the financial report at each meeting of the local government if each meeting is held less frequently than monthly, or monthly. The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held (section 204 (3)).

#### Report

#### 1. Operating Budget

The operating profit as at 31 December 2020 is \$1.671 million compared to a budgeted deficit of \$7.478 million which is \$9.150 million ahead of budget. This better than budgeted position is mainly due to a lag in expenditure of \$7.945 million and revenue being ahead of budget by \$1.204 million. Expenditure will always lag in Materials and Services expenditure due to invoices not being accrued at the end of the current month.

Analysis of the major variances for each revenue and expense item is provided in the following table:

| Council Consolidated                      | Original<br>Budget<br>\$ | Revised<br>Budget<br>\$ | YTD<br>Budget<br>\$ | YTD<br>Actuals<br>\$ | Variance<br>\$ | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------|--------------------------|-------------------------|---------------------|----------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Revenue                                   |                          |                         |                     |                      |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Rates and Utility<br>Charges              | (91,355,089)             | (91,355,089)            | (45,671,833)        | (46,045,352)         | (373,519)      | Rates and Utility Charges revenue is greater than budget due to favourable QVAS adjustments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Volumetric                                | (6,723,086)              | (6,723,086)             | -                   | 15,270               | 15,270         | Volumetric revenue has a debit value due to some minor adjustments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Less: Discounts &<br>Pensioner Remissions | 5,317,113                | 5,317,113               | 2,683,558           | 2,278,976            | (404,582)      | Discounts & Pensioner Remissions<br>are under budget due to less people<br>taking up the discount than what was<br>budgeted (\$0.179 million). There is<br>also a phasing issue with water<br>discounts (\$0.225 million). This will<br>correct in the coming months.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Net Rates and Utility<br>Charges          | (92,761,062)             | (92,761,062)            | (42,988,275)        | (43,751,106)         | (762,831)      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Fees and Charges                          | (5,559,170)              | (5,559,170)             | (2,947,149)         | (2,817,228)          | 129,921        | Fees and Charges revenue is under<br>budget \$0.130 million due to:<br>> Accruals for the Aerodromes of<br>\$0.317 million not being unwound in<br>December. Accruals for this income<br>is based on outstanding amounts.<br>This will correct when outstanding<br>fees are collected (timing issue).<br>> Waste Fees being under budget<br>\$0.184 million due to a delay in<br>processing waste dockets (timing<br>difference).<br>This is offset with some favourable<br>variances:<br>\$0.063 million additional income for<br>Planning & Building fees. These fees<br>are outside of the approved waived<br>stimulus fees and charges.<br>> \$0.141 million ahead of budget at<br>the Washdown Bays due to<br>increased activity.<br>> \$0.173 million ahead of budget for<br>water sales from the standpipes. |
| Rental and Levies                         | (1,588,400)              | (1,588,400)             | (794,196)           | (909,254)            | (115,058)      | Rental and Levies revenue is over<br>budget by \$0.115 million purely due<br>to a phasing issue. No budget<br>concerns.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Sales of Major<br>Services                | (26,558,756)             | (26,558,756)            | (14,531,974)        | (13,070,133)         | 1,461,841      | Sales of Major Services revenue is<br>under budget by \$1.462 million<br>mainly due to Commercial Works<br>being behind budget by \$1.570<br>million for outstanding progress<br>claims and is a phasing issue. All<br>projects are on schedule and there<br>are no budget concerns.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| Council Consolidated                                | Original<br>Budget<br>\$ | Revised<br>Budget<br>\$ | YTD<br>Budget<br>\$ | YTD<br>Actuals<br>\$ | Variance<br>\$ | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------|--------------------------|-------------------------|---------------------|----------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Operating Grants,<br>Subsidies and<br>Contributions | (21,451,589)             | (21,451,589)            | (6,492,418)         | (8,940,788)          | (2,448,370)    | Operating Grants, Subsidies and<br>Contributions revenue is over<br>budget by \$2.448 million mainly<br>due to:<br>> \$0.853 million received in<br>Disaster Recovery Funding for<br>the South Qld Heavy Rainfall and<br>flooding event in February 2020.<br>> \$0.786 million received for the<br>Health Services Sector, with<br>additional income being received<br>from the Commonwealth in<br>relation to COVID-19 pandemic<br>and an additional 30 per cent<br>increase in the viability<br>supplement and the residential<br>care homeless supplement.<br>> \$0.395 million received for<br>Communities Combating Pest<br>and Weeds which was not<br>budgeted.<br>> \$0.200 million received for<br>Trainee/Apprentice grants which<br>was not budgeted. |
| Interest Revenue                                    | (1,615,000)              | (1,615,000)             | (807,498)           | (688,787)            | 118,711        | Interest Revenue has come in<br>under budget \$0.119 million due<br>to Council budgeting to receive<br>1.00% and only receiving on<br>average 0.83% for the first 5<br>months of the year. Interest<br>rates have increased in<br>December to 1.03% (was 0.77%<br>at 23 November 2020).                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Other Income                                        | (1,601,075)              | (1,601,075)             | (624,034)           | (212,762)            | 411,272        | Other Income has come in under<br>budget by \$0.411 million mainly<br>due to:<br>> Cinema revenue being behind<br>budget by \$0.222 million due to<br>COVID-19 conditions.<br>> Legal Fees recovered being<br>behind budget by \$0.149 million<br>with no revenue being received<br>year to date.<br>> Ticket Sales for Big Skies is<br>behind budget \$0.050 year to<br>date. Total budgeted income was<br>\$0.450 million. This will be offset<br>by no expenditure incurred in<br>Materials and Services (\$0.500<br>million budgeted).                                                                                                                                                                                                                      |
| TOTAL OPERATING<br>REVENUES                         | (151,135,052)            | (151,135,052)           | (69,185,544)        | (70,390,059)         | (1,204,515)    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| Council Consolidated                  | Original<br>Budget<br>\$ | Revised<br>Budget<br>\$ | YTD<br>Budget<br>\$ | YTD<br>Actuals<br>\$ | Variance<br>\$ | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------|--------------------------|-------------------------|---------------------|----------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Expenses                              |                          |                         |                     |                      |                |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Employee Benefits                     | 57,255,425               | 57,255,425              | 28,123,192          | 27,971,760           | (151,432)      | Employee Benefits are in line with budget.                                                                                                                                                                                                                                                                                                                                                                                               |
| Less Capitalised<br>Employee Benefits | (4,728,745)              | (4,728,745)             | (2,299,126)         | (3,093,721)          | (794,595)      | Capitalised Employee Benefits<br>are better than budget with<br>more staff working on capital<br>works due to the COVID<br>Stimulus package.                                                                                                                                                                                                                                                                                             |
| Net Employee Benefits                 | 52,526,680               | 52,526,680              | 25,824,066          | 24,878,039           | (946,027)      |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Materials and Services                | 58,360,000               | 58,360,000              | 28,843,365          | 21,843,966           | (6,999,399)    | Materials and Services<br>expenditure is under budget<br>due to outstanding invoices<br>not being accrued at the end<br>of the current month<br>(December). There have also<br>been savings identified<br>including diesel expense of<br>\$0.200 million due to reduced<br>pricing, Big Skies expenditure<br>of \$0.500 million due to<br>cancellation of the event, and<br>\$0.300 million in Legal Fees &<br>Court Costs not incurred. |
| Depreciation and<br>Amortisation      | 43,869,076               | 43,869,076              | 21,934,566          | 21,934,566           | -              |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Finance Costs                         | 593,055                  | 593,055                 | 62,028              | 62,230               | 202            | Finance Costs are in line with budget.                                                                                                                                                                                                                                                                                                                                                                                                   |
| Corporate Overhead                    | -                        | -                       | -                   | -                    | -              |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| TOTAL OPERATING<br>EXPENSES           | 155,348,811              | 155,348,811             | 76,664,025          | 68,718,802           | (7,945,223)    |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Operating (profit)/deficit            | 4,213,759                | 4,213,759               | 7,478,481           | (1,671,257)          | (9,149,738)    |                                                                                                                                                                                                                                                                                                                                                                                                                                          |

#### 2. Business Unit Commentary

- Commercial Works: Commercial Works currently has an operating profit of \$0.420 million compared to a
  budgeted profit of \$2.155 million which is \$1.735 million behind budget. This less favourable position is due
  to outstanding progress claims and is a phasing issue. All projects are on schedule with no budget concerns.
  It is expected that Commercial Works will come in ahead of budget for the full year with additional works
  being added to the program throughout the year (Warra Canaga Creek Road rehab, Prior works on Surat
  Development Road, reseal prior works on Moonie Highway, Bunya Highway & Dalby Jandowae Highway).
- Gas: Gas currently has an operating profit of \$0.239 million compared to a budgeted profit of \$0.165 million which is \$0.073 million better than budget. This better than budgeted position is due to expenditure being behind budget by \$0.187 million. November and December purchase of gas invoices are currently outstanding. Revenue is currently \$0.113 million behind budget. This is purely a phasing issue with no budget concerns.

- Water: The Water business unit has an operating deficit of \$3.432 million compared to a budgeted deficit of \$3.610 million. This better than budgeted position of \$0.178 million is due to revenue being \$0.436 million ahead of budget. Discounts & Pensioner Remissions are behind budget \$0.225 million due to a phasing issue. This will correct over the coming months. Water Sales are also \$0.173 million ahead of budget \$0.214 million and is a budget phasing issue.
- **Sewerage:** Sewerage has a current operating profit of \$1.480 million compared to a budgeted profit of \$1.468 million which is \$0.012 million greater than budget. Revenue and expenditure are in line with budget.
- Quarry: The Quarry and Gravel Pits are \$1.066 million better than budget with an operating profit of \$1.918 million compared to a budgeted profit of \$0.852 million. This better than budgeted position is mainly due to Materials and Services being under budget \$0.932 million. This underspend relates to product being produced at lower than budgeted cost of production per tonne, higher production tonnage than budgeted, and the stocktake adjustment having a positive impact of \$0.224 million. Revenue and therefore tonnes sold is in line with budget. It is expected that the Quarry will do better than budget for the full year due to an additional 70,000 tonnes of crushed gravel being produced for the additional Commercial Works Projects now being added to the program.
- Waste: Waste currently has an operating profit of \$0.469 million compared to a budgeted deficit of \$0.848 million which is \$1.316 million better than budget. This better than budgeted position is due to Materials and Services being behind budget \$1.453 million. This underspend relates mainly to outstanding invoices from the waste contracts (\$0.986 million) and the waste levy in which we currently have received more revenue for the levy than what we have paid (\$0.289 million). This is a phasing issue with the budget phased evenly over 12 months where only the Jandowae site is paid monthly with the other sites to be paid annually in June as surveys are required to calculate the levy for those sites. Revenue is behind budget \$0.180 million due to Waste Fees being under budget due to a timing difference in processing waste dockets.
- **Saleyards:** Saleyards have an operating profit of \$0.457 million compared to a budgeted profit of \$0.137 million which is \$0.320 million greater than budget. This better than budgeted position is due to Materials and Services being behind budget \$0.217 million for outstanding expenditure. Revenue is in line with budget.
- **Washdown Bays:** Washdown Bays are currently operating at a profit of \$0.097 million compared to a budgeted deficit of \$0.090 million. This is a result of increased throughput at the facility.

#### 3. Capital Revenue and Expenditure

#### Capital Revenue

Capital Revenue is \$0.733 million ahead of budget with \$12.872 million being received as at 31 December 2020. This better than budgeted position comprises of:

- Capital Grants and Subsidies are \$1.442 million ahead of budget. This is a phasing issue.
- Contributions are \$0.249 million behind budget. This is a timing issue with works complete and outstanding payment claims. No budget concerns.
- Contributed Assets are \$0.445 million behind budget.
- Contributions from Developers is \$0.191 million behind budget.
- Disposal of Non-Current Assets is \$0.175 million ahead of budget. Disposal of Assets will come in over budget for the year due to the second 2019-20 financial year yellow fleet auction being postponed until October 2020 as a result of the restrictions in place for COVID-19.
- Capital Expenditure

Capital Expenditure is \$8.841 million behind budget as at the end of December 2020 due to outstanding progress payments and works in progress not being invoiced. There will always be a lag in capital expenditure with works complete and payment for those works.

