

Ordinary Meeting of Council

***Held at Western Downs Regional Council's
Dalby Corporate Office***

On Thursday, 5 December 2024

Commencing at 9:30am

J. Taylor
CHIEF EXECUTIVE OFFICER

5 December 2024

Ordinary Meeting of Council Agenda

Location: **WDRC - Corporate Office - Boardroom**
30 Marble Street, Dalby Qld 4405

Pages

1. DECLARATION OF MEETING OPENING

2. OPENING PRAYER AND MINUTE SILENCE

3. APOLOGIES

4. CONGRATULATIONS

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 21 November 2024

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The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 21 November 2024.

6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

7. DECLARATIONS OF CONFLICTS OF INTEREST

8. PRESENTATION OF PETITIONS BY COUNCILLORS

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report November 2024

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The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of November 2024.

10. 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.

10.1 EXECUTIVE SERVICES

- 10.1.1 Executive Services Confidential Report Potential Lease Agreement at the Tara Aerodrome**
The purpose of this report is to consider the potential lease agreement at the Tara Aerodrome to Queensland Fire and Emergency Services for the installation of water tanks and water filling infrastructure utilized for combatting fires.
- 10.1.2 Executive Services Confidential Report Potential Lease Agreement Chinchilla Aerodrome for the Installation of Self-serve JetA1 Fuel Facility**
The purpose of this report is to discuss a proposed resolution by Council to enter into a new lease agreement with IOR Aviation Pty Ltd ("IOR") at the Chinchilla Aerodrome.

10.2 CORPORATE SERVICES

10.3 COMMUNITY AND LIVEABILITY

10.4 INFRASTRUCTURE SERVICES

11. DEPUTATION

12. PLANNING

- 12.1 (030.2024.357.001) Community and Liveability Report Development Application for Material Change of Use for Expansion of Existing Extractive Industry at 5750 Bunya Highway Cooranga Kingaroy Quarry Supplies C/- Groundwork Plus** 29
The purpose of this Report is for Council to decide the proposed development for a Material Change of Use to expand an existing Extractive Industry use to up to 1,000,000 tonnes per annum on land described as Lot 42 on SP319216 and situated at 5750 Bunya Highway, Cooranga.
- 12.2 (035.2024.487.001) Community and Liveability Report Development Application Reconfiguring a Lot (Boundary Realignment - 2 Lots into 2 Lots) of Lot 2 on SP327973 and Lot 45 on SP251981 171 Sandalwood Avenue East and 70 Dalby-Cecil Plains Road Dalby Kucks** 279
The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) on land described as Lot 2 on SP327973 and Lot 45 on SP251981 and situated at 171 Sandalwood Avenue East and 70 Dalby-Cecil Plains Road, Dalby.

13. EXECUTIVE SERVICES

- 13.1 Executive Services Chief Executive Officer Report November 2024** 298
The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Chief Executive Officer during the month of November 2024.

13.2	Executive Services Report Outstanding Actions November 2024	300
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The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 21 November 2024.

14. CORPORATE SERVICES

14.1	Corporate Services Report Renewal of Lease Dalby PCYC Lot 3 on CP850442	307
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The purpose of this Report is to seek Council's endorsement for the proposed lease over the building known as Dalby PCYC.

14.2	Corporate Services Report Write Off Outstanding Community Housing Rent Payments	345
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The purpose of this report is to seek Council's approval to write off amounts which remain outstanding following the transfer of Council's community housing portfolio to Community Housing (Qld) Limited.

14.3	Corporate Services Report Enterprise Risk Management - Council Policy	348
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The purpose of this report is to present the *Enterprise Risk Management - Council Policy* for recission.

14.4	Corporate Services Report Public Interest Disclosure Policy	352
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The purpose of this report is to present the proposed *Public Interest Disclosure Policy* for adoption.

14.5	Corporate Services Report Queensland Audit Office 2024 Final Management Report	361
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The purpose of this report is to provide an update on the finalisation of external audit activities for the 2024 financial year.

14.6	Corporate Services Financial Report November 2024	372
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The purpose of this Report is to provide Council with the Financial Report for the period ending 18 November 2023. The shortness of the reporting reflects the timing of Council's ordinary meeting for December.

15. INFRASTRUCTURE SERVICES

15.1	Infrastructure Services Report New / Additional Yellow Plant Replacement - Bitumen Seal Repair Truck	384
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The purpose of this Report is to seek Council's approval to include a new capital project to replace a bitumen seal repair truck

15.2	Infrastructure Services Report 2021-22 Flood Damage Restoration Program Progress Update	387
	This report provides a progress update in regard to Council's Restoration of Essential Public Assets program through the Queensland Reconstruction Authority's (QRA) Disaster Recovery Funding Arrangements Program following the 2021/22 Riverine Flooding Events.	
	This report provides a progress update in regard to Council's Restoration of Essential Public Assets program through the Queensland Reconstruction Authority's (QRA) Disaster Recovery Funding Arrangements Program	
15.3	Infrastructure Services Works November 2024/25 Capital Works Progress Update	392
	The purpose of this Report is for the Works Department to provide an update to Council regarding the 2024/25 Capital Works Program for the month of November 2024.	
16.	COMMUNITY AND LIVEABILITY	
16.1	Community and Liveability Report on Proposed Partnership between Western Downs Regional Council and Toowoomba Surat Basin Enterprise 2024 - 2027	396
	The purpose of this report is to seek Council endorsement of the proposed 3-year agreement between Western Downs Regional Council and Toowoomba Surat Basin Enterprise	
17.	NOTICES OF MOTION	
17.1	CONSIDERATION OF NOTICES OF MOTION/BUSINESS	
17.1.1	Notice of Motion – Cr Bougoure – Creation of Health Precinct and Healthcare Worker Accommodation within Tara	408
	The purpose of this report is to seek Council's formal support to the Tara community in preserving the old hospital for use as a medical precinct adjacent to the new hospital.	
18.	URGENT GENERAL BUSINESS	
19.	MEETING CLOSURE	

Title **Adopt Ordinary Meeting of Council Minutes 21 November 2024**

Date 29 November 2024

Responsible Manager J. Taylor, CHIEF EXECUTIVE OFFICER

Summary

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 21 November 2024.

Link to Corporate Plan

Nil

Material Personal Interest/Conflict of Interest

There are no declarations of material personal interest/conflicts of interest.

Officer's Recommendation

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 21 November 2024, 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 Thursday, 21 November 2024.

Authored by: A. Lyerll, Executive Services Administration Officer



Ordinary Meeting of Council Minutes

Date: Thursday, 21 November 2024
Time: 9:30 am
Location: WDRC - Tara Soldiers Memorial Hall
19 Fry Street, Tara, 4421

Councillors:

- Cr. A. N. Smith
- Cr. K. A. Bourne
- Cr. P. T. Saxelby
- Cr. K. A. Maguire
- Cr. M. J. James
- Cr. O. G. Moore
- Cr. S. Bougoure
- Cr. S. J. Condon
- Cr. G. M. Olm

Officers:

- J. Taylor, Chief Executive Officer
- G. Cook, General Manager (Infrastructure Services)
- B. Bacon, General Manager (Corporate Services)
- D. Fletcher, General Manager (Community and Liveability)
- B. Donald, Senior Executive Assistant
- A. Lyell, Executive Services Administration officer
- A. Lewis, Business Trainee

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Paster Ron Evans from the Tara Community Church, delivered the opening prayer. This was followed by the observance of a minute silence.

3. APOLOGIES

There were no apologies.

4. CONGRATULATIONS

Cr M. J. James requested that congratulations be extended to Ivy Roget who was runner up in the 2024 Focus on Ability Short Film Festival NOVA Employment Choice Award and in the top 5 for on line votes for her short film entitled "Raven's Revenge". Focus on Ability is a national short film festival that encourages the community to become more aware of the ability of people with a disability.

Cr M. J. James requested that congratulations be extended to the Western Downs' success in the prestigious Darling Downs Beef Battle - with the Morgan family from The Grove Shorthorns near Condamine announced runners up fin the Professional Choice category (selected by a professional judging panel) and Stanbroke which as a feedlot at Chinchilla and backgrounding operations near Wandoan and Dalby who took out the People's Choice (judged by some 500 beef enthusiast dinner attendees)

Cr M. J. James requested that congratulations be extended to Dalby students Nicholas Summerville (vocals) and Rowan Keys (bagpipes) who performed lead feature roles in the recent Queensland State Schools Creative Generation (C-Gen) event, a professionally produced, award-winning arena spectacular with a cast of more than 2,000 held in Brisbane and televised on Channel 9 on 17 November 2024. Congrats also to all the Western Downs Schools - students and teachers - who took part in C-Gen, including Miles State School, Miles High School, Dalby State School, Dalby South State School, Dalby State High School, Drillham State School, and Wandoan State School.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 17 October 2024

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 17 October 2024.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. G. M. Olm

That this Report be received and that:

1.The Unconfirmed Minutes of the Ordinary Meeting of Council held on 17 October 2024, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED

6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

There was no business arising from the minutes of the previous meeting.

7. DECLARATIONS OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There were no petitions presented by Councillors.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report October 2024

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of October 2024.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this Report be received and noted.

CARRIED

10. 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;

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COUNCIL RESOLUTION - CLOSE MEETING

Moved By Cr. P. T. Saxelby

Seconded By Cr. M. J. James

That Council resolve to close the Meeting in accordance with Sections 254J (3) (A-H) of the *Local Government Regulation 2012* at 9.43 AM to discuss the following Confidential Reports:

1. Executive Services Confidential Report: Disposal of Part Lot 220 SP209293, Haddock Place, Tara
2. Executive Services Confidential Report - Proposed Request for Expressions of Interest for Lot 1 and part of Lot 2 on SP173901 Dalby-Apunyal Road for High Impact Industry Development
3. Community and Liveability Confidential Report Re Evaluation of Tenders for RFT000059 – Weighbridge Civil Works for Tara and Wandoan Waste Facilities 7 November 2024

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolve to reopen the Meeting at 10.02 AM.

10.1 EXECUTIVE SERVICES

10.1.1 Executive Services Confidential Report: Disposal of Part Lot 220 SP209293, Haddock Place, Tara

The purpose of this report is to seek Council's direction in relation to a proposal to dispose of Council owned land.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That Council resolves:

- a) that the exception provided in s236(1)(b) of the *Local Government Regulation* 2012 applies to the disposal of a valuable non-current asset of Council and accordingly, disposal by way of tender or auction is not required;
- b) to reconfigure and dispose of part of Lot 220 SP209293 (having an approximate area of 6000 square metres) to the St Vincent de Paul Society for housing purposes;
- c) to delegate to the Chief Executive Officer the power to enter into a contract with the St Vincent de Paul Society at a cost of \$1.00 and to negotiate such terms as are necessary to achieve delivery of the housing project in accordance with an approved business plan prior to transfer and subject to the project being fully developed and operational within five years of this resolution

CARRIED

10.1.2 Executive Services Confidential Report - Proposed Request for Expressions of Interest for Lot 1 and part of Lot 2 on SP173901 Dalby-Apunyal Road for High Impact Industry Development

The purpose of this report is to seek approval to invite Expressions of Interest before considering calling for written Tenders for the disposal of Lot 1 and part of Lot 2 on SP173901 Dalby-Apunyal Road, Dalby.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Bourne

That Council resolves that it is in the public interest, pursuant to section 228(3)(a) and (b) of the *Local Government Regulation 2012* (Qld) to invite Expressions of Interest ('EOI') to dispose of Lot 1 on SP173901 and part of Lot 2 on SP173901 Dalby-Apunyal Road, Dalby, for High Impact Industry development for the following reasons:

1. disposing of the land is expected to result in the Land reaching its full potential by offering land to obtain further development opportunities and employment to the region;
2. it will allow all interested parties to submit detailed proposals stating their interest in acquiring the Land. Council will then assess the best proposed use of the Land for the benefit of the community and assess the suitability of the applicant;
3. it will allow Council to invite tenders from a smaller class of submissions that are considered to be in the best interests of the community and to filter out proposals that are not considered to be appropriate; and
4. it will require vendors to provide Returnable Schedules which align to Council's *Economic Development Strategy 2023-2028* and *Communities Partnering Framework*. The returnable schedule requires vendors to provide measurable outcomes of the project.