Projects to the value of \$1.271 million in expenditure and \$1.205 million in revenue have been added to the 2020-21 capital works program. As per Budget Policy, the projects have been approved by either Council, or the Chief Executive Officer. The projects are listed in the table below.

| Project ID                                              | Project Name                                         | Expenditure          | Income                 | Comment                                        |
|---------------------------------------------------------|------------------------------------------------------|----------------------|------------------------|------------------------------------------------|
| Current Approved Capit                                  | l<br>al Budget                                       | Budget<br>80,845,904 | Budget<br>(31,790,235) |                                                |
|                                                         |                                                      |                      | (,,,                   |                                                |
| Capital Projects already                                |                                                      |                      |                        |                                                |
| 66800.0276.0487 Truck & Dog Replacement (#2901 + #3051) |                                                      | 222,727              | -                      | Approved by Council Resolution 18/11/20        |
|                                                         |                                                      |                      |                        |                                                |
| Total                                                   |                                                      | 222,727              | -                      |                                                |
|                                                         |                                                      |                      |                        |                                                |
| <b>Capital Projects for Cou</b>                         | ncil approval                                        |                      |                        |                                                |
| 66100.0085.1433                                         | Redgum/Gulera Intersection - QGC                     | 200,666              | (230,766)              | Fully funded project. Approved by CEO 10/11/20 |
| 66100.0085.1434                                         | Burradoo Road from Chainages 7.120m to 12.027m (QGC) | 710,081              | (816,593)              | Fully funded project. Approved by CEO 17/11/20 |
| 66100.0085.1435                                         | Caves Road from Chainages 0.00m to 2160m             | 137,348              | (157,992)              | Fully funded project. Approved by CEO 08/12/20 |
| Total                                                   |                                                      | 1,048,095            | (1,205,351)            |                                                |
|                                                         |                                                      |                      |                        |                                                |
| Total Adjustments                                       |                                                      | 1,270,822            | (1,205,351)            |                                                |
|                                                         |                                                      |                      | (                      |                                                |
| Revised Capital Budget                                  |                                                      | 82,116,726           | (32,995,586)           |                                                |

#### 4. Cash and Investments

Council's Cash and Investments as at the end of December 2020 totalled \$191.694 million which represents 14.81 months of Operating Expenses including depreciation which is a very healthy position. The balance as at 30 June 2020 was \$174.933 million. The reason for this high balance is due to additional funding being received as part of the COVID Stimulus works and a lag in operational and capital expenditure (\$16.786 million). Cash will continue to decline as expenditure starts to accelerate prior to the end of the financial year. There is always a lag with expenditure and also capital projects being phased to the back-end of the financial year. The next major revenue stream to be recognised will be volumetric water in January/ February.

#### Consultation (Internal/External)

Nil

#### Legal/Policy Implications (Justification if applicable)

Nil

#### **Budget/Financial Implications**

Council adopted the FY2021 Original Budget on 22 July 2020. The attached One-Page report details the progress made against Year-To-Date (YTD) budget for the period ending 31 December 2020.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

#### Conclusion

There are currently no budget concerns as at 31 December 2020. Budget upsides are starting to appear with it anticipated that Council will better its position of the budgeted deficit of \$4.214 million, however the budget remains tight and is being monitored closely. In addition, there are projects totalling \$1.271 million in expenditure and \$1.205 million in revenue which needs to be approved so that Council's capital works program can be adjusted accordingly.

#### Attachments

1. One Page Report December 2020

Authored by: C. Prain, MANAGEMENT ACCOUNTANT

## WESTERN DOWNS

#### Western Downs Regional Council One Page Result Period Ending: 31 December 2020

| REGIONAL COUNCIL                                     |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
|------------------------------------------------------|-----------------|----------------|--------------------|--------------|--------------|-----------------|----------------|--------------|--------------|--------------|-----------------|----------------|------------------|-------------|--------------|-----------------|----------------|-------------|-------------|-------------|
|                                                      |                 | C              | ouncil Consolidate | d            |              |                 |                | Council Net  |              |              |                 |                | Commercial Works |             |              |                 |                | Gas         |             |             |
|                                                      | Original Budget | Revised Budget | YTD Budget         | YTD Actuals  | YTD Variance | Original Budget | Revised Budget | YTD Budget   | YTD Actuals  | YTD Variance | Original Budget | Revised Budget | YTD Budget       | YTD Actuals | YTD Variance | Original Budget | Revised Budget | YTD Budget  | YTD Actuals | YTD Variand |
| Operating Revenue                                    |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Rates and Utility Charges                            | (91,355,089)    | (91,355,089)   | (45,671,833)       | (46,045,352) | (373,519     | ) (70,892,507)  | (70,892,507)   | (35,440,541) | (35,828,909) | (388,368)    | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Volumetric                                           | (6,723,086)     | (6,723,086)    | -                  | 15,270       | 15,270       | -               | -              | -            | -            | -            | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Less: Discounts & Pensioner Remissions               | 5,317,113       | 5,317,113      | 2,683,558          | 2,278,976    | (404,582     | 2) 3,955,125    | 3,955,125      | 1,977,563    | 1,852,704    | (124,859)    | -               | -              | -                | -           | -            | -               | -              | 25,000      | 25,257      | 2           |
| Net Rates and Utility Charges                        | (92,761,062)    | ( , , , ,      | (42,988,275)       | (43,751,106) | (762,831     | , , , , ,       | (66,937,382)   | (33,462,978) | (33,976,206) | (513,228)    | -               | -              | -                | -           | -            | -               | -              | 25,000      | 25,257      | 2           |
| Fees and Charges                                     | (5,559,170)     |                | (2,947,149)        | (2,817,228)  |              |                 | (2,642,810)    | (1,488,963)  | (1,224,034)  | 264,929      | -               | -              | -                | -           | -            | (31,000)        | (31,000)       | (15,498)    | (18,808)    | (3,3        |
| Rental and Levies                                    | (1,588,400)     |                | (794,196)          | (909,254)    |              |                 | (1,513,400)    | (756,696)    | (846,285)    | (89,589)     |                 | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Sales of Major Services                              | (26,558,756)    |                | (14,531,974)       | (13,070,133) |              |                 | -              |              | -            |              | (12,050,000)    | (12,050,000)   | (7,793,888)      | (6,223,687) | 1,570,201    | (3,132,662)     | (3,132,662)    | (1,228,478) | (1,112,055) | 116,42      |
| Operating Grants & Subsidies                         | (21,451,589)    |                | (6,492,418)        | (8,940,788)  | ( ) ,        |                 | (21,451,589)   | (6,492,418)  | (8,940,788)  | (2,448,370)  | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Interest                                             | (1,615,000)     | (1,615,000)    | (807,498)          | (688,787)    | 118,711      |                 | (1,615,000)    | (807,498)    | (658,493)    | 149,005      | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Other Income                                         | (1,601,075)     | (1,601,075)    | (624,034)          | (212,762)    | ,            |                 | (1,561,075)    | (604,030)    | (201,396)    | 402,634      | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Fotal Operating Revenue                              | (151,135,052)   | (151,135,052)  | (69,185,544)       | (70,390,059) | (1,204,515   | 6) (95,721,256) | (95,721,256)   | (43,612,583) | (45,847,202) | (2,234,619)  | (12,050,000)    | (12,050,000)   | (7,793,888)      | (6,223,687) | 1,570,201    | (3,163,662)     | (3,163,662)    | (1,218,976) | (1,105,607) | 113,36      |
| Operating Expenses                                   |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Employee Benefits                                    | 57,255,425      | 57,255,425     | 28,123,192         | 27,971,760   | (151,432     | 46,999,291      | 46,999,291     | 23,158,786   | 22,607,231   | (551,555)    | 2,076,057       | 2,076,057      | 1,000,614        | 1,315,453   | 314,839      | 365,279         | 365,279        | 175,926     | 158,670     | (17,25      |
| Less Capitalised Employee Benefits                   | (4,728,745)     | (4,728,745)    | (2,299,126)        | (3,093,721)  | (794,595     | 6) (4,256,418)  | (4,256,418)    | (2,051,497)  | (2,754,165)  | (702,668)    | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Net Employee Benefits                                | 52,526,680      | 52,526,680     | 25,824,066         | 24,878,039   | (946,027     | 42,742,873      | 42,742,873     | 21,107,289   | 19,853,067   | (1,254,222)  | 2,076,057       | 2,076,057      | 1,000,614        | 1,315,453   | 314,839      | 365,279         | 365,279        | 175,926     | 158,670     | (17,25      |
| Materials and Services                               | 58,360,000      | 58,360,000     | 28,843,365         | 21,843,966   | (6,999,399   | ) 27,442,493    | 27,442,493     | 13,982,202   | 9,738,658    | (4,243,544)  | 8,691,790       | 8,691,790      | 4,410,050        | 4,260,077   | (149,973)    | 1,179,815       | 1,179,815      | 590,118     | 420,724     | (169,39     |
| Depreciation and Amortisation                        | 43,869,076      | 43,869,076     | 21,934,566         | 21,934,566   | -            | 36,544,733      | 36,544,733     | 18,272,382   | 18,272,382   | -            | -               | -              | -                | -           | -            | 276,836         | 276,836        | 138,426     | 138,426     | -           |
| Finance Costs                                        | 593,055         | 593,055        | 62,028             | 62,230       | 202          |                 | 480,878        | 62,028       | 62,230       | 202          | -               | -              | -                | -           | -            | 45,650          | 45,650         | -           | -           | -           |
| Corporate Overhead                                   | -               | -              | -                  | -            | -            | (4,208,017)     | (4,208,017)    | (2,104,014)  | (2,104,014)  | -            | 456,576         | 456,576        | 228,288          | 228,288     | -            | 298,210         | 298,210        | 149,106     | 149,106     | -           |
| Total Operating Expenses                             | 155,348,811     | 155,348,811    | 76,664,025         | 68,718,802   | (7,945,223   | 103,002,960     | 103,002,960    | 51,319,887   | 45,822,323   | (5,497,564)  | 11,224,423      | 11,224,423     | 5,638,952        | 5,803,818   | 164,866      | 2,165,790       | 2,165,790      | 1,053,576   | 866,926     | (186,65     |
| Operating (surplus)/deficit                          | 4,213,759       | 4,213,759      | 7,478,481          | (1,671,257)  | (9,149,738   | 3) 7,281,704    | 7,281,704      | 7,707,304    | (24,879)     | (7,732,183)  | (825,577)       | (825,577)      | (2,154,936)      | (419,869)   | 1,735,067    | (997,872)       | (997,872)      | (165,400)   | (238,681)   | (73,28      |
|                                                      |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Capital Revenue                                      |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Capital Grants & Subsides                            | (21,529,823)    |                | (9,788,651)        | (11,231,086) |              |                 | (29,856,170)   | (9,788,651)  | (11,231,086) | (1,442,435)  | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Contributions                                        | (2,089,578)     |                | (1,075,706)        | (826,844)    |              |                 | (3,139,417)    | (1,075,706)  | (826,844)    | 248,862      | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Contributions - Contributed Assets                   | (1,000,000)     |                | (500,000)          | (55,404)     |              |                 | (1,000,000)    | (500,000)    | (26,736)     | 473,264      | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Contributions from Developers - Cash                 | (700,000)       |                | (350,000)          | (159,170)    |              |                 | (700,000)      | (350,000)    | (83,831)     | 266,169      | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Disposal of Non-Current Assets                       | (850,000)       | (850,000)      | (425,000)          | (599,600)    | (174,600     | / / /           | (850,000)      | (425,000)    | (599,600)    | (174,600)    |                 | -              | -                | -           | -            | -               | -              | -           |             | -           |
| Total Capital Revenue                                | (26,169,401)    | (35,545,587)   | (12,139,357)       | (12,872,104) | (732,747     | (26,169,401)    | (35,545,587)   | (12,139,357) | (12,768,097) | (628,740)    | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
|                                                      |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Capital Expenses<br>Loss of Revaluation of Inventory |                 |                |                    | -            |              |                 |                |              |              | -            |                 |                |                  |             |              |                 |                |             |             |             |
| Restoration of Land Provision                        | -               | -              | -                  | - 20,509     | - 20,509     |                 | -              | -            | -            | -            | · ·             | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Capital Expense Write-Off                            | 9,200,000       | 9,200,000      | 4,600,000          | 3,359,475    | (1,240,525   |                 | 8,200,000      | 4,100,000    | 2,569,405    | (1,530,595)  |                 |                |                  |             |              |                 |                |             |             |             |
| Total Capital Expenses                               | 9,200,000       | 9,200,000      | 4,600,000          | 3,379,984    | (1,220,016   |                 | 8,200,000      | 4,100,000    | 2,569,405    | (1,530,595)  |                 | -              | -                | -           | -            | -               | -              | -           | -           | -           |
|                                                      |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Net Result (surplus)/deficit                         | (12,755,642)    | (22,131,828)   | (60,876)           | (11,163,377) | (11,102,501  | .) (10,687,697) | (20,063,883)   | (332,053)    | (10,223,571) | (9,891,518)  | (825,577)       | (825,577)      | (2,154,936)      | (419,869)   | 1,735,067    | (997,872)       | (997,872)      | (165,400)   | (238,681)   | (73,28      |
|                                                      |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Capital Funding Applications                         |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |
| Capital Expenditure - New Assets                     | 17,310,894      | 25,036,359     | 3,483,148          | 2,624,171    | (858,977     |                 | 24,461,359     | 2,908,148    | 2,609,421    | (298,727)    |                 | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Capital Expenditure - Upgrade Assets                 | 9,610,468       | 12,752,306     | 3,746,078          | 2,684,551    | (1,061,527   |                 | 11,634,871     | 3,430,973    | 2,527,421    | (903,552)    |                 | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Capital Expenditure - Replacement Assets             | 50,587,994      | 44,328,061     | 21,829,895         | 14,909,821   | (6,920,074   | 43,218,190      | 36,958,257     | 18,502,360   | 12,876,990   | (5,625,370)  | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Loan Principal                                       | -               | -              | -                  | -            | -            | -               | -              | -            | -            | -            |                 | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Land Rehab                                           | -               | -              | -                  | -            | -            | -               | -              | -            | -            | -            | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
| Total Capital Funding Applications                   | 77,509,356      | 82,116,726     | 29,059,121         | 20,218,543   | (8,840,578   | 68,447,117      | 73,054,487     | 24,841,481   | 18,013,832   | (6,827,649)  | -               | -              | -                | -           | -            | -               | -              | -           | -           | -           |
|                                                      |                 |                |                    |              |              |                 |                |              |              |              |                 |                |                  |             |              |                 |                |             |             |             |