CARRIED

10.2 CORPORATE SERVICES

10.3 COMMUNITY AND LIVEABILITY

10.3.1 Community and Liveability Confidential Report Re Evaluation of Tenders for RFT000059 – Weighbridge Civil Works for Tara and Wandoan Waste Facilities 7 November 2024

This report is to present the results of a tender for the construction of weighbridges at the Tara and Wandoan Landfill.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this report be received and that Council resolve to:

1. Delegate to the Chief Executive Officer the power to make, amend or discharge a contract for the delivery of RFT000059 – Weighbridge Civil Works for Tara and Wandoan Waste Facilities to Newlands Civil Constructions Pty Ltd ABN 411 33 339 778;
2. Approve the increase of \$259,125 (exclusive of goods and services tax) to the 2024-25 capital budget for the Tara Landfill Weighbridge project as listed in Section 9.0 of the attached report; and
3. Approve the increase of \$451,885 (exclusive of goods and services tax) to the 2024-25 capital budget for the Wandoan Landfill Weighbridge project as listed in Section 9.0 of the attached report.

CARRIED (8 to 1)

10.4 INFRASTRUCTURE SERVICES

11. DEPUTATION

There were no deputations.

12. PLANNING

12.1 (035.2023.532.001) Community and Liveability Report Development Application for Reconfiguring a Lot (1 Lot into 5 Lots) of Lot 41 on SP328780 Cooper Street Dalby Porter

The purpose of this Report is for Council to decide the application for Reconfiguring a Lot (subdivision of 1 lot into 5 lots) of land described as Lot 41 on SP328780, located at Cooper Street, Dalby.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. G. M. Olm

That this Report be Received and that:

1. The application for Reconfiguring a Lot (subdivision of 1 lot into 5 lots) of land described as Lot 41 on SP328780, located at Cooper Street, Dalby, be approved, subject to the following conditions:

APPROVED PLAN AND DOCUMENT

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

Drawing/Document No.	Title and Details	Dated
10712-2-SK1, Rev C	Proposed Reconfiguration of Lots, prepared by Cottrell Cameron & Steen Surveys Pty Ltd	4.4.2022
23020351_R01_V01	Regional Riverine Hydraulic Flood Impact Assessment and Options Assessment - 41 Cooper Street	2 May 2024

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.

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

- 3.1 Road Corridor (Vehicle Crossovers); and
- 3.2 Operational Work.

APPROVED DEVELOPMENT

4. The approved development is Reconfiguring a Lot (1 lot into 5 lots) as shown on the Approved Plan.

COMPLIANCE, TIMING AND COSTS

5. All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18B) and whilst the use continues, unless otherwise noted within these conditions.
6. All costs associated with compliance with these conditions shall be the responsibility of the developer.
7. The Plan of Survey (Form 18B) 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

8. 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

9. All infrastructure charges including those associated with Council's Sewer, 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

10. The development shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

LOT NUMBERING

11. The numbering of all approved lots shall remain as indicated on the Approved Plan (unless otherwise amended/approved by Council).
12. The developer must make a request to Council for street numbering within 30 days of registration of the Survey Plan with the Titles Office.

LANDSCAPING

13. All declared weeds and pests shall be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of the development works and any ensuing defects liability period.
14. 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.

ENGINEERING WORKS

15. Submit to Council, an Operational Work application for all works that will become Council infrastructure.
16. Complete all works approved and works required by the conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan (Form 18B) unless stated otherwise.
17. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, relevant Australian Standards, Codes of Practice and relevant Design Manuals.

18. Be responsible for any alteration necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

19. 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.
20. 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 works associated with the development.

FLOOD HAZARD

21. The habitable floor level of future dwellings on each proposed lot is to be elevated a minimum of 300mm above the defined flood level for the proposed lot.
22. Earthworks associated with a building pad for future development on each lot is limited to the scope of the Approved Document, unless otherwise approved by Council.

Comment: Any additional earthworks will require a further approval for Operational Work.

STORMWATER MANAGEMENT

23. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).
24. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

25. Connect each lot to Council's reticulated water network.

SEWERAGE

26. Connect all lots to Council's reticulated sewerage system. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
27. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
28. Do not build works within 1.5 metres of the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
29. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
30. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.

31. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

ACCESS

32. For each lot, construct crossovers having a minimum width of 4 metres in accordance with Council's Standard Drawing No. R-004.
33. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

TELECOMMUNICATIONS

34. Provide telecommunications to all lots within the development.

ELECTRICITY

35. Provide electricity supply to all lots within the development to comply with Ergon Energy's requirements.
36. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

ENVIRONMENTAL HEALTH

37. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 37.1 do 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;
- 37.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
- 37.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

Timing: During construction and on-maintenance period and the establishment period of landscaping or areas disturbed during construction.

38. 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:
- 38.1 uncontaminated overland stormwater flow; and
- 38.2 uncontaminated stormwater to the stormwater system.

Timing: Prior to commencement of any works on-site, during works on-site and maintained for the period of the use of the development site.

ADVISORY NOTES

NOTE 1 - Infrastructure Charges Discount

Please be advised that the approved development may be eligible for a discount in infrastructure charges under Council's Housing and Land Development Incentives Policy.

NOTE 2 - 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. You are advised that the proposed building works may be subject to inundation during a flood event.

NOTE 3 - 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 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 www.datsip.qld.gov.au.

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 - 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.

APPEAL RIGHTS

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

"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."

CARRIED

13. EXECUTIVE SERVICES

13.1 Executive Services Report Proposed Disposal of Lot 27 SP159192 Windeyer Road, Wandoan

The purpose of this report is to seek Council's decision regarding the disposal of a freehold property, Lot 27 on SP159192, Windeyer Road, Wandoan.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. S. J. Condon

That Council resolves to:

- a. offer Lot 27 SP159192 Windeyer Road, Wandoan for sale by auction; and
- b. delegate authority to the Chief Executive Officer to finalise and sign all necessary documents to affect the aforementioned disposal by auction.

CARRIED

13.2 Executive Services Report Council Meeting Dates January 2025 to December 2025

The purpose of this Report is to provide for Council consideration and subsequent adoption proposed dates and times for the holding of Council Meetings in 2025.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. G. M. Olm

That this Report be received and that, in accordance with Section 175 of the *Local Government Act 2009* and Section 277 (1) of the *Local Government Regulation 2012*, Council adopts the following dates for the holding of Council Meetings in 2025:

Ordinary Meetings of Council

Date (2025)	Location	Commencement Time
Thursday, 16 January	Chinchilla Customer Service Centre	9.30 a.m.
Thursday, 20 February	Wandoan Customer Service Centre	9.30 a.m.
Thursday, 20 March	Miles Customer Service Centre	9.30 a.m.
Thursday, 17 April	Jandowae Customer Service Centre	9.30 a.m.
Thursday, 15 May	Tara Customer Service Centre	9.30 a.m.
Thursday, 19 June	Dalby Corporate Office	9.30 a.m.
Thursday, 17 July	Chinchilla Customer Service Centre	9.30 a.m.
Thursday, 21 August	Wandoan Customer Service Centre	9.30 a.m.
Thursday, 18 September	Miles Customer Service Centre	9.30 a.m.
Thursday, 16 October	Jandowae Customer Service Centre	9.30 a.m.
Thursday, 20 November	Tara Customer Service Centre	9.30 a.m.
Thursday, 4 December	Dalby Corporate Office	9.30 a.m.

CARRIED

13.3 Executive Services Chief Executive Officer Report October 2024

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Chief Executive Officer and the Acting Chief Executive Officer during the month of October 2024.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this Report be received.

CARRIED

13.4 Executive Services Report Outstanding Actions October 2024

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 17 October 2024.

Cr M.J. James left the meeting at 10.26am (having declared a conflict of interest in response to a intended question regarding the Dalby Aerodrome proposed lease to Helismart. Cr James had determined that the conflict of interest arose as she is a close personal friend of two of the Directors of HeliSmart and has previously done consulting work for Helismart in her former role at BMO Accountants)

Cr. M. J. James re-joined the meeting at 10.29am.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. O. G. Moore

That this Report be received.

CARRIED

13.5 Executive Services Quarterly Report July to September 2024

The purpose of this Report is to provide Council with a summary of the Executive Services Division's strategic and operational activities for the first quarter of the 2024-2025 financial year.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. G. M. Olm

That this report be received and noted.

CARRIED

ADJOURNED MEETING

The Chairperson adjourned the meeting at 10.37am.

The meeting resumed at 10.55am.

14. CORPORATE SERVICES

14.1 Corporate Services Report Bell Showgrounds Renaming Consideration

This report outlines a proposal submitted on behalf of the Bell Recreation Reserve Committee to rename the 'Bell Showgrounds' (76AG3889) to 'Bell Recreation Reserve'. It seeks Council's approval to proceed with the name change without broader community engagement, as permitted by the *Naming Public Assets – Council Policy*.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. O. G. Moore

That Council resolves to:

1. rename the 'Bell Showgrounds' to the 'Bell Recreation Reserve', to accurately reflect the reserve's intended use; and
2. dispense with the usual requirements of the *Naming Public Assets – Council Policy*, specifically the seeking of nominations of names from the community, in view of the unique circumstances which apply to this situation, which include, inter alia:
 - a. the absence of any identifying signage on the venue;
 - b. the reserve is already referred to, albeit colloquially, as the Bell Recreation Reserve;
 - c. the request has come from the reserve's management committee, which includes representatives of the various user groups (including the Bell Show);
 - d. the desire of the reserve's management committee to incorporate as the Bell Recreation Reserve;
 - e. the inclusive nature of the proposed name; and
 - f. the name is generic in nature and thus not emphasising one particular entity or person, which can occasionally generate community sentiment.

CARRIED

14.2 Corporate Services Report Quarter One 2024-25 Operational Plan and Enterprise Risk Management Review

The purpose of this report is to provide Council with the first quarter progress in achieving the actions outlined in the *2024-25 Operational Plan* and the status of the strategic risks which Council manages under the *Enterprise Risk Management Framework*.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Maguire

That Council resolves to receive the *Quarter One 2024-25 Operational Plan and Enterprise Risk Management Review*.

CARRIED

14.3 Corporate Services - Queensland Audit Office 2023 Closing Report

The purpose of this report is to provide an update on external audit activities for the 2024 financial year.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. S. J. Condon

That Council resolves to receive the Queensland Audit Office's *2024 Closing Report*.

CARRIED

14.4 Corporate Services Report Audit Committee Meeting 8 October 2024

The purpose of this report is to provide Council with the report of the Western Downs Regional Council Audit Committee Meeting held on 8 October 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. G. M. Olm

That Council resolves to receive the *Unconfirmed Minutes of the Western Downs Regional Council Audit Committee Meeting* held on 8 October 2024.

CARRIED

14.5 Corporate Services Report 2023-24 Annual Report

The purpose of this report is to provide Council with the draft *Western Downs Regional Council 2023-24 Annual Report*.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolves to adopt the *Western Downs Regional Council 2023-24 Annual Report*, pursuant to section 182 of the *Local Government Regulation 2012*.

CARRIED

14.6 Corporate Services Financial Report October 2024

The purpose of this report is to provide Council with the Financial Report for the period ending 31 October 2024 and seek approval and advise council of the changes to the operational and capital budget.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That Council resolves to receive the October 2024 Financial Report and:

1. resolves to approve the increase of \$29,000 (exclusive of goods and services tax) for an approved 2024-25 operational initiative as listed in section two of this report;
2. notes the 2023-24 Carry Forward Programme update as listed in attachment two of this report; and
3. resolves to approve the deferral of capital expenditure budget from 2024-25 to 2025-26 for \$533,622 (exclusive of goods and services tax) as listed in section four of this report.

CARRIED

14.7 Corporate Services Quarterly Report July to September 2024

The purpose of this Report is to provide Council with a summary of the Corporate Services Division's strategic and operational activities for the first quarter of the 2024-2025 financial year.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. S. Bougoure

That Council resolves to receive the Corporate Services Quarterly Report for the period of July to September 2024

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Quarterly Report July to September 2024

The purpose of this Report is to provide Council with a quarterly update in relation to the Infrastructure Services' Works, Utilities and Technical Services departments performance.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. G. M. Olm

That this report be received.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community & Liveability Report Dalby Cultural Centre Concept Design & Community Engagement Report

The purpose of this report is to provide a comprehensive update on the Dalby Cultural Centre Concept Design & Community Engagement, and to seek Council's approval to proceed with the project.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. M. J. James

That this report be received and that Council resolves:

1. To approve the Dalby Cultural Centre Concept Design, as represented in the 'Dalby Cultural Centre Volume 01 - V2 Concept Design Summary' by OMA Australia Pty Ltd ABN 17 647 907 551 (OMA Australia) / AOG Architects Pty Ltd ABN 39 614 448 574 (AOG Architects) / The Trustee for BJ Allwood Trust & The Trustee For Fantin-Clark Trust ABN 19 959 808 806 trading as POD (People Oriented Design) (POD) / Blaklash Creative Pty Ltd ABN 34 639 628 612 (Blaklash) dated 19 November 2024, as the preferred concept design for the development of the Dalby Cultural Centre, within Thomas Jack Park in the location indicated in the preferred concept design.
2. That it is satisfied OMA Australia is the only reasonably available architect to lead the detailed design due to OMA Australia's significant involvement in the development of the Dalby Cultural Centre Concept Design. In consequence, Council delegates to the Chief Executive Officer the power to make, amend or discharge a contract with OMA Australia for lead architectural design services for the Dalby Cultural Centre Detailed Design, including all documentation supporting the detailed design, up to and ready for the construction tender process; and
3. Authorises the Chief Executive Officer to manage, oversee and direct:
 - a) All actions required for and incidental to applying for and obtaining all approvals or permissions required by law for the construction and use of the Dalby Cultural Centre generally in accordance with the preferred concept design; and
 - b) All actions required for and incidental to the preparation of plans and all other documents or things necessary for the purposes of the tender for the construction of the project, including the detailed design and supporting documents.

CARRIED

16.2 Community and Liveability Report Endorsement of Consultation Report, Responses to Submissions and Adoption of Major Amendment 2 to Western Downs Planning Scheme 2017 Incorporating Amendment 1

The purpose of this Report is for Council to decide to exercise its power, under the *Planning Act 2016* and in accordance with the process set out in the *Minister's Guidelines and Rules*, to make amendments to its Planning Scheme. Chapter 2, Part 4 of the *Minister's Guidelines and Rules* prescribes the process for making a major amendment to a Planning Scheme under Section 20 of the *Planning Act 2016*.

The purpose of this Report is also to obtain Council's endorsement of the Consultation Report and revised version of the Planning Scheme, to determine that the recommended changes are not significantly different, to authorise the Chief Executive Officer to respond to each submitter and finally, to give notice to the Planning Minister seeking approval to adopt the proposed Planning Scheme.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. G. M. Olm

That this Report be received and that Council:

1. Endorse the Consultation Report which provides a summary of consultation activities undertaken, compliance with consultation requirements, matters raised in submissions received and changes to be made to the publicly consulted version of the proposed Planning Scheme in response to submissions;
2. Endorse the revised version of the proposed Western Downs Planning Scheme, including mapping;
3. Determine, in accordance with Schedule 2 of the Minister's Guidelines and Rules, that the proposed Western Downs Planning Scheme is not significantly different from the publicly consulted version for the reasons in the Significantly Different Statement;
4. Authorise the Chief Executive Officer to publish the Consultation Report on Council's website and respond to each submitter by providing a copy of the endorsed Consultation Report; and
5. Give notice to the Planning Minister, in accordance with Part 21.1 of the Minister's Guidelines and Rules, and request approval to adopt the proposed Planning Scheme.

CARRIED

16.3 Community and Liveability Quarterly Report July to September 2024

The purpose of this Report is to provide Council with an update in relation to the Community and Liveability Division's strategic and operational activities for the first quarter of the 2024/2025 Financial Year.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That Council resolve to receive the Community and Liveability Quarterly Report for the period July to September 2024.

CARRIED

17. NOTICES OF MOTION

17.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

There were no notices of motion/business for consideration.

18. URGENT GENERAL BUSINESS

There was no urgent general business.

19. MEETING CLOSURE

The Meeting concluded at 11.49am.

Title	Executive Services Mayoral Report November 2024
Date	1 December 2024
Responsible Manager	J. Taylor, 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 November 2024.

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 November 2024:

Date	Who/Where	Details
1 November 2024	<ul style="list-style-type: none"> St Vincent de Paul Corporate Engagement Workshop 	Toowoomba
6 November 2024	<ul style="list-style-type: none"> Radio Interview with 4WK Local Government Association Queensland 'Closing the Loop' Roundtable Development Assessment Panel Miles State High School Awards Night 	Phone Teams Dalby Miles
7 November 2024	<ul style="list-style-type: none"> Meeting with local resident Meeting with local business Councillor Information Session 	Dalby Phone Dalby
11 November 2024	<ul style="list-style-type: none"> Miles Remembrance Day Ceremony Annual Council Strategy Session 	Miles Bunya Mountains
12 November 2024	<ul style="list-style-type: none"> Annual Council Strategy Session 	Bunya Mountains
13 November 2024	<ul style="list-style-type: none"> Annual Council Strategy Session Radio Interview 4WK Briefing Disaster Recovery Funding Arrangements for QLD Councils 	Bunya Mountains Phone Teams Meeting
15 November 2024	<ul style="list-style-type: none"> Powerlink Queensland's Transmission Network Forum 	Brisbane

	<ul style="list-style-type: none"> Queensland Tourism Awards 	Brisbane
16 November 2024	<ul style="list-style-type: none"> Radio Interview with ABC Big Blade Opening 	Phone Bell
19 November 2024	<ul style="list-style-type: none"> Radio Interview with ABC Planning & Pre-Agenda Meeting Interview with Chanel Seven Councillor Information Session 	Phone Dalby Dalby Dalby
20 November 2024	<ul style="list-style-type: none"> Radio Interview with ABC Meeting with Western Downs Today Radio Interview with 4WK Development Assessment Panel Meeting with Resident 	Phone Phone Phone Dalby Dalby
21 November 2024	<ul style="list-style-type: none"> Ordinary Meeting of Council Councillor Information Session Southern Cross Care 2024 Chairman's Dinner 	Tara Tara Brisbane
22 November 2024	<ul style="list-style-type: none"> Queensland Resources Council Annual Lunch and Forum Toowoomba Surat Basin Enterprise Platinum Christmas Party 	Brisbane Toowoomba
24 November 2024	<ul style="list-style-type: none"> Senex Atlas Gas Field Project Expansion Grand Opening 	Wandoan
25 November 2024	<ul style="list-style-type: none"> Tara Hospital Open Day Radio Interview with ABC 	Tara Phone
26 November 2024	<ul style="list-style-type: none"> Radio Interview with ABC 	Phone
27 November 2024	<ul style="list-style-type: none"> Radio Interview with 4WK Meeting with Coexistence Queensland Meeting with CS Energy Meeting with Queensland Law Reform Commission 	Phone Brisbane Brisbane Brisbane
28 November 2024	<ul style="list-style-type: none"> Central Queensland Water Assessment Group 	Gladstone
30 November 2024	<ul style="list-style-type: none"> Dalby Stock Horse Sale Opening 	Dalby

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 November 2024.

Attachments

Nil

Authored by: Hailey Wex, Executive Officer to the Mayor

Title (030.2024.357.001) Community and Liveability Report Development Application for Material Change of Use for Expansion of Existing Extractive Industry at 5750 Bunya Highway Cooranga Kingaroy Quarry Supplies C/- Groundwork Plus

Date 20 November 2024

Responsible Manager T. Summerville, PLANNING AND ENVIRONMENT MANAGER

Summary

The purpose of this Report is for Council to decide the proposed development for a Material Change of Use to expand an existing Extractive Industry use to up to 1,000,000 tonnes per annum on land described as Lot 42 on SP319216 and situated at 5750 Bunya Highway, Cooranga.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We aggressively attract business and investment opportunities.
- Our region is a recognised leader in agribusiness, energy, and manufacturing.
- We deliver water security to enable future economic growth.
- We proactively advance our region as a tourism destination.
- Our business and industry actively live and buy local.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that:

1. The development application for Material Change of Use to expand an existing Extractive Industry use to up to 1,000,000 tonnes per annum on land described as Lot 42 on SP319216 and situated at 5750 Bunya Highway, Cooranga be approved, subject to the following conditions:

APPROVED PLANS AND DOCUMENTS

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

Plan/Document No.	Title and Details	Dated
ZA00771.PO5	Overall Site Plan, prepared by Downes Group	29/04/2021
ZA00771.PO5	Quarry Site Extent, prepared by Downes Group	
SO-01	Site Office, prepared by SVR	22/10/2021
SO-01	Storage Container, prepared by SVR	22/10/2021
2535.800.001	Stormwater Management Plan, prepared by Groundwork Plus	May 2021
2821.620.001	Environmental Assessment Report, prepared by Groundwork Plus	May 2024
2821.610.001	Environmental Management Plan, prepared by Groundwork Plus	May 2024
J001945 FINAL_V2	Noise Impact Assessment, prepared by Range Environmental Consultants	24/09/2024

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plans and Documents, 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:
 - 3.1 Building Work; and
 - 3.2 Plumbing Works.

APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use for an Extractive Industry (Expansion of Existing Use – Up to 1,000,000 tonnes per annum) as shown on the Approved Plans.

COMPLIANCE, TIMING AND COSTS

5. All conditions of the approval shall be complied with before the change occurs (prior to commencement of the use) and while the use continues, unless otherwise noted within these conditions.
6. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

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. A record of each year's output must be kept on-site and be available for review at the request of Council's Planning and Environment Manager or authorised delegate, within 48 hours of such request.
 - 8.1 Material extracted from the site must not exceed an output of 1,000,000 tonnes per annum.
9. The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plans and Documents subject to and modified by any conditions of this approval.

APPLICATION DOCUMENTATION

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

HOURS OF OPERATION/LOADING AND UNLOADING

11. Quarrying operations and transport haulage must operate between the following hours only:

Monday to Friday:	7:00am to 6:00pm
Saturday:	8:00am to 2:00pm
Sunday and Public Holidays:	No operation

12. Drilling and blasting must occur between the following hours only:

Monday to Friday: 9:00am to 3:00pm

Saturday: Not permitted

Sunday and Public Holidays: Not permitted

ENVIRONMENTAL MANAGEMENT PLAN

13. The approved use must be carried out in accordance with the Approved Environmental Management Plan, prepared by Groundwork Plus, dated May 2024, except as altered by conditions of this development approval.
14. The Environmental Management Plan must be implemented, maintained and modified where necessary, to maintain compliance with the requirements of this Development Approval at all times.

NOISE EMISSIONS

15. Noise emissions from the development shall not cause environmental harm or nuisance to adjoining properties or "Sensitive Land Uses".
16. Construct and maintain a 6 metre high earthen or rock bund around the northern portion of the fixed crushing plant areas as shown in Figure 3 of the Noise Impact Assessment prepared by Range Environmental Consultants, Version 2, dated 24 September 2024.

AIR EMISSIONS

17. Air emissions (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 2019*.

WASTE MANAGEMENT

18. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Waste Reduction and Recycling Act 2011*.
19. 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*.

ON-SITE WASTEWATER DISPOSAL

20. Connect the development to an on-site wastewater disposal system, in accordance with the AS1547 and the Queensland Plumbing and Waste Water Code.
21. Obtain a Development Permit for Plumbing Work for the on-site sewerage treatment system.

ENGINEERING WORKS

22. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.
23. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, standards, relevant design guides, and Australian Standards.

24. Be responsible for the full cost of any alterations necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

25. 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.
26. 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 works associated with the development.

ROADWORKS AND SAFETY

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

STORMWATER MANAGEMENT

28. Provide stormwater management generally in accordance with the Approved Stormwater Management Plan prepared by Groundwork Plus, Issue 3, dated May 2021 subject to detailed design and except as altered by conditions of this Development Approval.
29. Design and construct stormwater drainage to ensure that the development will achieve "no worsening" as described in the Queensland Urban Drainage Manual (QUDM).
30. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

PARKING AND ACCESS - GENERAL

31. Provide adequate space for car parking for all staff and visitors.
32. 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.
33. Maintain dust suppression treatment to all internal roadways, and vehicle manoeuvring areas ensuring not to have an adverse impact on adjoining properties.
34. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

FUEL STORAGE

35. 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 MANOEUVRING

36. The premises shall be provided with adequate on-site car parking spaces for employees, customers and manoeuvring for a minimum of a 26 metre B-double.

PONDING OF STORMWATER

37. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

EROSION AND SEDIMENT CONTROL

38. 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.
39. 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.

ENVIRONMENTAL

40. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
 - 40.1 do 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;
 - 40.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
 - 40.3 do not carry out works on Sundays or Public Holidays (unless approved otherwise by Council).

Timing: During construction and on-maintenance period and the establishment period of the landscaping or areas disturbed during construction.

41. 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:
 - 41.1 uncontaminated overland stormwater flow; and
 - 41.2 uncontaminated stormwater to the stormwater system.

Timing: Prior to commencement of any works on-site, during works on-site and maintained for the period of the use of the development site.

REHABILITATION

42. Rehabilitate the site at the time of decommissioning the extraction operations generally in accordance with Section 3.7 Rehabilitation Management Plan included in the Approved Environmental Management Plan, prepared by Groundwork Plus, dated May 2024.

WATER SUPPLY

43. Provide a potable water supply for the development for staff and visitors.

ELECTRICITY AND TELECOMMUNICATIONS

44. Connect the development to electricity and telecommunication services.

REFERRAL AGENCY RESPONSE

The application is subject to the following Referral Agency requirements:

1. State Assessment and Referral Agency's Concurrence Agency response dated 13 November 2024.

ADVISORY NOTES

NOTE 1 - Currency 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 2 - 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 3 - 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 4 - 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 5 - 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 6 - 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.