|                                                                  |                         |                         |                     |                    |                        |                      |                                                        |                      | 14                     | lestern Downs       | Regional Counc       | -11                  |                      |                      |              |                      |                      |                      |                      |                      |
|------------------------------------------------------------------|-------------------------|-------------------------|---------------------|--------------------|------------------------|----------------------|--------------------------------------------------------|----------------------|------------------------|---------------------|----------------------|----------------------|----------------------|----------------------|--------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| WESTERN                                                          |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     | ge Result            |                      |                      |                      |              |                      |                      |                      |                      |                      |
| DOWNS                                                            |                         |                         |                     |                    |                        |                      |                                                        |                      | Pe                     |                     | 1 December 20        | 20                   |                      |                      |              |                      |                      |                      |                      |                      |
| REGIONAL COUNCIL                                                 |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
|                                                                  |                         |                         | Water               |                    |                        |                      |                                                        | Sewerage             |                        |                     |                      |                      | Quarry               |                      |              |                      |                      | Waste                |                      |                      |
|                                                                  | Original Budget         | Revised Budget          | YTD Budget          | YTD Actuals        | YTD Variance           | Original Budget      | Revised Budget                                         | YTD Budget           | YTD Actuals            | YTD Variance        | Original Budget      | Revised Budget       | YTD Budget           | YTD Actuals          | YTD Variance | Original Budget      | Revised Budget       | YTD Budget           | YTD Actuals          | YTD Variance         |
| Operating Revenue                                                |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
| Rates and Utility Charges                                        | (5,923,280)             | (5,923,280)             | (2,961,640)         |                    | 3,757                  | (9,008,465)          | (9,008,465)                                            | (4,504,233)          | (4,496,173)            | 8,060               | -                    | -                    | -                    | -                    | -            | (5,530,837)          | (5,530,837)          | (2,765,419)          | (2,762,386)          | 3,033                |
| Volumetric                                                       | (6,723,086)             | (6,723,086)             | -                   | 15,270             | 15,270                 |                      | -                                                      | -                    | -                      | -                   | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
| Less: Discounts & Pensioner Remissions                           | 635,023 (12,011,343)    | 635,023 (12,011,343)    | 317,512 (2,644,128) | 92,439 (2,850,175) | (225,073)<br>(206,047) |                      | 450,423 (8,558,042)                                    | 225,212 (4,279,021)  | 193,898 (4,302,275)    | (31,314)            |                      | -                    |                      | -                    |              | 276,542 (5,254,295)  | 276,542 (5,254,295)  | 138,271 (2,627,148)  | 114,679 (2,647,707)  | (23,592)<br>(20,559) |
| Net Rates and Utility Charges<br>Fees and Charges                | (12,011,343)            | (12,011,343)            | (385,002)           | (2,850,175)        | (172,979)              |                      | (8,558,042)                                            | (4,279,021)          | (4,502,275)<br>(1,698) | (23,254)<br>(1,698) |                      |                      |                      | (468)                | - (468)      |                      | (1,715,360)          | (857,688)            | (673,338)            | 184,350              |
| Rental and Levies                                                | (75,000)                | (75,000)                | (37,500)            | (62,969)           | (25,469)               |                      | -                                                      | -                    | (1,058)                | (1,050)             | -                    | -                    | -                    | (408)                | (400)        | -                    | (1,715,500)          | (857,088)            | (073,338)            | -                    |
| Sales of Major Services                                          | (12,070)                | (12,070)                | (6,036)             | (6,769)            | (23) (733)             |                      | (12,070)                                               | (6,036)              | (47,271)               | (41,235)            | (8,551,954)          | (8,551,954)          | (4,097,536)          | (4,209,038)          | (111,502     | - 1                  |                      | -                    | -                    | -                    |
| Operating Grants & Subsidies                                     | -                       | -                       | -                   | -                  | -                      | -                    | -                                                      | -                    | -                      | -                   | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
| Interest                                                         | -                       | -                       | -                   | (19,135)           | (19,135)               | -                    | -                                                      | -                    | (7,728)                | (7,728)             | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | (3,431)              | (3,431)              |
| Other Income                                                     | -                       | -                       | -                   | (11,366)           | (11,366)               |                      | -                                                      | -                    | -                      | -                   | -                    | -                    | -                    | -                    | -            | (40,000)             | (40,000)             | (20,004)             | -                    | 20,004               |
| Total Operating Revenue                                          | (12,868,413)            | (12,868,413)            | (3,072,666)         | (3,508,396)        | (435,730)              | (8,570,112)          | (8,570,112)                                            | (4,285,057)          | (4,358,972)            | (73,915)            | (8,551,954)          | (8,551,954)          | (4,097,536)          | (4,209,506)          | (111,970     | ) (7,009,655)        | (7,009,655)          | (3,504,840)          | (3,324,477)          | 180,363              |
| Operating Expenses                                               |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
| Employee Benefits                                                | 4,178,985               | 4,178,985               | 2,014,955           | 2,141,221          | 126,266                | 1,367,262            | 1,367,262                                              | 659,246              | 743,834                | 84,588              | 1,156,494            | 1,156,494            | 577,572              | 549,762              | (27,810      | 478,263              | 478,263              | 230,511              | 186,960              | (43,551)             |
| Less Capitalised Employee Benefits                               | -                       | -                       | -                   | (82,237)           | (82,237)               |                      | -                                                      | -                    | (9,506)                | (9,506)             | (472,327)            | (472,327)            | (247,629)            | (241,894)            | 5,735        | -                    | -                    | -                    | -                    | -                    |
| Net Employee Benefits                                            | 4,178,985               | 4,178,985               | 2,014,955           | 2,058,984          | 44,029                 | 1,367,262            | 1,367,262                                              | 659,246              | 734,328                | 75,082              | 684,167              | 684,167              | 329,943              | 307,868              | (22,075      | 478,263              | 478,263              | 230,511              | 186,960              | (43,551)             |
| Materials and Services                                           | 4,167,079               | 4,167,079               | 1,915,436           | 2,129,409          | 213,973                | 1,419,217            | 1,419,217                                              | 679,104              | 665,896                | (13,208)            | 5,508,461            | 5,508,461            | 2,728,549            | 1,796,500            | (932,049     |                      | 8,011,672            | 3,646,172            | 2,192,923            | (1,453,249)          |
| Depreciation and Amortisation                                    | 4,036,243               | 4,036,243               | 2,018,118           | 2,018,118          | -                      | 2,116,623            | 2,116,623                                              | 1,058,316            | 1,058,316              | -                   | 22,394               | 22,394               | 11,196               | 11,196               | -            | 424,371              | 424,371              | 212,190              | 212,190              | -                    |
| Finance Costs                                                    | 28,490                  | 28,490                  | -                   | -                  | -                      | -                    | -                                                      | -                    | -                      | -                   | 1,467                | 1,467                | -                    | -                    | -            | 14,636               | 14,636               | -                    | -                    | -                    |
| Corporate Overhead<br>Total Operating Expenses                   | 1,468,926<br>13,879,723 | 1,468,926<br>13,879,723 | 734,466 6,682,975   | 734,466 6,940,977  | 258,002                | 841,587<br>5,744,689 | 841,587<br>5,744,689                                   | 420,792<br>2,817,458 | 420,792<br>2,879,332   | - 61,874            | 352,460<br>6,568,949 | 352,460<br>6,568,949 | 176,232<br>3,245,920 | 176,232<br>2,291,796 | (954,124     | 527,143<br>9,456,085 | 527,143<br>9,456,085 | 263,574<br>4,352,447 | 263,574<br>2,855,647 | - (1,496,800)        |
|                                                                  | 13,875,725              | 13,879,723              |                     | 0,940,977          | 238,002                | 3,744,089            | 3,744,089                                              | 2,017,430            | 2,019,332              | 01,074              | 0,308,545            | 0,308,949            | 5,245,520            | 2,291,790            | (554,124     | 9,430,085            | 5,430,083            | 4,552,447            | 2,833,047            |                      |
| Operating (surplus)/deficit                                      | 1,011,310               | 1,011,310               | 3,610,309           | 3,432,581          | (177,728)              | (2,825,423)          | (2,825,423)                                            | (1,467,599)          | (1,479,640)            | (12,041)            | (1,983,005)          | (1,983,005)          | (851,616)            | (1,917,710)          | (1,066,094   | 2,446,430            | 2,446,430            | 847,607              | (468,829)            | (1,316,436)          |
| Capital Revenue                                                  |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
| Capital Grants & Subsides                                        |                         |                         |                     |                    |                        |                      |                                                        |                      | -                      |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
| Contributions                                                    |                         | -                       | -                   | -                  | -                      |                      | -                                                      | -                    | -                      | -                   |                      | -                    | -                    | -                    | -            |                      | -                    | -                    | -                    | _                    |
| Contributions - Contributed Assets                               | -                       | -                       | -                   | -                  | -                      |                      | -                                                      | -                    | (28,668)               | (28,668)            | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
| Contributions from Developers - Cash                             | -                       | -                       | -                   | (43,839)           | (43,839)               | - 10                 | -                                                      | -                    | (31,500)               | (31,500)            |                      | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
| Disposal of Non-Current Assets                                   | -                       | -                       | -                   | -                  | -                      | -                    | -                                                      | -                    | -                      | -                   | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
| Total Capital Revenue                                            | -                       | -                       | -                   | (43,839)           | (43,839)               | -                    | -                                                      | -                    | (60,168)               | (60,168)            | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
|                                                                  |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
| Capital Expenses                                                 |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
| Loss of Revaluation of Inventory                                 | -                       | -                       | -                   | -                  | -                      | -                    | -                                                      | -                    | -                      | -                   | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
| Restoration of Land Provision                                    | -                       | -                       | -                   | -                  | -                      | -                    | -                                                      | -                    |                        | -                   | -                    | -                    | -                    | 2,928                | 2,928        | -                    | -                    | -                    | 17,581               | 17,581               |
| Capital Expense Write-Off                                        | 800,000                 | 800,000                 | 400,000             | 75,747             | (324,253)              |                      | 100,000                                                | 50,000               | 607,117                | 557,117             | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    |                      | -                    |
| Total Capital Expenses                                           | 800,000                 | 800,000                 | 400,000             | 75,747             | (324,253)              | 100,000              | 100,000                                                | 50,000               | 607,117                | 557,117             | -                    | -                    | -                    | 2,928                | 2,928        | -                    | -                    | -                    | 17,581               | 17,581               |
|                                                                  |                         |                         |                     |                    | (                      | /                    | <i>(</i> , <u>, , , , , , , , , , , , , , , , , , </u> | (                    | (*** ***)              |                     | (                    |                      | (                    | (                    | (            |                      |                      |                      |                      |                      |
| Net Result (surplus)/deficit                                     | 1,811,310               | 1,811,310               | 4,010,309           | 3,464,489          | (545,820)              | (2,725,423)          | (2,725,423)                                            | (1,417,599)          | (932,691)              | 484,908             | (1,983,005)          | (1,983,005)          | (851,616)            | (1,914,782)          | (1,063,166   | 2,446,430            | 2,446,430            | 847,607              | (451,248)            | (1,298,855)          |
| Carital Funding Applications                                     |                         |                         |                     |                    |                        |                      |                                                        |                      |                        |                     |                      |                      |                      |                      |              |                      |                      |                      |                      |                      |
| Capital Funding Applications<br>Capital Expenditure - New Assets |                         |                         |                     |                    |                        |                      |                                                        |                      | -                      |                     |                      |                      |                      |                      | -            | 500,000              | 500,000              | 500,000              | 14,750               | (485,250)            |
| Capital Expenditure - Upgrade Assets                             | 897,872                 | -<br>897,872            | -<br>212,430        | -<br>101,781       | - (110,649)            | 214,927              | -<br>214,927                                           | -<br>98,039          | -<br>55,349            | - (42,690)          |                      | -                    | -                    | -                    | -            | 4,636                | 4,636                | 4,636                | - 14,750             | (485,250)<br>(4,636) |
| Capital Expenditure - Opgrade Assets                             | 3,800,212               | 3,800,212               | 1,545,492           | 1,266,004          | (279,488)              |                      | 3,184,751                                              | 1,447,202            | 759,226                | (687,976)           |                      | -                    | -                    | -                    | -            | 115,752              | 115,752              | 4,030                | -                    | (115,752)            |
| Loan Principal                                                   | -                       |                         |                     | -                  | (2, 5, 400)            | -                    | -                                                      |                      | -                      | -                   | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | _                    | -                    |
| Land Rehab                                                       | -                       | -                       | -                   | -                  | -                      | -                    | -                                                      | -                    | -                      | -                   | -                    | -                    | -                    | -                    | -            | -                    | -                    | -                    | -                    | -                    |
| Total Capital Funding Applications                               | 4,698,084               | 4.698.084               | 1,757,922           | 1,367,785          | (390,137)              | 3.399.678            | 3.399.678                                              | 1,545,241            | 814,574                | (730.667)           | -                    |                      |                      | -                    | -            | 620.388              | 620.388              | 620.388              | 14,750               | (605,638)            |
|                                                                  | 4,050,084               | -,050,004               | 1,151,322           | 1,307,703          | (350,137)              | 3,333,070            | 5,555,070                                              | 1,040,241            | 014,374                | (130,007)           | -                    | -                    | -                    | -                    | ,            | 020,300              | 020,300              | 020,300              | 14,730               | (000,000)            |