NOTE 7 - Special Rates

In lieu of levying infrastructure charges payable in conjunction with this Development Permit in accordance with the *Planning Act 2016*, road maintenance and depreciation costs associated with the Extractive Industry operations will be recouped by levying an annual special rate on the land on which the Extractive Industry is located.

Background Information

The relevant background information to this application is as follows:

Application No: 030.2024.357.001		Assessment No: A60211	Subject File Refs: LG7.6.1 & AD6.6.2
Assessing Officer:		Tim O'Leary REEL PLANNING, CONSULTANT	
PART 1: APPLICATION			
Applicant:		Kingaroy Quarry Supplies, C/- Groundwork Plus	
Owner:		Harry Edward Pickering	
Site Address:		5750 Bunya Highway, Cooranga	
Site Area:		473.7 hectares	
Real Property Description:		Lot 42 on SP319216	
Proposed Development:		Extractive Industry (Expansion of Existing Use – Up to 1,000,000 tonnes per annum)	
Category of Assessment:		Impact	
Type of Application:		Material Change of Use	
Relevant Planning Scheme:		Western Downs Planning Scheme 2017 incorporating Amendment 1	
Zone:		Rural	
Precinct:		N/A	
Overlays:		<div><div><div>▪ Biodiversity</div><div>▪ Bushfire Risk</div><div>▪ Flood Hazard</div><div>▪ Agricultural Land Classification</div><div>▪ Water Resource Catchment</div><div>▪ Scenic Amenity</div><div>▪ Road Hierarchy</div><div>▪ Noise Corridor</div></div><div><div>- MSES Regulated Vegetation</div><div>- Medium</div><div>- Potential</div><div>- Class A</div><div>- Groundwater Vulnerability Area</div><div>- High Landscape Value Area</div><div>- Scenic Routes Buffer 100m</div><div>- Bunya Highway – State Controlled Road</div><div>- Mandatory Category 1 - 58 dB (A)</div><div>- Mandatory Category 2 - 63 dB (A)</div><div>- Mandatory Category 3 - 68 dB (A)</div><div>- Mandatory Category 4 - 73 dB (A)</div></div></div>	
Pre-lodgement Meeting:		Yes	Date: 30 April 2024
Application Lodgement Date:		19 June 2024	
Properly Made Application:		Yes	Date: 27 June 2024
Confirmation Notice Issued:		Yes	Date: 3 July 2024
PART 2: REFERRALS			
State Assessment and Referral Agency (SARA) Referred under: <ul style="list-style-type: none">Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Column 2Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Column 2Schedule 10, Part 5, Division 4, Table 2, Column 2		Referral timeline: <ul style="list-style-type: none">On 11 July 2024, SARA issued a Referral Confirmation Notice to the applicant.On 23 July 2024, SARA issued an Information Request to the applicant.On 4 October 2024, the applicant advised that they had responded to SARA's Information Request.On 16 October 2024, the applicant advised that they had accepted SARA's request to extend the Referral Agency response period until 13 November 2024.On 13 November 2024, SARA issued a Referral Agency response, with conditions.	
PART 3: INFORMATION REQUEST			
Information Request Issued:		Yes	Date: 16 July 2024
Applicant's Response:		Yes	Date: 4 October 2024

PART 4: PUBLIC NOTIFICATION		
Start Date:	Yes	Date: 11 October 2024
Notice of Compliance Received:	Yes	Date: 4 November 2024
Submissions:	Yes	Five (5) Properly Made
PART 5: DECISION PERIOD		
Date Commenced:	19 November 2024	
Decision Due Date:	23 December 2024	

Report

1. Background Information

The subject site, Lot 42 on SP319216 is located at 5750 Bunya Highway, Cooranga. The property is within the Rural Zone, gains access from Bunya Highway and is 473.7 hectares in area. The Biodiversity, Bushfire, Flood Hazard, Agricultural Land Classification, Water Resource Catchment, Scenic Amenity, Road Hierarchy and Noise Corridor Overlays affect the land. The site currently contains an Extractive Industry use, namely Bell Quarry, with the proposal seeking to increase the production volume from 100,000 tonnes per annum to 1,000,000 tonnes per annum.

The site is subject to existing Material Change of Use approval 030.2021.500.001 for an Extractive Industry (up to 100,000 tonnes per annum) and Operational Work approval 040.2021.500.001 for Roadworks, Earthworks and Drainage.

The site is located approximately 60km north-east of Dalby and approximately 16km east of Cooranga, within an area characterised by rural land uses, with adjoining land to the north, east, south and west included in the Rural Zone and the Recreation and Open Space Zone to the east under the Planning Scheme.

2. Proposal

Council has received a development application seeking Development Approval for a Material Change of Use for an Extractive Industry (Expansion of Existing Use). The application is subject to Impact Assessment, pursuant to Table 5.5.10 of the Western Downs Planning Scheme 2017 incorporating Amendment 1 (the Planning Scheme).

The proposed development is to include the following development parameters:

Annual Production:	1,000,000 tonnes per annum
Depth of Extraction:	590 metres AHD
Size of Extraction Area:	17 hectares
Access:	Bunya Highway
Hours of Operation:	Quarrying operations and transport haulage - Monday to Friday: 7:00am to 6:00pm Saturdays: 8:00am to 2:00pm Drilling and blasting - Monday to Friday: 9:00am to 3:00pm
Number of Blasts:	Up to 20 per year
Staff:	5 full-time staff

The proposed development includes an increase in annual production from 100,000 tonnes per annum to 1,000,000 tonnes per annum, an increase in staff from three (3) to five (5) and an increased number of blasts per year from three (3) to up to 20. The proposed access, size of extraction area, depth of extraction and hours of operation are consistent with the existing approval.

The Quarry operations will continue to comprise the following elements:

- stripping of topsoil and overburden material using mechanical means (ie bulldozer or excavator) and stockpiling for incorporation into on-site rehabilitation works where required, or use in constructing stormwater control structures (eg perimeter banks);
- drilling and blasting the exposed underlying rock to manageable size from the developed Quarry benches to the Quarry pit or bench below;
- transferring raw material from the Quarry face or pit floor to a mobile/fixed Crushing and Screening Plant using an excavator or front-end loader into off-road trucks;
- crushing and screening the raw material using mobile/fixed Crushing and Screening Plant;
- stockpiling the final products using the front-end loader and/or off-road haul trucks within the designated area required to be loaded into road trucks for transportation off-site; and
- rehabilitating disturbed areas progressively once extraction is completed.

3. Assessment Benchmarks

The application is Impact Assessable development under the Planning Scheme, as the development for a Material Change of Use for an Extractive Industry (Expansion to Existing Use) is subject to Impact Assessment in the Rural Zone, where the annual production is over 20,000 tonnes.

As the development is Impact Assessable development under the Planning Scheme, the development requires assessment against the assessment benchmarks of all the relevant Codes and the Strategic Plan of the Planning Scheme.

The following are the benchmarks applying to this development:

ASSESSMENT MATTERS
<p>The development was assessed against the following Assessment Benchmarks:</p> <ul style="list-style-type: none"> ▪ Western Downs Planning Scheme 2017 incorporating Amendment 1 <ul style="list-style-type: none"> ▪ Rural Zone Code ▪ Extractive Industry Development Code ▪ Infrastructure Services Code ▪ Transport, Access and Parking Code ▪ Biodiversity Overlay Code ▪ Bushfire Risk Overlay Code ▪ Flood Hazard Overlay Code ▪ Agricultural Land Classification Overlay Code ▪ Water Resource Catchment Overlay Code ▪ Scenic Amenity Overlay Code
<p>The development was assessed against all of the Assessment Benchmarks listed above and complies with all of these with the exceptions listed below.</p>

Benchmark Reference	Reasons for Approval Despite Non-Compliance with Benchmark
Extractive Industry Development Code	
AO1.1 Extractive Industry operations that involve blasting, crushing or screening are located with a minimum separation distance of 1,000 metres from a sensitive land use or land in a residential zone category.	The Quarry is located approximately 280m from the nearest sensitive land use which is a Dwelling located on the site. The nearest sensitive land use that is not located on the subject land is 870m from the Quarry. An increase in the number of blasts is proposed, from 3 to 20 blasts per year. However, as per the Environmental Management Plan, drilling and blasting activities will only occur between 9am and 3pm, Monday to Friday, with no drilling or blasting activities on public holidays or weekends. As no changes to the approved extraction footprint are proposed and the operation will not encroach any closer to sensitive receptors, compliance with PO1 of the Extractive Industry Development Code is achieved.
AO7.1 Suitable fencing is provided and maintained on the perimeter of the site.	The Quarry site is located within a private property, situated approximately 500m from the fenced frontage of the site along Bunya Highway. As no public access is available, it is considered that the proposal complies with PO7 of the Extractive Industry Development Code.
Transport, Access and Parking Code	
AO4 Car parking is provided in accordance with the requirements identified in Table 9.4.5.2 - Car parking generation rates and service vehicle requirements.	Table 9.4.5.2 - Car Parking Generation Rates and Service Vehicle Requirements does not specify car parking rates for an Extractive Industry. As vehicle parking can be accommodated within the Quarry operations area, compliance with PO4 of the Transport, Access and Parking Code is achieved.
AO8 Service vehicle spaces are to be provided in accordance with the requirements identified in Table 9.4.5.2 - Car parking generation rates and service vehicle requirements.	Table 9.4.5.2 - Car Parking Generation Rates and Service Vehicle Requirements does not specify car parking rates for an Extractive Industry. As service vehicles can be accommodated within the Quarry operations area, compliance with PO4 of the Transport, Access and Parking Code is achieved.
Natural Resources Overlay Code	
Where for a Material Change of Use in the Rural Zone AO6.1 Development (inclusive of the development footprint) is not located on land identified as ALC Class A or B land on the Agricultural Land Overlay maps (OM-008) unless identified in Table 8.2.7.2.	The Quarry is partially located on Class A Agricultural Land. Despite this however, the proposed development does not seek to increase the approved development footprint. Compliance with PO6 of the Natural Resources Overlay Code is therefore achieved.

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

3.1.1 Strategic Plan

Part 3 of the Western Downs Planning Scheme 2017 incorporating Amendment 1 includes the Strategic Plan. The following five themes collectively represent the policy intent of the Scheme:

- (i) Liveable Communities and Housing;
- (ii) Environment and Heritage;
- (iii) Economic Growth;
- (iv) Infrastructure; and
- (v) Safety and Resilience to Hazards.

(i) Liveable Communities and Housing

The Quarry extension is proposed in response to a need for greater quantities of quarried material to support the construction of two major renewable energy projects in the region. This is supported by the Strategic Plan where community health is not adversely impacted by the proposal.

The existing extraction area will not increase in size as part of the proposed extension, ensuring no additional agricultural land is overtaken by Extractive Industry activities. Additionally, specific haul routes have been conditioned for extracted material bound for the Wambo and Tarong West Wind Farms, which will constitute the majority of resources extracted from the proposed Quarry extension. The proposal will also operate with appropriate management measures in place to limit factors such as hours of operation, dust generation and driver code of conduct for truck drivers transporting extracted material. These limitations will appropriately limit the potential for adverse physical and environmental impacts being imposed upon the residents of the locality and long-term impacts being imposed on the productive soils of the region.

(ii) Environment and Heritage

The proposal is for an expansion to an existing Quarry in terms of extraction output, where no increase to the development footprint is proposed. While the site contains Matters of State Environmental Significance (MSES), it is considered that as the proposal does not require any vegetation clearing or habitat disturbance and a 50m buffer is to be maintained between the extraction area and regulated vegetation, the proposal complies with the relevant outcomes of the Environment and Heritage theme.

Further, watercourses are considered to be protected through the location of the approved Quarry operations, while air quality, noise and vibration and amenity impacts are considered to remain unchanged due to the site location and distance to the nearest sensitive receptors.

(iii) Economic Growth

The proposed development involves an expansion in the annual extraction limit for an existing Quarry. The Quarry expansion is considered to support local infrastructure projects including the Wambo Wind Farm and Tarong West Wind Farm, while continuing to provide a valuable resource to assist local business needs. Further, the Quarry is located to continue to take advantage of the Bunya Highway as a major regional transport route.

The proposed development therefore complies with the relevant outcomes of the Economic Growth theme.

(iv) Infrastructure

The site is located along the Bunya Highway, a State-controlled road, where the Quarry is able to take advantage of the Bunya Highway as a major regional transport route.

The proposed development therefore complies with the relevant outcomes of the Infrastructure theme.

(v) Safety and Resilience to Hazards

The site contains areas identified as being subject to Potential Flood Hazard on the Flood Hazard Overlay Map and areas subject to Medium Bushfire Risk on the Bushfire Hazard Overlay Map. The proposed development involves an expansion to an existing Quarry in terms of annual extraction, where the Quarry is sited outside of mapped areas susceptible to bushfire, landslide or flooding.

The proposed development therefore complies with the relevant outcomes of the Safety and Resilience to Hazards theme.

3.1.2 Zone Code

Rural Zone Code

The property is located in the Rural Zone of the Western Downs Planning Scheme 2017 incorporating Amendment 1. The applicant seeks to gain approval for a Material Change of Use for an Extractive Industry (Expansion to Existing Use) across the site.

The proposed development involves an expansion of an existing Extractive Industry, namely Bell Quarry, from 100,000 tonnes per annum to 1,000,000 tonnes per annum.

The proposed development is consistent with the relevant Acceptable Outcomes of the Rural Zone Code.

3.1.3 Overlay Codes

Biodiversity Areas Overlay Code

The property is identified as containing MSES Wildlife Habitat on the Biodiversity Overlay mapping of the Planning Scheme. The development application has been supported by an Environmental Management Plan, containing a Flora and Fauna Management Plan and Rehabilitation Plan following the decommissioning of the Quarry.

The Bell Quarry extraction area is located outside of any mapped MSES wildlife habitat and includes a minimum 50m buffer from the identified environmental features. No vegetation clearing is proposed as part of the proposed development.

It is considered that the proposal complies with the relevant Acceptable Outcomes of the Biodiversity Areas Overlay Code.

Bushfire Hazard Overlay Code

The property is identified as containing Medium Bushfire Hazard areas on the Bushfire Risk Overlay mapping of the Planning Scheme.

The site access and internal roads have been constructed in accordance with the existing development approvals over the site, where on-site personnel are able to evacuate the site utilising the existing haul road while access for firefighting vehicles is available.

It is considered that the proposal complies with the relevant Performance Outcomes of the Bushfire Hazard Overlay Code.

Flood Hazard Overlay Code

The site contains areas subject to Potential Flood Hazard, as per the Flood Hazard Overlay Code. As the extraction area is sited outside the identified Potential Flood Hazard Area, the provisions of the Flood Hazard Overlay Code are not considered to be relevant to the assessment of the development application.

Natural Resources Overlay Code

The site contains Class A Agricultural Land within the Agricultural Land Classification Overlay Mapping of the Planning Scheme and identified within a Groundwater Vulnerability Area of the Water Resource Catchment Overlay, therefore requiring assessment against the Natural Resources Overlay Code.

The site is located within the Rural Zone, where the proposal includes an expansion to an existing Quarry. The proposed development is mostly sited outside the identified Class A Agricultural Land, where no increase in the extraction area is proposed. Further, the proposal does not contain an incompatible land use within a Water Resource Catchment Area.

The proposed development is consistent with the relevant Performance Outcomes of the Natural Resources Overlay Code.

Scenic Amenity Overlay Code

The property is identified as being a High Landscape Value Area, with the Bunya Highway identified as a Scenic Route on the Scenic Amenity Overlay Mapping. The development is considered to comply with the relevant acceptable solutions of the Scenic Amenity Overlay Code in so much as no vegetation clearing is proposed near ridgelines, waterways or wetlands. In addition, the proposed development is for an expansion to an existing Extractive Industry Use, with no changes proposed to the development footprint. On this basis, the proposed development will have limited impacts on those qualities sought to be protected by the Overlay Code including landscape character and scenic amenity.

The proposed development is consistent with the relevant Acceptable Outcomes of the Scenic Amenity Overlay Code.

3.1.4 Development Codes

Extractive Industry Development Code

The proposed development is for an expansion to an existing Quarry, involving an increase in extraction from 100,000 tonnes per annum to 1,000,000 tonnes per annum. It is considered that, as the proposed expansion does not involve any changes to the development footprint, impacts to surrounding land uses and sensitive receivers should not increase substantially.

Notwithstanding, the applicant has provided technical reporting addressing the potential impacts of the development.

Performance Outcomes are sought in relation to the distance of the Quarry from sensitive receptors and fencing, however, it is considered that compliance with the conditions of approval will ensure the development complies with the relevant outcomes of the Extractive Industry Development Code.

Transport, Access and Parking Code

The site currently gains access to Bunya Highway, with no changes proposed to access arrangements. As the proposed development involves an increase in the production output, the application has been referred to SARA to ensure the operation of the State-controlled road and surrounding network is not significantly impacted.

It is considered that the development is consistent with the Performance Outcomes of the Transport, Access and Parking Code subject to the recommended conditions of approval.

Infrastructure Services Code

The site is currently serviced by necessary infrastructure required for the operation of a Quarry, where the proposed development does not seek to alter existing arrangements. A Stormwater Management Plan has been submitted by the applicant in support of the proposed development, outlining the treatment measures and operational procedures to be adopted to integrate adequate stormwater management into daily operations.

It is therefore considered that compliance with the conditions of approval will ensure the development is consistent with the relevant outcomes of the Infrastructure Services Code.

4. Other Relevant Matters

4.1 Referral

The application triggered referral to the Department of Housing, Local Government, Planning and Public Works - State Assessment and Referral Agency as a Concurrence Agency.

The Referral Agency response included conditions. These conditions have been imposed to avoid, mitigate and offset adverse impacts upon the State-controlled road network.

4.2 Public Notification

Public Notification was undertaken in accordance with the requirements of the *Planning Act 2016* and Part 4 of the Development Assessment Rules. The development application was publicly notified for a period of 15 business days starting on 11 October 2024 and ending on 1 November 2024. The Notice of Compliance with Public Notification Requirements was received from the applicant on 4 November 2024. The applicant:

- published a notice in the Western Downs Town and Country on 10 October 2024;
- placed a notice on the premises on 10 October 2024 until 2 November 2024; and
- notified the adjoining land owners on 8 October 2024 via post.

At the conclusion of the Public Notification Period, Council had received five (5) properly made submissions.

The submissions were provided to the applicant and the applicant has provided a response to the submissions received. Council's Consultant Planner has considered the matters raised in the submissions received and the applicant's response to the submissions in the Table of Submissions (**Attachment 5**) attached to this Report.

Consultation (Internal/External)

Internal

Council's Consultant Development Engineer has undertaken an assessment of the application and has provided comments regarding stormwater, access, parking and environmental health. The recommended Engineering conditions have been included in the Schedule of Conditions.

Council's Planning and Environment Manager and Principal Planner have reviewed this Report and provided comments where necessary.

External

The application triggered referral to the State Assessment and Referral Agency as a Concurrence Agency (Department of Transport and Main Roads as Technical Agency). The Referral Agency response is included as an attachment 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 considered that the proposed development is consistent with the intent of the Western Downs Planning Scheme 2017 incorporating Amendment 1 and therefore, is recommended for approval, subject to conditions.

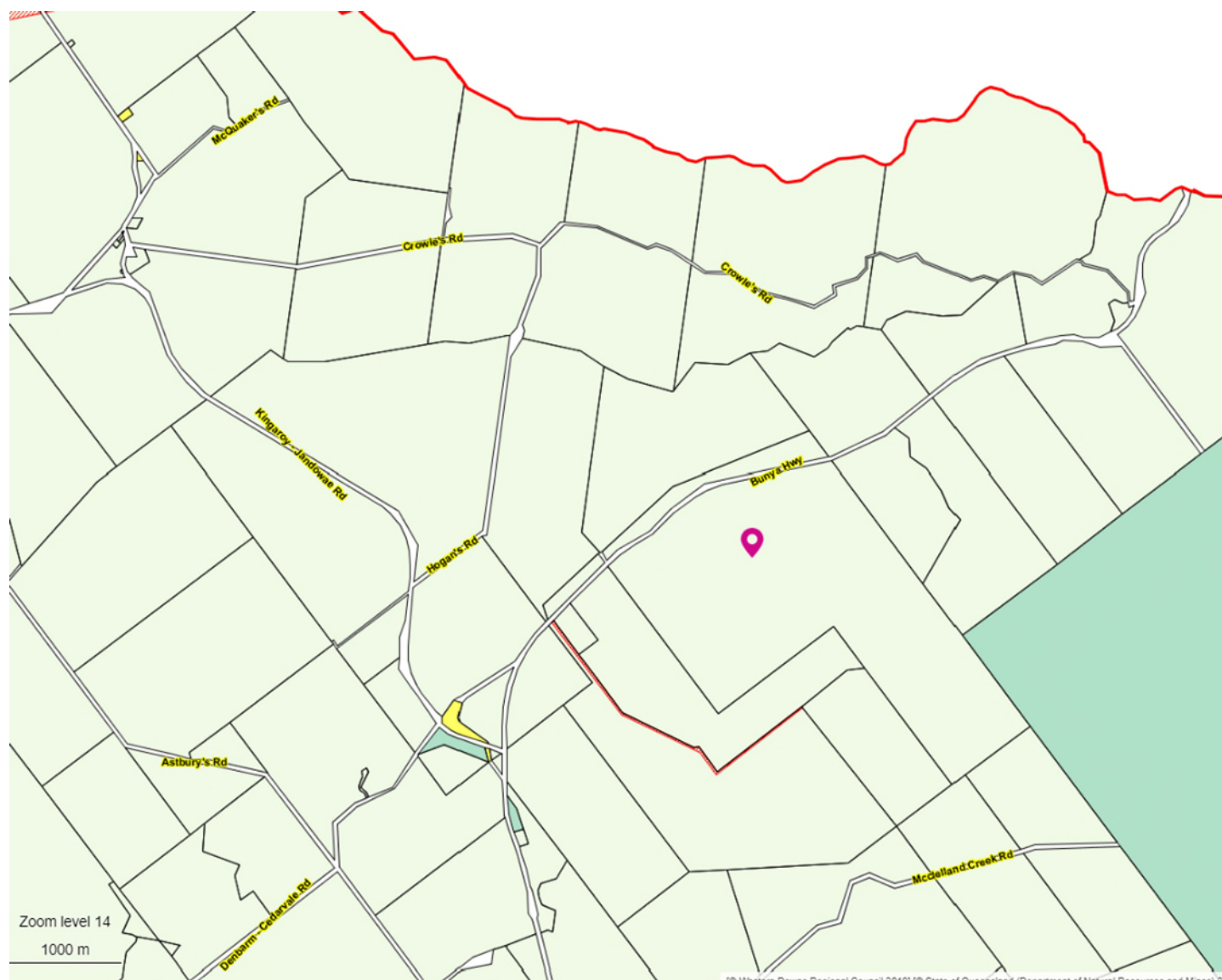
Attachments

1. Locality Plans
2. Proposal Plans and Documents
3. Referral Agency Response
4. Environmental Authority
5. Table of Submissions



















Authored by: T O'Leary, REEL PLANNING, CONSULTANT

Attachment 1 - Locality Plans

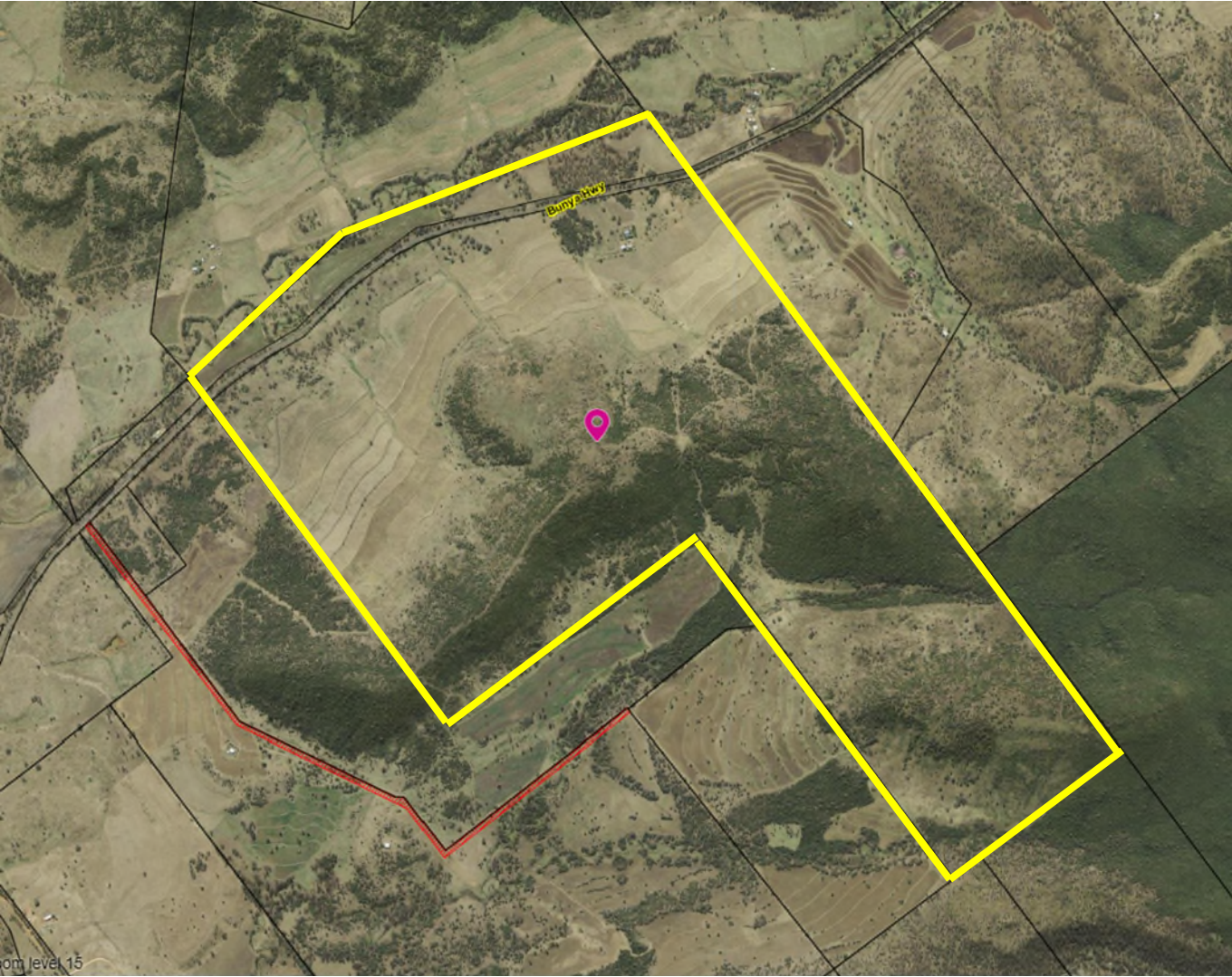
Zoning Map - Western Downs Planning Scheme 2017 incorporating Amendment 1