| WESTERN<br>DOWNS<br>HEGIONAL COUNCIL                 |                 |                |             |             | One Pag      | Regional Counc<br>ge Result<br>1 December 202 |                |            |             |              |  |  |
|------------------------------------------------------|-----------------|----------------|-------------|-------------|--------------|-----------------------------------------------|----------------|------------|-------------|--------------|--|--|
|                                                      |                 |                | Saleyards   |             |              | Washdown Bays                                 |                |            |             |              |  |  |
|                                                      | Original Budget | Revised Budget | YTD Budget  | YTD Actuals | YTD Variance | Original Budget                               | Revised Budget | YTD Budget | YTD Actuals | YTD Variance |  |  |
| Operating Revenue                                    |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Rates and Utility Charges                            | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Volumetric                                           | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Less: Discounts & Pensioner Remissions               | -               | -              |             | -           | -            | -                                             |                |            |             | -            |  |  |
| Net Rates and Utility Charges                        | -               | -              | -           | -           | -            | - (400,000)                                   | (400,000)      | (199,998)  | (340,900)   | - (140,902)  |  |  |
| Fees and Charges<br>Rental and Levies                | -               | -              | -           | -           | -            | (400,000)                                     | (400,000)      | (199,998)  | (340,900)   | (140,902)    |  |  |
| Sales of Major Services                              | (2,800,000)     | (2,800,000)    | (1,400,000) | (1,471,313) | (71,313)     |                                               |                |            |             |              |  |  |
| Operating Grants & Subsidies                         | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Interest                                             | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Other Income                                         | -               | -              |             | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Total Operating Revenue                              | (2,800,000)     | (2,800,000)    | (1,400,000) | (1,471,313) | (71,313)     | (400,000)                                     | (400,000)      | (199,998)  | (340,900)   | (140,902)    |  |  |
| Operating Expenses                                   |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Employee Benefits                                    | 500,045         | 500,045        | 241,118     | 215,268     | (25,850)     | 133,749                                       | 133,749        | 64,464     | 53,362      | (11,102)     |  |  |
| Less Capitalised Employee Benefits                   | -               | -              | -           | (5,919)     | (5,919)      | -                                             | -              | -          | -           | -            |  |  |
| Net Employee Benefits                                | 500,045         | 500,045        | 241,118     | 209,349     | (31,769)     | 133,749                                       | 133,749        | 64,464     | 53,362      | (11,102)     |  |  |
| Materials and Services                               | 1,448,399       | 1,448,399      | 707,702     | 490,386     | (217,316)    | 491,074                                       | 491,074        | 184,032    | 149,393     | (34,639)     |  |  |
| Depreciation and Amortisation                        | 419,208         | 419,208        | 209,604     | 209,604     | -            | 28,668                                        | 28,668         | 14,334     | 14,334      | -            |  |  |
| Finance Costs                                        | 2,991           | 2,991          | -           | -           | -            | 18,943                                        | 18,943         | -          | -           | -            |  |  |
| Corporate Overhead                                   | 209,279         | 209,279        | 104,640     | 104,640     | -            | 53,836                                        | 53,836         | 26,916     | 26,916      | -            |  |  |
| Total Operating Expenses                             | 2,579,922       | 2,579,922      | 1,263,064   | 1,013,979   | (249,085)    | 726,270                                       | 726,270        | 289,746    | 244,005     | (45,741)     |  |  |
| Operating (surplus)/deficit                          | (220,078)       | (220,078)      | (136,936)   | (457,334)   | (320,398)    | 326,270                                       | 326,270        | 89,748     | (96,896)    | (186,644)    |  |  |
|                                                      |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Capital Revenue                                      |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Capital Grants & Subsides                            | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Contributions                                        | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Contributions - Contributed Assets                   | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Contributions from Developers - Cash                 | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Disposal of Non-Current Assets Total Capital Revenue | -               |                |             | -           |              | -                                             |                |            |             | -            |  |  |
|                                                      |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Capital Expenses                                     |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Loss of Revaluation of Inventory                     | _               | -              | -           | -           | -            | _                                             | -              | _          | -           | _            |  |  |
| Restoration of Land Provision                        |                 | -              | -           | -           | -            |                                               | -              | -          | -           | -            |  |  |
| Capital Expense Write-Off                            | 100,000         | 100,000        | 50,000      | 107,206     | 57,206       | -                                             | -              | -          | -           | -            |  |  |
| Total Capital Expenses                               | 100,000         | 100,000        | 50,000      | 107,206     | 57,206       | -                                             | -              | -          | -           | -            |  |  |
|                                                      |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Net Result (surplus)/deficit                         | (120,078)       | (120,078)      | (86,936)    | (350,128)   | (263,192)    | 326,270                                       | 326,270        | 89,748     | (96,896)    | (186,644)    |  |  |
|                                                      |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Capital Funding Applications                         |                 |                |             |             |              |                                               |                |            |             |              |  |  |
| Capital Expenditure - New Assets                     | -               | -              | -           | -           | -            | 75,000                                        | 75,000         | 75,000     | -           | (75,000)     |  |  |
| Capital Expenditure - Upgrade Assets                 | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Capital Expenditure - Replacement Assets             | 269,089         | 269,089        | 219,089     | 7,602       | (211,487)    | -                                             | -              | -          | -           | -            |  |  |
| Loan Principal                                       | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Land Rehab                                           | -               | -              | -           | -           | -            | -                                             | -              | -          | -           | -            |  |  |
| Total Capital Funding Applications                   | 269,089         | 269,089        | 219,089     | 7,602       | (211,487)    | 75,000                                        | 75,000         | 75,000     | -           | (75,000)     |  |  |



| Title | Infrastructure Services<br>January 2021 Update | Report | 2020/21 | Capital | Works | Program |  |
|-------|------------------------------------------------|--------|---------|---------|-------|---------|--|
| Date  | 7 January 2021                                 |        |         |         |       | _       |  |

Responsible Manager B. Barnett, SENIOR WORKS MANAGER

#### Summary

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The purpose of this Report is for the Works Department to provide an update to Council regarding the 2020/21 Capital Works Program for the month of December 2020.

#### Link to Corporate Plan

Strategic Priority: Financial Sustainability

- We are recognised as a financially intelligent and responsible Council.
- Our long term financial planning guides informed and accountable decision making.
- Our value for money culture enables us to deliver our core functions sustainably.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Effective asset management ensures that we only own and maintain assets that are utilised.

#### Strategic Priority: Great Liveability

- Our residents enjoy convenience of modern infrastructure and quality essential services.
- A safe and well maintained road network connects our region.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received and noted.

#### Background Information

On 22 July 2020, Council adopted the 2020/21 budget including Council's Capital Works Program.

#### Report

To ensure Council are well informed with key infrastructure projects, monthly reports will be presented outlining recently completed projects, projects in progress and upcoming projects.

#### RECENTLY COMPLETED PROJECTS

- Milrain Road, Glenaubyn, Gravel Resheet (Resource sector funded);
- Wylie Street, Dalby footpath replacement;
- Royds Street, Wandoan footpath replacement;
- Blaxland Road, Dalby (Orpen Street to Owen Street) footpath;
- Aerodrome Road, Dalby (Ch 60 to Nicholson Street) footpath;
- Hospital Road, Dalby footpath; and
- Market Street, Jandowae (School to George) footpath.

#### PROJECTS IN PROGRESS

- Arubial Road, Condamine Ch 9.86 16.30 upgrade from gravel to bitumen;
- Tara Lagoon footpath extension project (as part of Tara Lagoon Project);
- Alfred Street, Dalby Ch 1.36 1.59 reconstruction including kerb and channel upgrade;
- Wood Street, Dalby Ch 2.057 2.289 reconstruction including kerb and channel upgrade;
- Ehlma Boundary Road, Brigalow Ch 8.74 16.30 reconstruction;
- Booral Road, Wandoan Ch 5.69 7.66 reconstruction;
- Sherwood Road, Condamine Ch 0 7.3 upgrade from gravel to bitumen;
- George Street, Jandowae (William Street to High Street) footpath;
- Zeller Street, Chinchilla (Beutel to Price) footpath;
- Redgum Road and Gulera Road intersection upgrade to bitumen standard (Resource sector funded);
- Flood Damage Packages 1, 2 and 3 (Flinton and Auburn Regions);
- Flinton Road, Flinton Dust Suppression; and
- 48km of gravel resheeting across the region 3 packages of work awarded to local contractors to deliver, funded under the Drought Communities Programme (DCP) funding.
   In addition to Technical Services awarding 70,000t of gravel via 2 packages to local contractors to produce.

#### **UPCOMING PROJECTS**

- Round 3 of the Accelerated Infrastructure Footpath projects to commence construction, consisting of footpaths at Villiers Street, Chinchilla, Glasson Street Chinchilla, Windmill Road, Chinchilla and Dalby -Jandowae Road, Dalby;
- Jessop Street, Dalby Ch: 0.00 0.233 reconstruction including kerb and channel upgrade;
- Twine Street, Dalby Ch: 0.00 2.31 reconstruction including kerb and channel upgrade;
- Burnt Bridge Road Chinchilla Ch: 1.9 3.68 upgrade from gravel to bitumen;
- Caves Road, Kumbarilla Ch: 0.0 2.16 Gravel Resheet (Resource sector funded);
- Wambo Street, Chinchilla Upgrade (OLC Project)
- Inverai Street, Chinchilla Upgrade (OLC Project)
- Short Street, Chinchilla Upgrade;
- Burradoo Road, Bundi Upgrade from natural formation to gravel (Resource sector funded);
- Meandarra Stormwater Project (Stage 3), Meandarra;
- Regional Reseal Program; and
- Flood Damage Packages 4 and 5 (Wandoan Region) and Package 6 (Bell Region).

Technical Services' Design Department have completed 96.5% of the program's civil design component with the remaining design projects at 80% detailed design.

#### **COMMERCIAL WORKS PROJECTS IN PROGRESS**

- Dalby Cecil Plains Road, Dalby rehabilitation project (TMR funded state controlled road);
- Reseal Prior Works Package (TMR funded for state-controlled roads); and
- TMR RMPC Contract works.

#### Consultation (Internal/External)

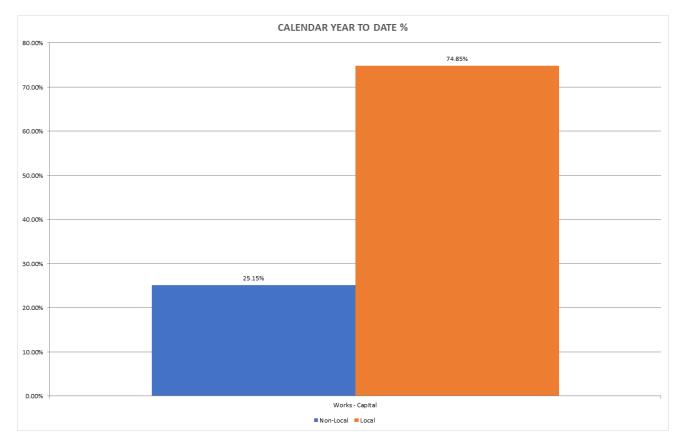
Following Council's resolution to receive the report, updates will be posted on Council's social media accounts to inform WDRC's community.