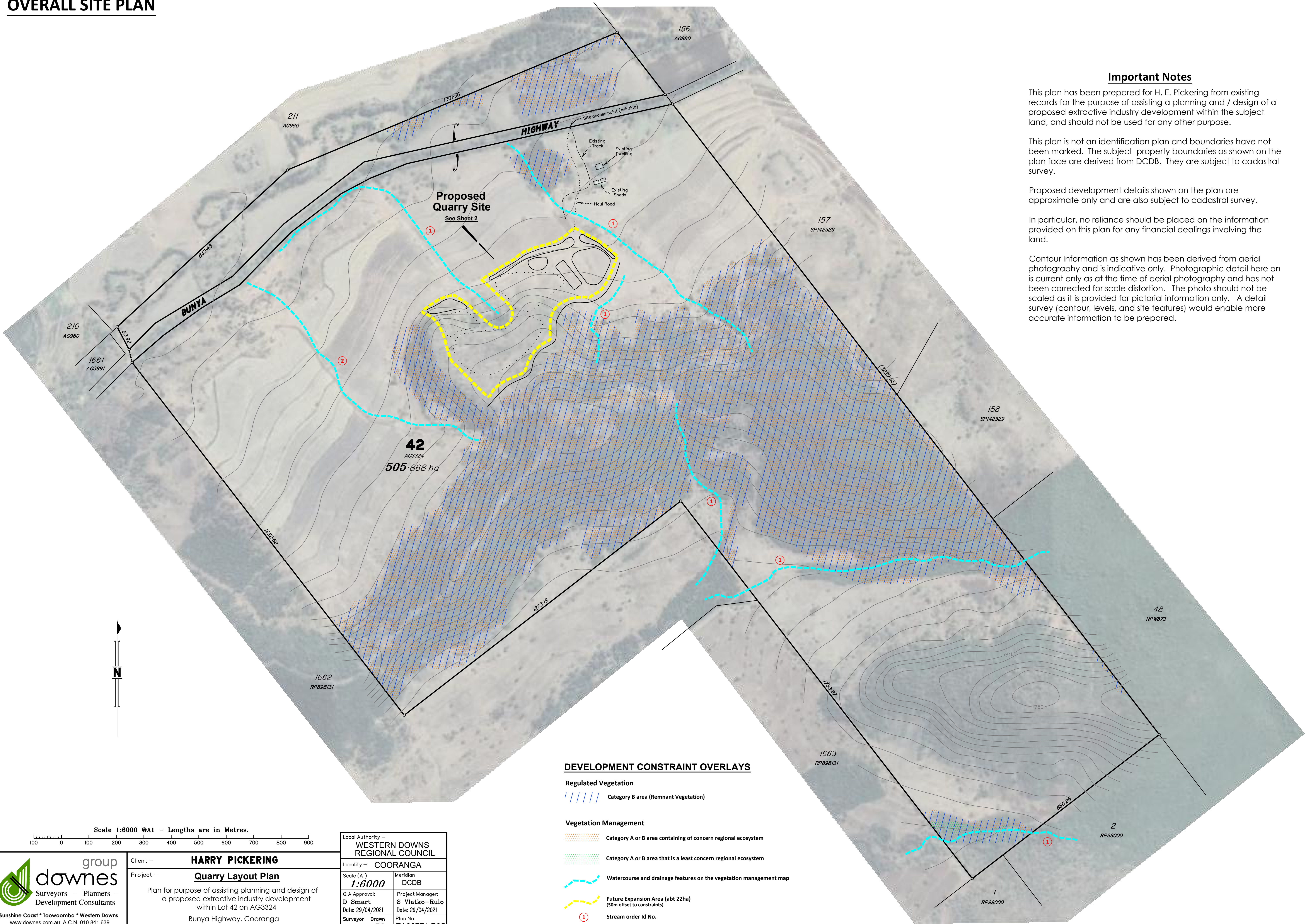
Planning Zones

	Community Facilities Zone		Recreation and Open Space Zone
	Local Centre Zone		Rural Residential Zone / Rural Residential 20000 ...
	District Centre Zone		Rural Residential Zone / Rural Residential 4000 P...
	Major Centre Zone		Rural Residential Zone / Rural Residential 8000 P...
	Low Density Residential Zone		Rural Zone
	Medium Density Residential Zone		Rural Zone / Rural 10 Precinct
	Low Impact Industry Zone		Rural Zone / Rural 100 Precinct
	Medium Impact Industry Zone		Township Zone
	High Impact Industry Zone		Township Zone / Mowbullen - Bunya Mountains T...

Aerial Map



OVERALL SITE PLAN



Important Notes

This plan has been prepared for H. E. Pickering from existing records for the purpose of assisting a planning and / design of a proposed extractive industry development within the subject land, and should not be used for any other purpose.

This plan is not an identification plan and boundaries have not been marked. The subject property boundaries as shown on the plan face are derived from DCDB. They are subject to cadastral survey.

Proposed development details shown on the plan are approximate only and are also subject to cadastral survey.

In particular, no reliance should be placed on the information provided on this plan for any financial dealings involving the land.

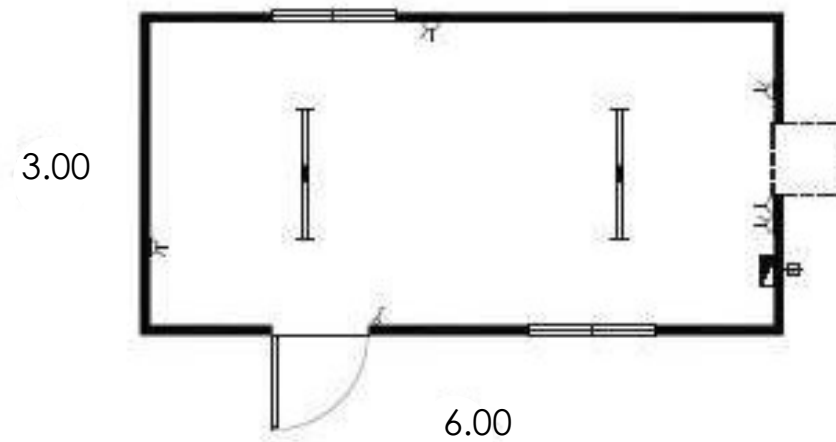
Contour Information as shown has been derived from aerial photography and is indicative only. Photographic detail here on is current only as at the time of aerial photography and has not been corrected for scale distortion. The photo should not be scaled as it is provided for pictorial information only. A detail survey (contour, levels, and site features) would enable more accurate information to be prepared.

DEVELOPMENT CONSTRAINT OVERLAYS

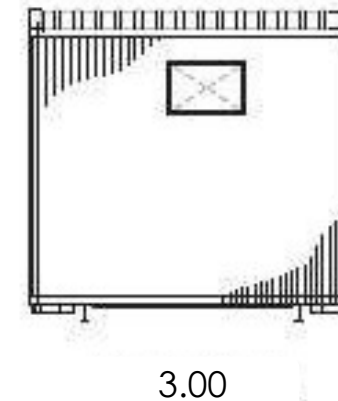
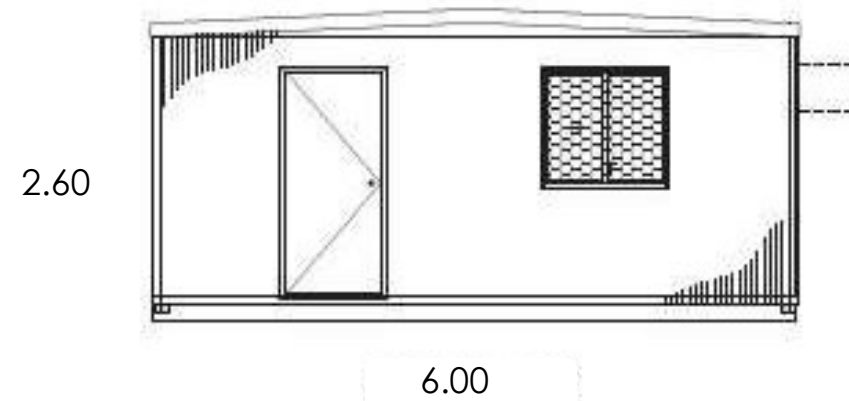
- Regulated Vegetation
- Category B area (Remnant Vegetation)
- Vegetation Management
- Category A or B area containing of concern regional ecosystem
 - Category A or B area that is a least concern regional ecosystem
 - Watercourse and drainage features on the vegetation management map
 - Future Expansion Area (abt 22ha) (50m offset to constraints)
 - Stream order Id No.



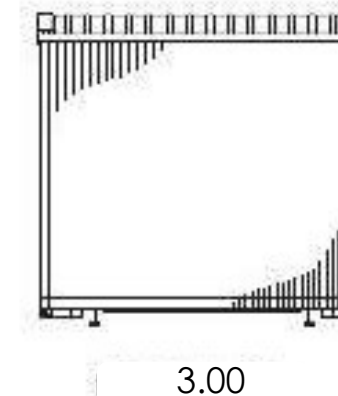
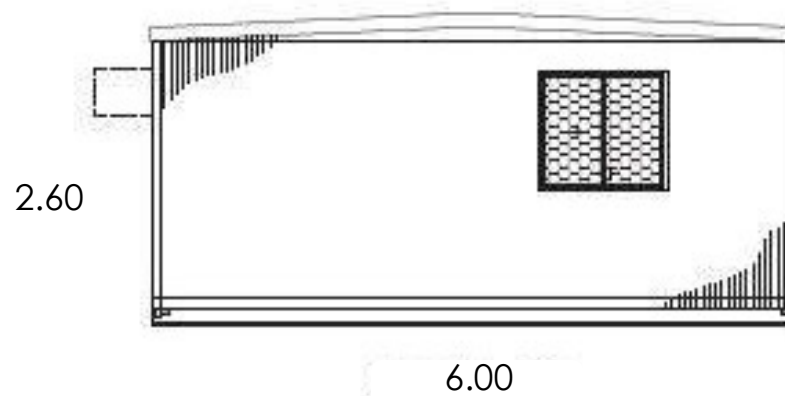
Site Office



Floor Plan

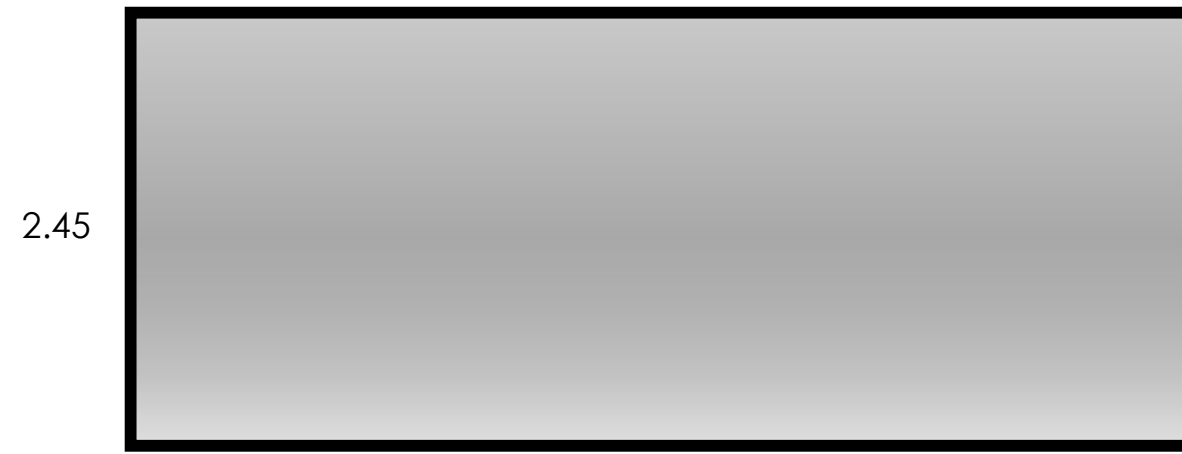


Elevations

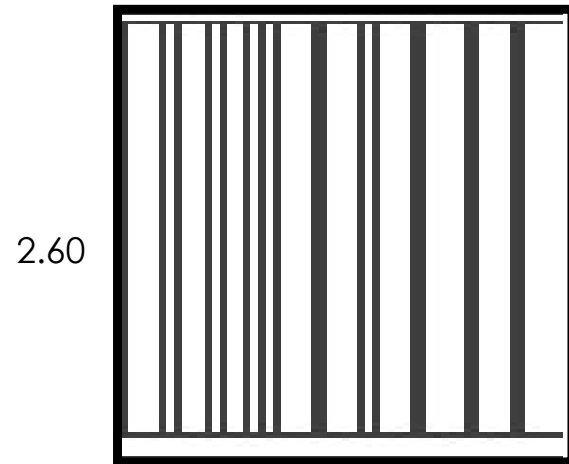


Client: Harry Pickering – Bell Quarry	Plan Name: Site Office	Rev: A	Drawn: SVR
Project: MCU of Use and Operational Work Extractive Industry (up to 100,000 tonnes per annum) Bunya Highway, Cooranga – Lot 42 AG3324	Plan No: SO-01	Date: 22/10/2021	Comments: N.T.S

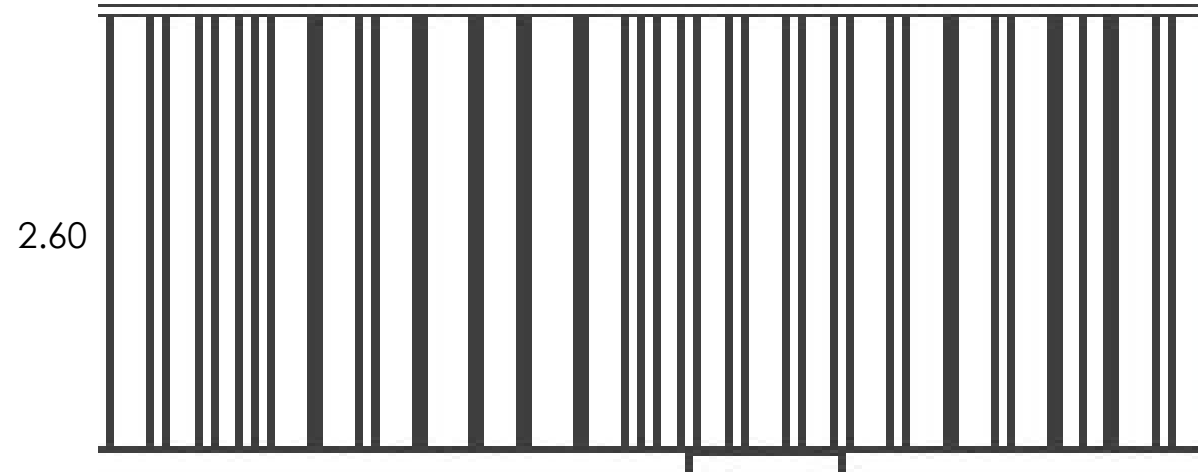
Storage Container



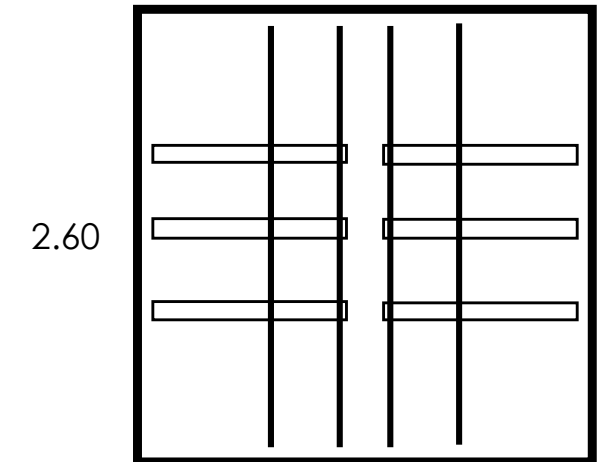
6.1
Floor Plan



2.45
End Elevation



6.1
Side Elevation



2.45
End Elevation

Client: Harry Pickering – Bell Quarry	Plan Name: Storage Container	Rev: A	Drawn: SVR
Project: MCU of Use and Operational Work Extractive Industry (up to 100,000 tonnes per annum) Bunya Highway, Cooranga – Lot 42 AG3324	Plan No: SC-01	Date: 22/10/2021	Comments: N.T.S

BELL QUARRY

STORMWATER MANAGEMENT PLAN

Prepared for:
Harry Pickering

Date:
May 2021


File Ref:
2535.800.001

Document Control

Project/ Report Details

Document Title:	Bell Quarry: Stormwater Management Plan
Principal Author:	M. Folker
Client:	Harry Pickering
Ref. No.	2535.800.001

Engineering Certification

Name	RPEQ Number	Date	Signature
Mark Folker	17269	23/04/2021	

Document Status

Issue	Description	Date	Author	Reviewer
1	Issued for approval	March 2021	M. Folker	T. Lowien
2	Updated Layout	April 2021	M. Folker	T. Lowien
3	Updated Layout	May 2021	M. Folker	T. Lowien

Distribution Record

Recipient	Distribution method
Client	Electronic x 1

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1. Introduction

1.1 Background

Groundwork Plus were commissioned by the client to prepare a Stormwater Management Plan (SMP) for a proposed quarry located on land at 5610 Bunya Highway, Cooranga, QLD, 4626 RP Lot 42 AG3324 (herein referred to as the 'site').

The proposed quarry will be authorised by an Environmental Authority ('EA'), which will regulate for relevant Environmentally Relevant Activities ('ERAs') including:

- ERA 16(2)(a) – Extractive and screening activities (Extracting rock or other materials: 5,000-100,000t/yr); and
- ERA 16(3)(c) – Screening rock or other material (5,000-100,000t/yr)

1.2 Scope of the SMP

The scope of this SMP includes:

- Proposed operational management procedures for management of stormwater quantity and quality, relating to the proposed quarry;
- Compliance requirements for the operation, with reference to the ERA model conditions which are assumed to be applied;
- Stormwater quality and quantity assessment for existing and proposed operations to demonstrate non-worsening hydrology conditions; and
- Implementation and maintenance strategy.

This SMP outlines the operational management procedures to be adopted in order to integrate stormwater management (quality and quantity) into the proposed quarry operations to ensure compliance with the site EA and industry best practice.

1.3 Site Location

Refer to **Table 1 – Summary of Subject Land** for site location details.

Table 1 – Summary of Subject Land

Real Property Description	Lot 42 AG3324
Site Area	505 Hectares
Access	Access to the site is from the Bunya Highway.
Local Government	Western Downs Regional Council

1.4 Proposed Operating Conditions

The ERA 16 Model Operating Conditions (Extractive and Screening Activities) prescribe a number of conditions relating to stormwater and water quality management. These are assumed to apply to the proposed quarry and proposed conditions that are consistent with ERA 16 are summarised in **Table 2 – Proposed Surface Water Operating Conditions** and addressed in **Section 2 – Operational Procedures**.

Table 2 – Proposed Surface Water Operating Conditions

Condition Number	Proposed Condition Details						
Water 1	<p>The only contaminants to be released to surface waters are at Release Point RP1 & RP2 as identified in Drawing 2535.DRG.004 Revision 3 - in accordance with each of the limits specified in Table W1 – Water Quality Release Criteria for each quality characteristic.</p> <p>Table W1 – Water Quality Release Criteria</p> <table><tr><th>Quality Characteristic Determination</th><th>Release Limits</th><th>Frequency</th></tr><tr><td>Total Suspended Solids</td><td>Maximum 50mg/L</td><td>Prior to discharge and daily during discharge</td></tr></table> <p>Associated monitoring requirements</p> <ul style="list-style-type: none">• Monitoring must be in accordance with the methods prescribed in the current edition of the Department of Environment and Heritage Protection's Water Quality Sampling Manual.• Samples must be taken using representative samples.• All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives / limits relevant to the particular water quality characteristic.• Monitoring must be undertaken during a release as per the frequency stated.• All monitoring devices must be correctly calibrated and maintained.	Quality Characteristic Determination	Release Limits	Frequency	Total Suspended Solids	Maximum 50mg/L	Prior to discharge and daily during discharge
Quality Characteristic Determination	Release Limits	Frequency					
Total Suspended Solids	Maximum 50mg/L	Prior to discharge and daily during discharge					
Water 2	Monitoring must be undertaken and records kept of contaminant releases at the monitoring points, frequency and for the parameters specified in condition Water 1.						
Water 3	Stormwater runoff from disturbed areas of the site, generated by (up to and including) a 24hour storm event with an average recurrence interval of 1 in 5 years must be retained on site or managed to remove contaminants prior to release.						
Water 4	The release to waters permitted under condition Water 1 must not contain any other properties at a concentration capable of causing environmental harm.						
Water 5	The release to waters permitted under condition Water 1 must not produce any slick or other visible evidence of oil or grease, scum, litter or other visually objectionable matter.						

2. Operational Procedures

An overview of the proposed Operational Procedures for implementation at the site are summarised below. These are to be regularly reviewed and updated to reflect changes in operations or EA conditions.

Aspect	Details
Purpose	The Operational Procedures have been prepared to manage potential environmental impacts that may result from the operation in relation to stormwater management.
Risk Sources and Potential Impacts	<p>Adverse impacts resulting from current and future operations may include the following:</p> <ul style="list-style-type: none"> • Overtopping of clean water dams and/or sediment basins; • Overland flow from disturbed areas, including unsealed internal access and haulage roads; • Overland flow from topsoil, overburden, raw material and product stockpile areas; • Wastewater from processing plant; • Overland flows from storage and handling areas of oils, greases, fuels and other chemicals; • Wastewater from vehicle wash-down facility; • Construction and maintenance of carpark, roads and hardstands; • Spillage during handling of materials; and • Use and storage of oils, greases, fuels and other chemicals.
Performance Targets	The overarching performance targets for the site relating to monitoring targets are detailed in the EA and outlined in Section 1.4 – Proposed Operating Conditions .
Responsibilities	The Operations Manager will be primarily responsible for the implementation of this SMP.
Strategies/mitigation measures	<p><u>Sediment basin and clean water dam infrastructure</u></p> <p>The infrastructure required to manage the requirements of the EA conditions and associated performance targets are outlined in Section 4 – Stormwater Quality Management, comprising a sediment basin and associated drainage features.</p> <p>The sediment basins will be operated and maintained in accordance with Section 4 – Stormwater Quality Management and the requirements below:</p> <ul style="list-style-type: none"> • Freeboard must be maintained in each sediment basin and clean water dam prior to rainfall events occurring to ensure adequate capture volume is available to meet EA conditions; • All releases from the site to waters must be carried out in accordance with EA <p><u>Diversion of clean surface water runoff</u></p> <p>The site is subject to upstream surface water from external catchment areas. The quarry must monitor and divert upstream catchments away from site operations wherever practical.</p> <p>Any drains or bunds proposed for diversion should have greater than 80% vegetation coverage where applicable or stabilised using an alternative material (rock lined, geofabric, erosion matting etc.).</p> <p>This coverage is required to be in-place at all times. Seeding of the exposed areas using approved native grass species. The grass species will be required to have the following characteristics (as per IECA 2008):</p> <ul style="list-style-type: none"> • Plants with a fibrous root system. • Plants that primarily grow horizontal rather than upright clumping plants. • Leguminous plants. • Non-invasive plants.