#### Legal/Policy Implications (Justification if applicable)

Nil

#### **Budget/Financial Implications**

Local Expenditure for Capital Works Projects Year to Date is 74.85%. Please refer Figure 1 - Capital Works - Works Construction Local vs Non-Local Expenditure Year to Date.



#### Figure 1 - Capital Works - Works Construction Local vs Non-Local Expenditure Year to Date

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

All activities will be undertaken in accordance with Council's human rights obligations.

#### Conclusion

The Works Department's Capital Works Program is on schedule.

#### Attachments

Nil

Authored by Debra Dibley, A/ WORKS MANAGER CONSTRUCTION



| Title               | Community and Liveability Report Health Services - Governance<br>Report |
|---------------------|-------------------------------------------------------------------------|
| Date                | 8 January 2021                                                          |
| Responsible Manager | C. Ole, HEALTH SERVICES MANAGER                                         |

#### Summary

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The purpose of this Report is to provide Council with an update in relation to key governance areas within the Health Services sites and services for the second quarter of the 2020 / 2021 Financial Year.

#### Link to Corporate Plan

Strategic Priority: Great Liveability

- Our residents enjoy convenience of modern infrastructure and quality essential services.
- Valued recreational spaces, sporting and community facilities are provided regionally.
- A safe and well-maintained road network connects our region.
- Our region remains an affordable place for families to live, work, prosper and play.
- We're recognised as one of the safest regions in Queensland.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this Report be received and noted.

#### Background Information

Organisations providing Commonwealth subsidised aged care services are required to comply with the Aged Care Quality Standards (Quality Standards). Organisations are regularly assessed and must be able to provide evidence of their compliance with and performance against the Quality Standards.

The governing body of the organisation is responsible for the delivery of safe and quality care and services that meet the Quality Standards.

#### Report

This report is to provide Council with an update on the implementation of legislative and regulatory changes and clinical governance of the Aged Care Services delivered by Western Downs Regional Council.

#### 1. COVID-19

Since the last report to Council, the Chief Health Officer has released Aged Care Directions numbers 14 through to 17.

Key changes have included:

- Removal of the two-person visitor limit. Visitor numbers are now determined by the normal visitor rules at each aged care facility.
- People may now enter an aged care facility without having the flu vaccination, as the peak of the 2020 influenza season is over, and the vaccination is no longer readily available.
- Visitors, staff and volunteers can enter a residential aged care facility if they have been in a safe travel zone country in the past 14 days. Currently only New Zealand is a safe travel zone country.

- Facilities are required to keep contact details for a minimum of 30 days and a maximum of 56 days.
- A person may enter a facility if they are awaiting the result of a COVID-19 test taken for a surveillance testing obligation and meet all other requirements under the Direction.
- The public health emergency in relation to coronavirus disease (COVID-19): its duration has been extended by regulation to 31 March 2021 and may be further extended.
- Persons that have been in Victoria on or after 21 December 2020 are not allowed to enter a residential aged care facility unless 14 days have passed since the person was in Victoria.
- Employees, contractors, students, persons providing continuity of care for a resident, and certain other persons may still enter if they have obtained a negative COVID-19 test in Queensland after returning from Victoria. The operator of the residential aged care facility may require the person to provide evidence of the negative test before entry to the facility.

#### 2. Infection Prevention and Control Leads: Requirements

On the 6<sup>th</sup> November 2020, the Department of Health advised all Residential Aged Care Approved Providers of the mandatory introduction of an Infection Prevention & Control (IPC) Lead role to be recruited and trained at each facility. We were advised that the role could not be shared or outsourced.

The Approved Provider was advised that they must meet the following timelines:

- By 1 December 2020, each residential aged care facility must have appointed an IPC clinical lead. The IPC lead at Tarcoola is Registered Nurses Raji Kaur with Jacinta Perkins as reliever and at Carinya the IPC Lead is Registered Nurse Anureet Kaur.
- By 4 December 2020 the Approved Provider was to report to the Department details of the IPC leads which included names, the position held in the facility, current nursing registration level and confirmation of their completion of the Department's COVID-19 online training modules. This has been completed for all three registered staff.
- By 31 December 2020, this IPC lead must, at a minimum, have completed the Department's COVID-19 focused online training modules, specifically: Infection Control Training – COVID 19; and all aged care modules. The three identified registered nurses have completed these modules and provided evidence.
- By 31 December 2020, the nominated IPC lead must have enrolled in, and/or commenced a suitable IPC training course. Individuals enrolled in training courses must have an identified date for completion that is prior to 28 February 2021: The three identified registered nurses have confirmed their enrolment in an approved course offered by the Australasian College for Infection Prevention and Control (ACIPC) which meets the requirements. ACIPC has confirmed it is able to deliver this course within the timeframes outlined to meet IPC lead requirements. \$1820 per person to be paid for with part of the Commonwealth Governments COVID payments.
- By 31 December 2020 Providers were requested to report the details of the IPC lead's specialist training course. This has been completed for all three registered staff.

#### 3. Serious Incident Response Scheme (SIRS)

The SIRS will sit alongside of other requirements such as the Aged Care Quality Standards, Charter of Aged Care Rights and Open Disclosure. It aims to reduce the risk of abuse and neglect in aged care, respond to and manage serious incidents that occur in residential aged care and support care recipients affected by a serious incident.

- From 1 April 2021, compulsory reporting of critical incidents (those incidents that cause physical or psychological injury or illness requiring some form of medical or psychological treatment) commences.
- From 1 October 2021 reporting of all other serious incidents will commence.

Reportable incidents currently include suspicions or allegations of unlawful sexual contact and/or unreasonable use of force on a resident of an aged care home with exceptions if the alleged perpetrator has an assessed cognitive or mental impairment.

Under the SIRS, reportable incidents will now include:

• Unreasonable use of force

- Unlawful sexual contact or inappropriate sexual conduct
- Neglect
- Psychological or emotional abuse
- Unexpected death
- Stealing or coercion by a staff member
- Inappropriate physical or chemical restraint
- Unexplained absence from care.

Importantly, providers will have to report incidents of abuse and aggression between aged care residents, where the resident who commits the incident has a cognitive or mental impairment. See Attachment 1: What is the SIRS Provider Fact Sheet.

#### 4. NDIS Provider - Transitional Arrangements

On 1<sup>st</sup> December 2020, Residential Aged Care (RAC) providers delivering services to NDIS participants automatically became registered NDIS providers. We are currently in a transitional period to meet the required obligations of the *National Disability Insurance Scheme Act 2013* (NDIS Act) and the *NDIS* (Provider Registration and Practice Standards) *Rules 2018*, in relation to the NDIS participants we support.

WDRC have 'dual participants' in both RACF's: Carinya supports one (1) NDIS participant and Tarcoola supports three (3) NDIS participants.

Transitional arrangements are in place for:

#### • Registration of residential aged care providers as registered NDIS providers.

The NDIS Quality & Safeguard Commission have advised that WDRC has been granted a Period of Registration as an Approved NDIS Provider from 1 December 2020 until 1 July 2022. Application and audit processes against the NDIS Practice Standards must then be completed by no later than 1<sup>st</sup> April 2023.

#### • NDIS Worker Screening and Record Keeping Requirements.

Aged care employees are currently required to have a police check and, if necessary, a statutory declaration stating that the person has not been convicted of certain offences. WDRC currently covers the cost of the police check at \$36.90 per person on commencement and at the 3-year renewal of employment.

These aged care checks will be recognised by the NDIS for three years from the date the clearance was given provided this date is prior to 1 February 2021. Any Police Checks due to expire from 1 February 2021 for staff identified as holding a 'risk assessed role' will be required to transition to an NDIS Worker Screening Check clearance (Yellow Card). The cost for a five-year clearance will be \$117 per identified staff member.

#### • Positive Behaviour Support.

There are significant differences between the behaviour support requirements of aged care residents and NDIS participants. Aged Care providers will be expected to meet the reporting requirements for both the new SIRS (Aged Care) and the NDIS Commission for 'dual participants' involved in an incident whilst residing in a Residential Aged Care Facility.

By 1 January 2021, WDRC needed to meet a requirement to notify the NDIS Commission on the use of any regulated restrictive practice for affected NDIS participants. These included seclusion, chemical restraint, mechanical restraint, physical restraint and environmental restraint. One (1) Tarcoola resident met the requirement for initial notification, which has been undertaken. Further steps will be required to remain compliant with NDIS Commission requirements.

#### 5. High Risk Indicators

The attached document outlines data and trends for the first two quarters of the 2020 / 2021 financial year for areas of high-impact and high-prevalence risks. These risks are associated with the care delivered by WDRC Residential Aged Care Facilities and Community Care Services to its consumers. See Attachment 2: Health Services Half Yearly Report - July to December 2020.

An additional risk to the organisation is the high staff turnover within Health Services and attracting suitably qualified staff. The staff turnover rate for the period July to December 2020 was 23%.

#### Consultation (Internal/External)

Internal:

Health Services Clinical Staff

Legal/Policy Implications (Justification if applicable)

NIL

**Budget/Financial Implications** 

NIL

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

All activities will be undertaken in accordance with Council's human rights obligations.

#### Conclusion

Council is responsible for the delivery of safe and quality care and services to the residents of Council owned and operated aged care facilities and to community care clients. The provision of health care services is considered a critical organisational enterprise risk, therefore high quality corporate and clinical governance is paramount.

It is recommended that Council receive and note this report.

#### Attachments

1. What is the SIRS Provider Fact Sheet

2. Health Services Half Yearly Report - July to December 2020

Authored by: C. Ole, HEALTH SERVICES MANAGER



# What is the SIRS?

Serious Incident Response Scheme

The Serious Incident Response Scheme (SIRS) is a new initiative to help prevent and reduce incidents of abuse and neglect in residential aged care services subsidised by the Australian Government.

The scheme requires aged care providers to identify, record, manage, resolve and report all serious incidents that occur, or are alleged or suspected to have occurred.

Aged care providers also need to have in place an effective incident management system to manage all incidents, respond to incidents, and take steps to make sure they do not happen again. The incident management system covers a broader range of non-reportable incidents and includes incidents that involve staff or visitors.

## Why is the SIRS important?

The SIRS requires every residential aged care service to adopt a systematic approach to minimising the risk of, and responding to, serious incidents involving residents. The core of this systematic approach is a set of protocols, processes and standard operating procedures – described as an incident management system – which providers train their staff to use. An incident management system is vital in supporting residential age care services to effectively manage risks to their consumers.

The SIRS also introduces explicit obligations for providers to report a broader range of

serious incidents to the Aged Care Quality and Safety Commission (Commission) than is currently required under compulsory reporting obligations. This includes reports of all incidents that are alleged or suspected to have occurred, or witnessed, between consumers of an aged care service, including where the consumer who commits the incident has a cognitive or mental impairment (such as dementia).

## When will the SIRS commence?

Subject to decisions by the Federal Parliament, the SIRS is expected to commence from 1 April 2021. Under this scheme, residential aged care providers will be required to do everything possible to reduce the risk of serious incidents involving residents, and if a serious incident does occur, to manage it effectively and report it to the Commission. Providers will also be expected to put in place measures to minimise the risk of a preventable incident recurring.

## How is the SIRS different from the current compulsory reporting requirements?

As part of the SIRS, residential aged care providers will be required to report and manage all serious incidents which impact on the safety and wellbeing of consumers, and put in place measures to reduce the likelihood of a preventable incident happening again. The range of serious incidents that are reportable under SIRS is broader than those reported under current compulsory reporting requirements (refer to table in section below). Importantly, providers will have to report incidents of abuse and aggression between consumers, including where the resident who commits the incident has a cognitive or mental impairment.

## What is the definition of a serious incident under the SIRS?

Serious incidents include those listed below.

| Serious incidents include those where consumers experience: | Examples                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Unreasonable use of force                                   | hitting, pushing, shoving or rough handling.                                                                                                                                                                                                                                                                                                |
| Unlawful sexual contact or inappropriate sexual conduct     | sexual threats or stalking, or sexual activities without consent.                                                                                                                                                                                                                                                                           |
| Neglect                                                     | withholding personal care, untreated wounds, or<br>insufficient assistance during meals.                                                                                                                                                                                                                                                    |
| Psychological or emotional abuse                            | yelling, name calling, ignoring a consumer,<br>threatening gestures or refusing a consumer access<br>to care or services as a means of punishment.                                                                                                                                                                                          |
| Unexpected death                                            | in the event of a fall, untreated pressure injury, or<br>when the actions of a consumer result in the death of<br>another consumer.                                                                                                                                                                                                         |
| Stealing or financial coercion by a staff member            | if a staff member coerces a consumer to change their<br>will to their advantage, or steals valuables from the<br>resident.                                                                                                                                                                                                                  |
| Inappropriate physical or chemical restraint                | where physical or chemical restraint is used without<br>prior consent or without notifying the consumer's<br>representative as soon as practicable; where physical<br>restraint is used in a non-emergency situation; or<br>when a provider issues a drug to a consumer to<br>influence their behaviour as a form of chemical<br>restraint. |
| Unexplained absence from care                               | this occurs when the consumer is absent from the service, it is unexplained and has been reported to the police.                                                                                                                                                                                                                            |

Under the SIRS, an allegation, suspicion or witness account of any of the above serious incidents must be reported to the Commission.

## What are the benefits of the SIRS?

All Australians have a right to live free from abuse or neglect. The SIRS will strengthen aged care systems to reduce the risk of abuse and neglect. It will also help to build providers' capability to respond to serious incidents promptly and decisively, and to ensure that aged care consumers have the support they need. The SIRS will help aged care service providers to:

- reduce the risk of abuse and neglect in aged care
- respond to and manage serious incidents that occur in residential aged care
- support care recipients affected by a serious incident.

## How does the SIRS relate to other requirements an aged care provider must meet?

The SIRS will sit alongside, and complement, other requirements that aged care providers must meet.

All providers must comply with the <u>Aged Care Quality Standards</u> which detail the standards of care a consumer can expect as an aged care consumer. For example:

#### Standard 8 – Organisational Governance

Requires approved providers to have in place effective risk management systems and practices that enable them (among other things) to manage high-impact risks associated with the care of consumers, and to identify and respond to abuse and neglect of consumers.

#### Standard 6 - Feedback and Complaints

Requires approved providers to demonstrate (among other things) that an <u>open disclosure</u> process is used when things go wrong in providing care for consumers.

A provider is also legally required to help consumers understand their rights under the <u>Charter of Aged Care Rights</u>. Taken together, these requirements reinforce the importance of aged care providers having an effective incident management system in place.

An incident management system is a set of processes and procedures used to prevent, manage and respond to incidents. This system should support an aged care provider and their staff to take appropriate action when there is an alleged, suspected or witnessed incident.

Appropriate action includes:

- action to remove consumer/s from harm and to reduce or address the impact on any consumer/s
- identification and immediate internal reporting of the allegation, suspicion or witnessed incident
- documenting the incident
- further investigation if warranted
- reporting to external authorities within statutory timeframes, including the police and the Commission.

## What is the role of the Aged Care Quality and Safety Commission?

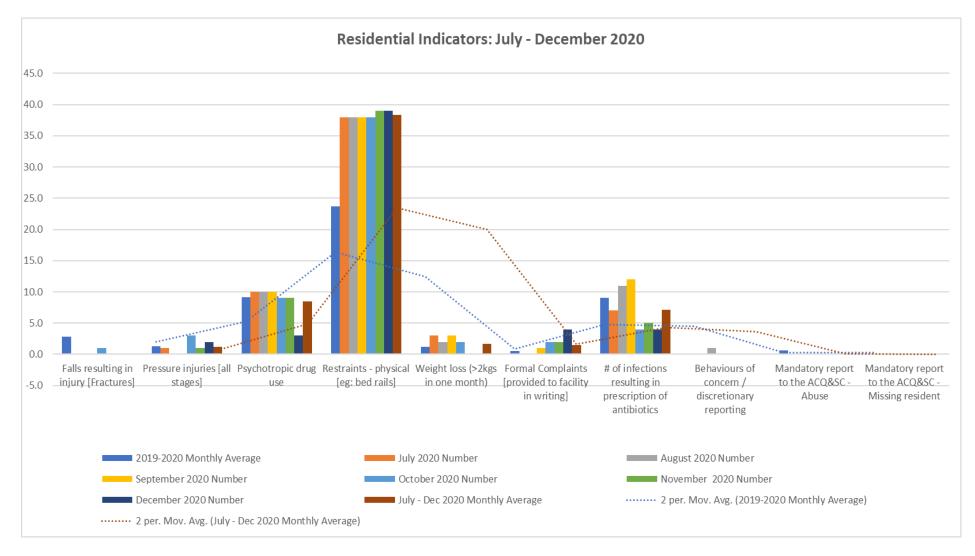
The Commission will be responsible for administering the SIRS and will receive serious incident reports from aged care providers. The Commission will have the power to take regulatory action where appropriate to address non-compliance with provider responsibilities and will have new powers to issue compliance notices for suspected noncompliance with SIRS obligations.

The Commission will publish information regularly on the operation of the SIRS, and this information will be expanded over time.

For more information about SIRS, visit agedcarequality.gov.au/sirs

#### Health Services - Executive Report January 2021 Report

#### Data as at December 2020 Combined Residential Aged Care [Tarcoola & Carinya]:



#### Comments regarding results for the first half of the 2020/21 Financial Year:

Falls: There was a total of 20 falls in this period, an average of 1.6/month .The number of residents who fell and sustained a fracture averaged 0.2/month (one resident in six months) which compares favourably with the previous FY result of 2.8/month. The national benchmark is 6%.

**Pressure Injuries:** The number of residents who sustained a pressure injury averaged 1.2/month (7 residents in six months) which compares favourably with the previous FY result of 1.3/month and is a marked improvement on the 2018/19 result of 4/month.

**Psychotropic Drug Use:** The number of residents prescribed with psychotropic medications averaged 8.5/month which compares favourably with the previous FY result of 9.2/month. An externally funded training program to skill-up clinical staff to be able to undertake an advocacy and education role with residents and staff in relation to alternatives to chemical restraint, is scheduled in early February 2021. As part of the program, local pharmacists providing services to the aged care facilities have been approached and will also be participating in the program.

**Restraints:** Restraints used with residents such as bed rails, 'fall out' chairs or environmental restraints averaged 38.3/month which is more than the 2019/20 average of 23.7/month. This increase is related in part to the development of a consistent understanding amongst staff of what constitutes a 'restraint' and the increased frailty of residents e.g.: residents, due to the aging process, are less mobile and benefit from the use assistive devices such as the bed rails and 'fall out' chairs.

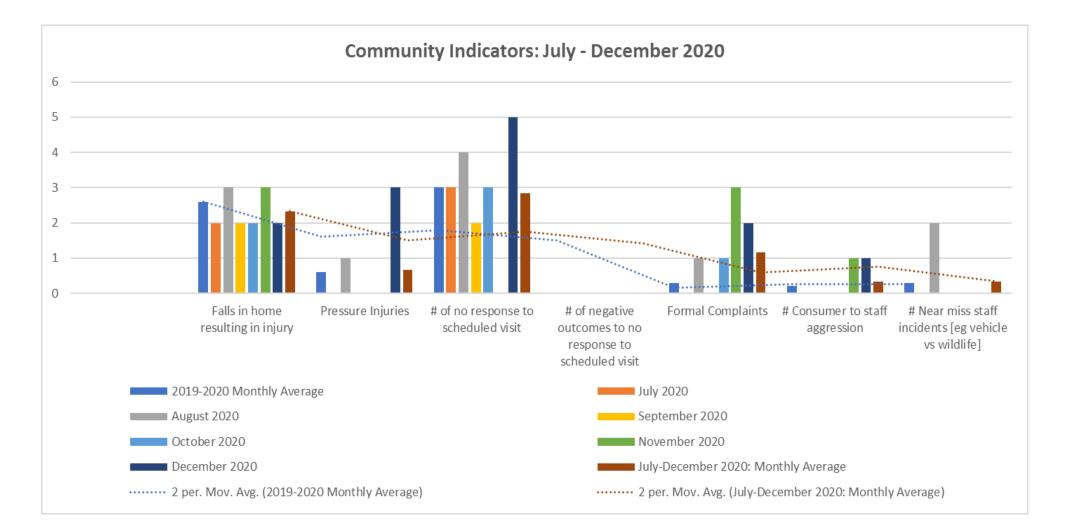
Weight Loss: The number of residents who experienced more than 2kgs/month weight loss averaged 1.7/month, which is an increase from the 2019/20 average of 1.2/month however is a significant improvement to the 2018/19 FY result of 2.92/month. For a number of these residents the weight loss was desirable due to a high BMI.

**Formal Complaints:** The number of written complaints received averaged 1.5/month, an increase from 0.5/month the previous FY. Of the complaints received here were two significant complaints at Tarcoola, one was in relation to COVID visiting arrangements and the second was in relation to a declined request for a resident transfer to Carinya. **Antimicrobial Stewardship:** The number of residents prescribed antibiotics averaged 7.2/month which compares favourably with the previous FY result of 9.0/month. Clinical staff continue to work with the General Practitioners and Pharmacists to closely monitor the use of antibiotics.

**Behaviours of Concern:** The was one incident in September where a resident with dementia hit another resident with a flyswat. There have been no Mandatory Reports relating to abuse or missing residents completed at either of the aged care facilities to date, this FY.

| Governance Indicators                                       | 2019-2020<br>Monthly Average | July 2020 | August<br>2020 | September<br>2020 | October<br>2020 | November<br>2020 | December<br>2020 | July - Dec 2020<br>Monthly Average |
|-------------------------------------------------------------|------------------------------|-----------|----------------|-------------------|-----------------|------------------|------------------|------------------------------------|
| Falls resulting in injury [Fractures]                       | 2.8                          | 0         | 0              | 0                 | 1               | 0                | 0                | 0.2                                |
| Pressure injuries [all stages]                              | 1.3                          | 1         | 0              | 0                 | 3               | 1                | 2                | 1.2                                |
| Psychotropic drug use                                       | 9.2                          | 10        | 10             | 10                | 9               | 9                | 3                | 8.5                                |
| Restraints - physical [eg: bed rails]                       | 23.7                         | 38        | 38             | 38                | 38              | 39               | 39               | 38.3                               |
| Weight loss [>2kgs in one month]                            | 1.2                          | 3         | 2              | 3                 | 2               | 0                | 0                | 1.7                                |
| Formal Complaints [provided to facility in writing]         | 0.5                          | 0         | 0              | 1                 | 2               | 2                | 4                | 1.5                                |
| # of infections resulting in<br>prescription of antibiotics | 9.0                          | 7         | 11             | 12                | 4               | 5                | 4                | 7.2                                |
| Behaviours of concern /<br>discretionary reporting          | 0.0                          | 0         | 1              | 0                 | 0               | 0                | 0                | 0.2                                |
| Mandatory report to the ACQ&SC - Abuse                      | 0.6                          | 0         | 0              | 0                 | 0               | 0                | 0                | 0.0                                |
| Mandatory report to the ACQ&SC - Missing resident           | 0.0                          | 0         | Page 160       | of 188            | 0               | 0                | 0                | 0.0                                |

#### Combined Community Care [Tara, Meandarra, Miles, Chinchilla & Jandowae]:



#### Comments regarding results for the first half of the 2020/21 Financial Year

**Falls:** There was a total of 14 Community Care clients that fell at home when staff were not present in this period, an average of 2.3/month which compares favourably with the previous FY result of 2.6/month. Staff reviewed the circumstances of the falls and where possible, worked with the clients to implement falls minimisation strategies.

**Pressure Injuries:** There was an average of 0.7/month (4 clients) community clients who sustained pressure injuries which is an increase from the previous FY result of 0.6/month. One injury was sustained by a client whilst in hospital the other three relate to a lack of understanding of preventative care. Strategies have been implemented by clinical staff.

No Response to Scheduled Visits: There was an average of 2.8/month visits to community clients who did not respond when staff attended their premises as scheduled which compares favourably to the previous FY result of 3/month. Clients had generally forgotten the appointment. There were no negative outcomes identified. Formal Complaints: The number of written complaints received averaged 1.2/month, an increase from 0.3/month the previous FY. Of the complaints received this FY they related to transports (COVID social distancing requirement to sit in the back seat and wear a mask; poor driving) and standard of cleaning by staff undertaking domestic assistance tasks.

**Consumer to Staff Aggression:** There was an average of 0.3/month incidences of client (verbal) aggression toward staff, an increase from 0.2/month the previous FY. Incidences are reviewed with the service Supervisor and strategies introduced to limit the triggering of behaviours of concern.

Near miss - Staff Incidents: There was an average of 0.3/month near misses reported to date, this FY. This is no change from the average for the 2019/20 FY.

| Governance Indicators                                       | 2019-2020<br>Monthly<br>Average | July 2020 | August<br>2020 | September<br>2020 | October<br>2020 | November<br>2020 | December<br>2020 | July-December<br>2020: Monthly<br>Average |
|-------------------------------------------------------------|---------------------------------|-----------|----------------|-------------------|-----------------|------------------|------------------|-------------------------------------------|
| Falls in home resulting in injury                           | 2.6                             | 2         | 3              | 2                 | 2               | 3                | 2                | 2.3                                       |
| Pressure Injuries                                           | 0.6                             | 0         | 1              | 0                 | 0               | 0                | 3                | 0.7                                       |
| # of no response to scheduled visit                         | 3                               | 3         | 4              | 2                 | 3               | 0                | 5                | 2.8                                       |
| # of negative outcomes to no response to<br>scheduled visit | 0                               | 0         | 0              | 0                 | 0               | 0                | 0                | 0.0                                       |
| Formal Complaints                                           | 0.3                             | 0         | 1              | 0                 | 1               | 3                | 2                | 1.2                                       |
| # Consumer to staff aggression                              | 0.2                             | 0         | 0              | 0                 | 0               | 1                | 1                | 0.3                                       |
| # Near miss staff incidents [eg vehicle vs wildlife]        | 0.3                             | 0         | 2              | 0                 | 0               | 0                | 0                | 0.3                                       |



| Title               | Community and Liveability Report Proposed Waste Service<br>Procurement Arrangements |
|---------------------|-------------------------------------------------------------------------------------|
| Date                | 11 December 2020                                                                    |
| Responsible Manager | T. Summerville, PLANNING AND ENVIRONMENT MANAGER                                    |

#### Summary

The purpose of this report is to advise Council on the discussions with Toowoomba Regional Council regarding a joint waste procurement exercise, and to seek Council's approval of a Memorandum of Understanding with that Council.

#### Link to Corporate Plan

Strategic Priority: Financial Sustainability - Our value for money culture enables us to deliver our core functions sustainably.

#### Material Personal Interest/Conflict of Interest

Nil

#### **Officer's Recommendation**

That this report be received, and that:

1. Council approve of the execution of the "Waste and Recyclables Collection Services and Bulk Waste Haulage and Processing Services Contract Pre-Tender Memorandum of Understanding"

#### **Background Information**

Council's Waste and Recycling Collection and Recycling Processing contract (4.3/2/09-10) commenced in 2010, and was due to conclude in October 2020, following the standard contact term and Council taking up all of the extension periods that were available under the contract.

At the Ordinary Meeting on 4 December 2019, Council received a report regarding the soon to expire waste collection contract arrangements; and noting the market conditions, resolved as follows:

That this Report be received and noted and that:

Council authorise the Chief Executive Officer to finalise negotiations and execute a contract for the continuation of Waste Services by JJ Richards and Sons Pty Ltd under the Local Buy Panel Contract C002/11 until 30 September 2022, based on the Terms and Conditions of current Contract 4.3/2/09-10 and the offer received on 7 November 2019.

On 5 May 2020, Council corresponded with Toowoomba Regional Council regarding the option of a joint procurement exercise. Toowoomba Regional Council expressed an initial interest in investigating collaborative options, and Officers of those Councils have been in discussions accordingly.

#### Report

Officers from Toowoomba Regional Council (TRC) and Western Downs Regional Council (WDRC) have been in discussions regarding a combined procurement activity for upcoming Waste & Recycling contracts.

Following initial discussions, it was noted by both parties that an ideal model would be for a procurement exercise on a "Joint Procurement / Separate Contracts" basis, rather than a single operational contract. A single operational contract was not favoured, as it would result in a complex, long term relationship between the Councils and for the need for specifications to be aligned. Under the proposed arrangement, it is anticipated that many of the contract and specification documents will be very similar, but both Councils will have the ability to make their own determinations.

It is clear that this exercise offers the potential for benefits for both parties, in terms of more competitive tenders as a result of significantly increased economies of scale, potential operational cost savings due to the alignment of specifications, and for the sharing of costs associated with the preparation and calling of tenders.

At the joint meetings it was proposed that a Pre-Tender Memorandum of Understanding be prepared for the execution of the CEO's from both Councils. TRC provided the initial draft of the MOU and invited comment from WDRC. Comments on the MOU were invited from Council's General Counsel and Chief Procurement Officer as well as from Council's Planning & Environment Team. TRC accommodated all WDRC's requested amendments and have now provided an MOU duly signed by their CEO.

A copy of this MOU is attached to this report.

The MOU adequately maintains Council's overall interests with specific matters of importance including:

- Procurement costs (including the necessary ACCC application) are to be shared on a 65% (TRC): 35% (WDRC) proportional basis however individual Councils may be required to pay for any work specific to that Council where such costs are perceived to extend beyond reasonable cost sharing.
- Either party can cancel the MOU by giving the other Council 30 days written notice with costs up to the date of cancellation shared on the agreed proportional basis.
- The agreed sharing of information not deemed to be commercial in confidence.
- Each Council will establish their own Evaluation Criteria and Tender Evaluation Panel (TEP).
- TRC will be the lead agency for the Procurement activity and have sourced an experienced consultant to lead the process.
- Expert legal and probity advice will be sourced where required, however where possible internal legal expertise may be available to assist preparing documentation for legal advisor review.
- Foreshadows a possible short extension to the completion date of WDRC's current contract (30 September 2022) to better align to TRC's contract completion date of 30 June 2023.

#### Consultation (Internal/External)

Operational discussions have been held with Officers of Toowoomba Regional Council and with internal stakeholders.

#### Legal/Policy Implications (Justification if applicable)

Council's General Counsel has been involved with the preparation of the MOU and has noted that the document protects Council's interests.

#### **Budget/Financial Implications**

The shared costs associated with this procurement exercise is within the approved operational budget and is likely to represent a significant saving when compared to the costs of Council undertaking this tender process in isolation.

No estimates have been prepared at this early stage for the likely unit costs for the operational services, as this will only be revealed during the tender process.

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

#### Conclusion

The entering of a joint procurement exercise with Toowoomba Regional Council for Waste and Recycling Collection arrangements is likely to have a significant benefit for our Council. Whilst the procurement exercise will be undertaken on a joint basis, the association between the Councils will not continue long term and both Councils will have the ability to make their own determinations throughout the process.

The parties have prepared a Memorandum of Understanding to outline the administrative arrangements for this process. The terms of the MOU are satisfactory and will allow for the commencement of processes associated with the joint procurement process.

#### Attachments

1. Waste and Recyclables Collection Services and Bulk Waste Haulage and Processing Services Contract Pre-Tender Memorandum of Understanding

Authored by: T. Summerville, Planning and Environment Manager.





## WASTE AND RECYCLABLES COLLECTION SERVICES AND BULK HAULAGE AND PROCESSING SERVICES CONTRACTS

## PRE-TENDER MEMORANDUM OF UNDERSTANDING

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## 1. Introduction and Background

This document should be read as the Pre-Tender Memorandum of Understanding for Waste and Recyclables Collection and associated services Tender submissions for Toowoomba Regional Council (TRC) and Western Downs Regional Council (WDRC).

TRC and WDRC are currently preparing tender documents for Waste and Recyclables Collection services and Processing and Bulk Haulage services contracts.

The current contracts are due to expire:

- TRC on 30 June 2023 and
- WDRC on 30 September 2022 however this date may be subject to an extension, also to 30 June 2023.

Two new contracts will be awarded for an eight (8) year term with two (2) x one (1) year options.

Both Councils have agreed to undertake one procurement activity to award new contracts.

For this purpose, TRC and WDRC have entered into this Pre-tender Memorandum of Understanding with TRC appointed to manage the joint tender process and issue the Request for Tender (RFT) for and on behalf of the two (2) Councils

This Pre-Tender Memorandum of Understanding obligates each Council to:

- share costs of the joint procurement exercise on a 65% (TRC) : 35% (WDRC) proportional basis;
- share any identified information that is not deemed to be commercial in confidence, for the benefit of the joint procurement;
- make available sufficient and appropriate resources to assist in achieving the desired outcomes;
- agree to the broad evaluation criteria;
- establish its own Tender Evaluation Panel (TEP);
- establish its own evaluation weightings for the evaluation of the responses to the Request for Tender (RFT);
- evaluate responses to the RFT against its own evaluation criteria/weightings for the purposes of it determining which Tenderer it wishes to appoint as the Successful Contractor to provide the specified Waste and Recyclables Collection Services and Processing and Bulk Haulage services contracts for its local government area.

Notwithstanding the above fixed split arrangement, individual Council's may be required to pay for any work specific to that Council, where it is perceived to extend beyond reasonable cost sharing. The Program Managers from each Council will provide regular oversight of this.

Consultants have been engaged to manage the RFT document development, preparation and submission evaluation phases for TRC.

Both Councils have no objection to the use of this Consultant to manage the joint RFT document development, preparation and submission, evaluation, reporting and contract development phases for both Councils. The Consultant's scope of works may be expanded upon mutual agreement of the Councils and the Consultant, if additional work is required to finalise the joint procurement activity and award of Contracts.

An expert Legal Advisor and a Probity Advisor will also be engaged as appropriate for the purpose of the RFT document review, draft contracts review and the joint procurement process.

Where possible internal legal expertise may be available to assist preparing the documentation for the Legal Advisor review.

### 2. Purpose

This Pre-Tender Memorandum of Understanding sets out the procurement and evaluation joint framework for this project and, will provide guidance to the members of the project teams from TRC and WDRC as to the conduct of the procurement and evaluation process.

## 3. Procurement Planning/Timeline

| Item                                                                   | Target Completion Date       |  |  |
|------------------------------------------------------------------------|------------------------------|--|--|
| ACCC application                                                       | December 2020                |  |  |
| Market Sounding                                                        | March 2021                   |  |  |
| Develop RFT Documentation                                              | July 2021                    |  |  |
| Prepare Tender Evaluation Plans                                        | July 2021                    |  |  |
| ACCC Interim approval                                                  | July 2021                    |  |  |
| RFT advertised                                                         | July 2021                    |  |  |
| RFT closed                                                             | September 2021               |  |  |
| Clarifications and assessments                                         | October 2021 / February 2022 |  |  |
| ACCC Final approval                                                    | February 2022                |  |  |
| Report to Council                                                      | February 2022                |  |  |
| Contract development                                                   | March 2022                   |  |  |
| Contract execution                                                     | March 2022                   |  |  |
| Mobilisation (Dates reflect current contract completion dates)         | September 2022 / June 2023   |  |  |
| Service Commencement (Dates reflect current contract completion dates) | October 2022 / 1 July 2023   |  |  |

## 4. Procurement Risks

All procurement activities carry risk which must be managed to ensure project success.

The following risks and actions have been considered for procurement activities related to this Contract:

- Whilst there appears to be ample time it is important to manage milestones to avoid slippage;
- A legal review will be undertaken to ensure the RFT documents are lawful and meet Queensland legislative requirements;
- This Pre-tender Memorandum of Understanding is between the two Councils and will result in a number of contracts, (separate contracts for each Council), being delivered by either one (1) or more Contractors. This flexibility needs to be adequately covered in the RFT documents;
- The conditions of tender regarding the submission of conforming and nonconforming tenders needs to be adequately addressed;
- Interim approval from the Australian Competition and Consumer Commission (ACCC) for the two (2) Councils to jointly procure waste and recyclables collection services and Processing and Bulk Haulage services contracts will be sought so the RFT can be advertised to the market. Final approval from the ACCC is required before contracts can be awarded;
- Estimated lead time for final ACCC approval is February 2022. Award of Contract/s are scheduled for March 2022. If the ACCC does not grant final approval, then the joint procurement process cannot proceed;
- The RFT documents that have been prepared remain the intellectual property of each Council.
- Where it has been determined that this MoU is not beneficial to either or both Councils, this joint procurement process can be cancelled. The cancellation of this MoU can be undertaken unilaterally by either Council by giving the other Council 30 days' written notice.
- Each Council will be responsible for the proportionate costs, as agreed, and incurred up to and including the date of cancellation, and for the respective remainder of each of the procurement processes as appropriate.
- The internal project teams assisted by the Consultants will mitigate the risks identified above and any others that arise during the procurement and evaluation phases.
- This MoU will automatically terminate when contracts for collection and recyclable processing contracts and associated services are formed.

## 5. Procurement Constraints

The following project constraints have been identified and addressed:

| Procurement<br>Constraint | Details                                                                                                                                                                                        |  |  |  |  |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Schedule/Time             | The RFT must be advertised in a timely manner so that the contracts can be awarded to provide sufficient time for the Contractor/s to complete all pre-commencement requirements and mobilize. |  |  |  |  |
| Cost                      | Pursuant to the Pre-Tender Memorandum of Understanding, TRC has<br>been appointed as the Local Government that will lead and manage the<br>RFT process in consultation with WDRC.              |  |  |  |  |
|                           | TRC shall act pursuant to its appointment, to share all costs of the procurement, on an agreed proportional basis.                                                                             |  |  |  |  |
| Scope                     | All procurement activities and contract awards must support the approved project scopes provided by each Local Government.                                                                     |  |  |  |  |
| Resources                 | Procurement activities have required external consultants to be engaged to manage and assist with the procurement.                                                                             |  |  |  |  |
| Technology                | All requirements will be included in the RFT documents.                                                                                                                                        |  |  |  |  |
| Quality                   | All requirements will be included in the RFT documents.                                                                                                                                        |  |  |  |  |

## 6. Procurement Strategies

The RFT will be advertised as an open tender on Vendor Panel marketplace, an on-line e-procurement system.

## 7. Procurement Templates to be used

The procurement activities are required to be in line with the following documents/legislation:

- Councils' Procurement Policies;
- Evaluation Plans adopted by each Council;
- Local Government Act 2009;
- Local Government Regulation 2012.

The RFT documents will also undergo a legal review by appointed Lawyers prior to issue.

## 8. The Request for Tender Process

Vendor Panel marketplace will be used by TRC to advertise and manage the RFT process from advertisement through to tender closing.

Companies will be able to register on Vendor Panel marketplace to download copies of the RFT documents. All general or technical enquiries are to be submitted via the Vendor Panel marketplace portal by posting a question to the online forum.

During the RFT period there will be no separate or direct communications or negotiations between Council Officers at either of the Councils and a Respondent. All communications are to be channelled through the Vendor Panel marketplace portal.

Questions and answers will be controlled and copies of questions and answers will be distributed to all Respondents without identification of the Respondent who asked the question.

TRC will be responsible for coordinating responses to queries received though the Vendor Panel marketplace forum. This process will be managed by the TRC TEP Chair / appointed Consultant, assisted with advice and commentary from each participating Council.

Respondents may ask questions in confidence, requesting that the answer not be distributed to other prospective Respondents (e.g. because it may cause an innovative or intellectual property aspect of their submission to be revealed to other Respondents).

The target Council will make a determination of whether the question should be considered to be commercial in confidence. If the Council agrees that the information should be considered to be commercial in confidence, TRC will respond as appropriate, including by confidential email where the Vendor Panel marketplace forum does not cater for private responses.

A separate register will be kept of these questions and answers.

In the event that approval for a confidential question and answer is not given, the Respondent will be given the opportunity to withdraw or reword its question.

Queries, clarifications and requests for information received after the forum closing time will not be responded to or considered.

Respondents must lodge their submission electronically via the Vendor Panel marketplace website and will not be accepted if it is not submitted via the Vendor Panel marketplace website.

TRC will be responsible for downloading the RFT submissions after the closing time and distributing them to the TEP Chair at each Council for distribution to TEP members and evaluation.

### 9. Probity Plan

In all dealings, the Councils will observe the highest standards of probity.

The RFT will be a defendable process which is able to withstand internal and external scrutiny – one which achieves both accountability and transparency, providing Respondents with fair and equitable treatment. The community expects business in the public sector to be conducted ethically, displaying honesty, integrity, diligence, trust and respect when dealing with others.

The Probity Plan elements have been incorporated in each of the participating Councils Evaluation Plans.

TRC will provide probity oversight through its appointed Probity Advisor for the entire process during the RFT advertising period, and each Council will appoint their own

representative to fulfil the role of Probity Advisor for the activities of each Council for the remainder of the procurement process. Notwithstanding this, each Council may elect to continue to use the services of the appointed Probity Advisor.

The TEP Chair of each Council will be responsible for preparing a probity compliance checklist and outlining the probity fundamentals which the TEP members are to comply with throughout all stages of the process.

The Probity Advisors may also prepare and issue both Councils a Final Probity Report at the end of the procurement process.

## 10. Evaluation Committee Members

Each Council will be responsible for its own evaluation process.

Evaluation Committee membership for each of the participating Councils is defined in the Evaluation Plans established for each Council.

## 11. Selection Criteria

Each Council will include the selection criteria and weightings chosen to be applied in the assessment process in its Evaluation Plan.

## **Recommendation Reports**

Each Council will be responsible for preparing their own Recommendation Reports and seeking approval from their respective Councils.

## 12. Tender Debriefing Process

All enquiries or requests for debriefs from unsuccessful Respondents shall be forwarded to the respective Council. Debriefs shall then be conducted by the TEP chair and at least one TEP member.

The information provided can include the name of the successful Respondent and then restricted to feedback on the Respondents own submission and referenced directly to the selection criteria, providing positive feedback where possible but should not be 'coaching'.

However, each RFT is unique, and consideration will need to be given to the particular scope of service, and provide appropriate feedback, for that RFT. If uncertain, the debriefing team through the TEP chair should discuss the matter with the relevant below signatories for guidance.

## 13. Agreement Authorisations

#### Toowoomba Regional Council

This Pre-Tender Memorandum of Understanding is approved and the RFT process can proceed.

| Name      |                         |
|-----------|-------------------------|
| Signature |                         |
| Role      | CAIEF EXECUTIVE OFFICER |
| Date      | 30/11/20                |

#### Western Downs Regional Council

This Pre-Tender Memorandum of Understanding is approved and the RFT process can proceed.

| Name      |  |
|-----------|--|
| Signature |  |
| Role      |  |
| Date      |  |



#### Title

#### Community and Liveability Christmas Events Around the Region 2020

| Date                | 6 January 2021                   |
|---------------------|----------------------------------|
| Responsible Manager | L. Tyrell, A/COMMUNITIES MANAGER |

#### Summary

This report is to update Council on the Christmas Events that were held around the Region in 2020.

#### Link to Corporate Plan

Strategic Priority: Active Vibrant Communities

- We are a region without boundaries, united in community pride.
- Our community members are the loudest advocates for what's great about our region.
- Our social, cultural and sporting events are supported locally and achieve regional participation.
- Our parks, open spaces, and community facilities are well utilised and connect people regionally.
- A recognised culture of volunteerism is active throughout our communities.

#### **Material Personal Interest/Conflict of Interest**

Nil

#### Officer's Recommendation

That this report be received and noted.

#### Background Information

Every year Council helps to spread Christmas cheer by way of decorating our towns with Christmas trees, tinsel and bows as well as supporting events across the Region.

#### Report

Christmas is a special time of the year and especially in 2020 we were looking forward to spreading the Christmas cheer across the Western Downs. Although this year things were run a little differently or community events were cancelled due to COVID restrictions, our community let their Christmas spirit show.

Outlined below are some of the Christmas events that Council staff either supported or delivered throughout the Festive season.

#### **Regional Christmas Movie Nights**

Due to many Christmas events not happening in 2020, it was decided that we would visit some of our smaller towns and treat them to a free screening of Arthur Christmas, along with popcorn and a Christmas tote bag. Although we discovered that attendance at some of the events wasn't as good as others, it was most certainly enjoyed by those that did attend.

By offering these movie nights to our community, it encouraged both Condamine and Dulacca to host a community Christmas event in conjunction with the movie screening.

| Event Date | Location                                                       | Attendees |
|------------|----------------------------------------------------------------|-----------|
| 28/11/2020 | Kogan - Kogan State School                                     | 41        |
| 5/12/2020  | Westmar - Sports Club                                          | 10        |
| 11/12/2020 | Meandarra - Dillon Park - in conjunction with Christmas event. | 100       |
| 12/12/2020 | Dulacca - Sports Ground - in conjunction with Christmas Event  | 60        |
| 12/12/2020 | Bell - Memorial Hall                                           | 5         |
| 13/12/2020 | Condamine- Sports Ground in conjunction with Christmas Event   | 50        |

#### **Christmas Where the Gumtrees Grow - Rural Mailbox Competition**

Rural residents once again 'jingled all the highways' by decorating their property entrances or mailboxes for a chance to win great local prizes.

Council received 17 entries and after much deliberation by this year's judges, Mayor McVeigh and Cr McGuire, the winning entries were decided.

| 1 <sup>st</sup> Prize<br>Voucher                                 | -      | McUtchen Family - Jandowae - \$500 Bunya Mountains Accommodation                                                                                                             |
|------------------------------------------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 <sup>nd</sup> Prize<br>3 <sup>rd</sup> Prize<br>Lucky Ham Draw | -<br>- | Petersen Family - Tara - \$300 Tara Foodworks Voucher<br>Cook Family - Dalby - \$200 Ashton's Butcher Voucher<br>Steven Donovan - Bell - Ham supplied by Gordon's Meats Bell |

Outlined below is some marketing data on the competition:-

#### Website: wdrc.qld.gov.au/Christmas-where-the-gumtrees-grow - 8 November - 31 December

| 2020                                     | 2019                                     |                                                                              |
|------------------------------------------|------------------------------------------|------------------------------------------------------------------------------|
| Page views: 413                          | Page views: 389                          | Increased page traffic from last year.                                       |
| Average Time on page: <b>1:50</b>        | Average Time on page: 2:30               | Average whole of website time on page 1:31. This could indicate that webpage |
| Bounce Rate: 78.11%<br>Exit Rate: 56.42% | Bounce Rate: 80.65%<br>Exit Rate: 60.67% | content was more easily consumable and more efficient this year.             |
|                                          |                                          | Comparable exit behaviours                                                   |

#### Facebook:

| Date        | Content              | Reach | Clicks      | Engagements |
|-------------|----------------------|-------|-------------|-------------|
| 22 December | Winner Announcement  | 5,731 | 377         | 587         |
| 14 December | Closing Soon (Video) | 730   | 113 (Views) |             |
| 11 December | First decorations    | 4635  | 191         | 327         |
| 04 December | Have you Spotted     | 3108  | 71          | 127         |
| 25 November | Announcement 3       | 2074  | 39          | 65          |
| 18 November | Announcement 2       | 1855  | 35          | 79          |
| 11 November | Announcement         | 9003* | 468         | 758         |

#### Dalby Christmas Tree Light Up Event

On 1<sup>st</sup> December, over 160 people participated in the Mayoral Christmas Storytime and joined in on the countdown to light up the Christmas tree at Myall 107. The light up event was a little different to other years as a result of COVID and meeting the requirements for a COVID safe event. Invitations were sent to our 6 Kindergartens in Dalby, inviting these families to come along and enjoy the event. The children were treated to a visit from Santa, fun activities, pizza and a drink, Christmas story and the light up of the tree.

#### Miles Christmas Tree Decorating Event

This year approximately 20 Kindergarten and early Primary School students came together in ANZAC Park, Miles and helped our Council team decorate the Christmas Tree.

#### **Dalby Community Carols**

The Combined Churches of Dalby hosted the Dalby Community Carols which was supported by the Community Activation team on Saturday 5 December at Anderson Park. This event was attended by over 450 people who came along for an evening of family fun which included a visit from Santa, jumping castle, glow sticks, Christmas carols and other fun activities.

#### Chinchilla Christmas Light Show

Lions Club Chinchilla once again lit up the Chinchilla Botanic Parklands with a Christmas Lights Display for everyone to come and see from 19-30<sup>th</sup> December. The display was turned on at around 6.45pm each night and stayed on until after 8.00pm depending on attendance.

#### Tara Christmas Street Party

Tara Futures Group & Local Ambulance Committee held their Christmas Street Party at Grevillea Park where families came along and joined in the Christmas celebration with Market stalls, face painting, jumping castle, trackless train plus more. This event was supported by our team by value adding some entertainment where 630 locals came along and joined in the Christmas spirit.

#### Meandarra Community Christmas Party

The regional Christmas movie night was delivered by our team and was held in conjunction with the Meandarra Community Christmas Party. This event moved from Dillon Park to Meandarra School of Arts due to wet weather, however it didn't impact the attendance with about 100 people coming along to join in the festive fun.

#### Wandoan Community Christmas Carnival

Wandoan Show and Lions Club hosted a Christmas carnival for the community. Council supported this event by value adding some entertainment to their party.

#### Letters to Santa

This year, the Western Downs Libraries worked with Santa to gather letters from children to send to the North Pole. Santa replied to 284 boys and girls across the Western Downs Region.

#### Giving Trees

Dalby Corporate Office and MYALL 107 hosted the Dalby Family Support Association Giving Trees where donations were dropped off to bring joy to someone in need at Christmas.

Consultation (Internal/External)

Nil

Legal/Policy Implications (Justification if applicable)

Nil

#### **Budget/Financial Implications**

Nil

#### Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

All activities will be undertaken in accordance with Council's human rights obligations.

#### Conclusion

Community Activation plays a vital role in creating active vibrant communities and great liveability. These events have demonstrated a strong alignment to Council's Corporate Plan and has achieved strong engagement from residents right across the region.

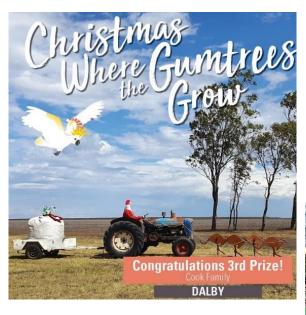
#### Attachments

Photos of some of the Christmas Events

Authored by: K. Beil, COMMUNITY ACTIVATION & EVENTS COORDINATOR

























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