	<p><u>Oil separators, and Bunding of Fuels and Chemicals</u></p> <p>Clearly designate storage areas and do not deviate from assigned bunded areas for storage of chemicals and fuels unless a suitable secondary bund is provided. Oil separators to be provided where necessary.</p> <p>Storing and handling of hazardous chemicals, corrosive substances, toxic substances, gases, dangerous goods, flammable and combustible liquids in accordance with the relevant legislative requirements and Australian Standards including but not limited to the provisions of:</p> <ul style="list-style-type: none"> • AS 1692:2006 - Steel tanks for flammable and combustible liquids • AS 3780:2008 – The storage and handling of corrosive substances • AS 1940:2004 – The storage and handling of flammable and combustible liquid • AS 3833:2007 - Storage and handling of mixed classes of dangerous goods in packaged and intermediate bulk containers <p><u>Stockpile areas</u></p> <p>Stockpiles must be:</p> <ul style="list-style-type: none"> • Adequately protected from wind, rain, concentrated surface flow and excessive upslope stormwater surface flows. • Placated to direct drainage water to sediment basin systems in event of surface water runoff. • Maintained in a moist state including by use of sprinklers to minimise the risk of movement by wind.
Auditing	Stormwater management reviews are required to be carried out on a periodic bases to assess the implementation of the management strategies.
Identification of Incident or Failure	<p>Non-compliance with the performance criteria herein will be identified by:</p> <ul style="list-style-type: none"> • Lack of monitoring at the frequencies indicated in the EA • Stormwater in treatment system exceeds capacity after rainfall event due to insufficient freeboard • Release of contaminants from the site • Poor vegetation establishment • Poorly maintained, damaged or failed stormwater management devices
Corrective Action	The authorised representative shall be responsible for identification of incident or failure and completion of corrective actions. Following identification of incident or failure, the source/cause is to be immediately identified and rectified with records kept preventing future incidents occurring.
Internal Reporting	A copy of all incidents and complaints will be stored at the site within the incident and complaint register.
External Reporting	Reporting of non-compliance events including discharge of contaminants from the site are to be reported in accordance with EA requirements.

An inspection and maintenance program should be implemented as detailed in **Table 3 - Inspections and Maintenance of Stormwater and Wastewater Treatment Systems**. A summary schedule of the various inspections, performance criteria and responses that shall be performed on site is shown below.

Table 3 – Inspections and Maintenance of Stormwater and Wastewater Treatment Systems

Device	Minimum Frequency	Performance Criteria	Required Actions
Sediment Basins	Prior to forecast rainfall event, and after each rainfall event	<ul style="list-style-type: none"> Ensure adequate freeboard volume available, all ponds in satisfactory condition, no leaking or erosion 	<ul style="list-style-type: none"> Water to be managed or treated as required to meet EA requirements prior to release from site
Drainage lines including catch drains, Contour drains and diversions	Prior to forecast rainfall event, and after each rainfall event	<ul style="list-style-type: none"> Erosion in areas adjacent to water conveyancing structures 	<ul style="list-style-type: none"> Eroded areas shall be rehabilitated
Hardstand areas	Weekly	<ul style="list-style-type: none"> Sediment accumulation Visible silt 	<ul style="list-style-type: none"> Ensure site entry hardstand area is regularly swept to remove freestanding sediment and dust Monitor and manage the external catchment that flows across hardstand and divert away from release point.
Waste containers	Weekly	<ul style="list-style-type: none"> Waste is stored in appropriate containers Waste receptacles labelled 	<ul style="list-style-type: none"> Ensure waste material is stored and disposed of properly and in accordance with conditions of the EA and legislative requirements
Spill response stations	Weekly and following use	<ul style="list-style-type: none"> Equipment is properly maintained 	<ul style="list-style-type: none"> Maintain equipment Replace used equipment
Maintenance / refuelling area	Weekly	<ul style="list-style-type: none"> Fuel, oil spills 	<ul style="list-style-type: none"> Clean up fuel spills and investigate source
		<ul style="list-style-type: none"> Equipment maintenance 	<ul style="list-style-type: none"> Maintain equipment maintenance records
		<ul style="list-style-type: none"> Fuel storage integrity maintained 	<ul style="list-style-type: none"> Investigate and repair potential leaks

3. Stormwater Quantity Assessment

3.1 Stormwater Quantity Management Objective

The stormwater quantity management objective is to demonstrate compliance with EA condition Water 3, which states that stormwater runoff from disturbed areas, generated by (up to and including) a 24 hour storm event with an average recurrence interval (ARI) of 1 in 5 years must be retained on-site. In addition to the EA, the proposed development must demonstrate non-worsening peak discharge conditions for a range of AEP events (50% - 1%) to comply with state controlled road requirements, as the site is located within 25m of a state-controlled road.

3.1.1 Hydrologic Modelling

Hydrologic modelling was undertaken using DRAINS (a computer simulation program by Watercom) as shown in **Diagram 1 – DRAINS Schematic**. Site-based rainfall polynomial coefficients were obtained using the Design Rainfall Data System 2016, available on the Bureau of Meteorology's website. The IFD data is shown in **Table 6 – Intensity Frequency Duration (IFD) Data**. The existing case conditions were modelled and then compared to each proposed stage of the southern extension of the quarry.

Diagram 1 - DRAINS Schematic

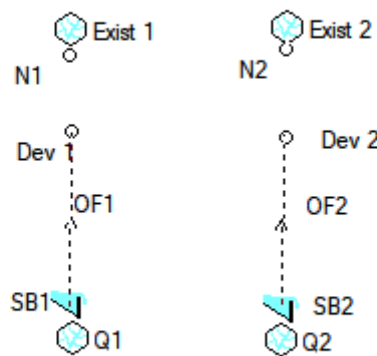


Table 3 – Intensity Frequency Duration (IFD) Data

Duration of Rainfall	Annual Exceedance Probability (AEP)						
	6EY	4EY	3EY	2EY	1EY	0.5EY	0.2EY
20 min	25	32.9	38.6	46.5	60.2	76.1	96.4
25 min	22.1	29	34	41	53.2	67.3	85.4
30 min	19.8	26	30.5	36.8	47.8	60.5	76.8
45 min	15.4	20.1	23.5	28.3	36.9	46.6	59.3
1 hour	12.7	16.5	19.3	23.3	30.3	38.3	48.6
1.5 hour	9.57	12.4	14.4	17.4	22.6	28.5	36
2 hour	7.8	10.1	11.7	14.1	18.3	22.9	28.9
3 hour	5.81	7.46	8.65	10.4	13.4	16.8	21
4.5 hour	4.32	5.53	6.4	7.65	9.85	12.3	15.2
6 hour	3.51	4.47	5.17	6.16	7.91	9.82	12.1
9 hour	2.62	3.32	3.83	4.55	5.82	7.19	8.79
12 hour	2.13	2.7	3.1	3.68	4.69	5.78	7.04
18 hour	1.59	2.01	2.3	2.73	3.46	4.26	5.18
24 hour	1.29	1.63	1.87	2.2	2.79	3.44	4.19

Note: All rainfall intensities in mm/hr.

3.1.2 Release Point RP1

For the existing and proposed stages of development, the nominated site Release Point RP1 & RP2 were considered, as shown in **Table 5 – Release Point Locations**. The pre / post development peak discharge rates were examined, with the operational areas of the quarry being modelled to also retain the 1 in 5 ARI 24 hour event (0.2 EY) as required by the EA.

Table 4 – Release Point Locations

Release Point ID	Description
RP1	Proposed release point from the quarry pit sediment basin. Discharging north into the existing water course towards Bunya Highway. Refer Figure 1 – Stormwater Management Plan for details.
RP2	Proposed release point from the quarry overburden and processing sediment basin. Discharging north into the existing water course towards Bunya Highway. Refer Figure 1 – Stormwater Management Plan for details.

3.1.3 Peak Discharge Comparison

A comparison of estimated peak discharge at the nominated release points are shown in **Table 6 – Peak Discharge Comparison (Release Point 1)** and **Table 7 – Peak Discharge Comparison (Release Point 2)**. Peak discharge was modelled on a 1 hour storm duration for each AEP event as shown, and considers that the quarry operational areas retain the 1 in 5 year ARI 24 hour duration event as required by the EA.

Table 6 – Peak Discharge Comparison (Release Point 1)

Scenario	Annual Exceedance Probability (AEP)						Peak Discharge
	1%	2%	5%	10%	20%	50%	
Existing	2.95	2.61	2.13	1.79	1.74	1.17	m ³ /s
Developed	2.46	2.16	1.97	1.69	1.46	1.00	

Table 7 – Peak Discharge Comparison (Release Point 2)

Scenario	Annual Exceedance Probability (AEP)						Peak Discharge
	1%	2%	5%	10%	20%	50%	
Existing	3.18	2.81	2.28	1.93	1.63	1.09	m ³ /s
Developed	2.50	2.20	1.99	1.68	1.32	0.89	

As demonstrated by the DRAINS modelling, there is non-worsening of peak discharge and associated runoff for all AEP events from 1% - 50% AEP. This is partially due to the EA requirement to retain all runoff from disturbed areas up to and including the 1 in 5 year 24 hour duration event, however is more significantly impacted by the proposed quarry development. Details of the sediment basin design criteria and volume requirements are details in **Section 4 – Stormwater Quality Management**.

As demonstrated on the development plans, no additional discharge points are proposed which will impact on the downstream environment and stormwater systems.

3.2 Surface Water Harvesting / Reuse

The quarry will draw water from the sediment basin for operations including dust suppression. It is noted that in addition to capture and reuse, surface water may be treated and released back into the receiving environment in accordance with the EA in order to restore operating freeboard.

The source of the surface water is proposed to be overland flow from Catchment Q1 & Q2 as depicted in **Figure 1 – Stormwater Management Plan**. This overland flow source is considered to be necessary to satisfy the requirements of the site environmental authority, subject to its final condition requirements and associated development application assessment.

Therefore an assessment against the State Code 10 of the State Development Assessment Provisions will not be applicable or required.

Any additional water that is required for the quarry over the course of its operation will be sourced from external supply subject to any applicable permits and/or approvals.

3.3 Flood Impact Assessment

As shown in **Figure 1 – Stormwater Management Plan** the proposed development is not within a defined floodplain and there is no further flood impact assessment required.

4. Stormwater Quality Management

4.1 Water Quality Objectives

In accordance with the proposed EA conditions, stormwater runoff from disturbed areas, generated by (up to and including) a 24 hour storm event with an average recurrence interval of 1 in 5 years must be retained on-site or managed to remove contaminants before release.

4.2 Stormwater Treatment System Details

The total upper settling storage requirements for sediment basins were estimated based on the following formula (EHP, 2014):

$V_s = A * C_v * R$ (1 in 5; 24hr), where:

A = Catchment Area (m²)

C_v = Coefficient of Discharge

R = Rainfall depth (m) from 24 hour storm, and ARI of 1 in 5 years

Table 10 – Sediment Basin Storage Requirements details the sediment basin storage requirements for each catchment, based on a rainfall depth (R) of 0.100m, from an adopted average intensity of 4.19mm/h (Source: Bureau of Meteorology).

Table 10 – Sediment Basin Storage Requirements

Basin ID	Location	Disturbed Catchment Area (Ha)	Required Upper Settling Volume (ML)	Freeboard level below spillway (m)
SB1	Catchment Q1	7.99	6.63	2.0
SB2	Catchment Q2	8.87	7.36	1.5

The quarry will be responsible to ensure the upper settling volumes are maintained in each structured as required. The sediment basin is to be maintained in accordance with **Section 2 – Operational Procedures**. Since the sediment basin is required to restore freeboard in order to manage the upper settling volume, it is recommended that appropriate pumping infrastructure to reuse captured water in operations as far as practical, for example for use in dust suppression / water cart.

5. Responsibilities

5.1 Monitoring Management Measures

The following management measures will be implemented during facility operations:

- The **Quarry Manager** or authorised representative is to regularly inspect the water quality management devices, particularly prior to forecasted wet weather and following major rainfall events to ensure that these devices are in good working order. All inspections should be documented (including photos) and available on Site at all times.
- The **Quarry Manager** shall carry out general surveillance to qualitatively assess stormwater releases from Site during discharge events.

5.2 Auditing and Review

The effectiveness of the SMP will be reviewed as necessary (e.g. following a change in site operations) and at least once every year. The review shall take into account changes to Site activities, available surface water monitoring results, any complaints, pollution incidents and any corrective actions taken.

5.3 Responsibility

The following details the responsibilities with regard to the ongoing operations:

- The **Quarry Manager** will be responsible for the implementation of this SMP and for training of Site personnel in their responsibilities in relation to this SMP.
- The **Quarry Manager** will be responsible for ensuring that all stormwater devices constructed on the Site have adequate free water storage capacity.
- All complaints pertaining to water quality received will be recorded in the complaints register/log maintained on-site.
- The **Quarry Manager** or a suitably qualified consultant will prepare water monitoring records if and when required by the regulatory authority.
- Records, including results of any monitoring program undertaken on-site, complaints or incidents will be kept on-site for a minimum of five (5) years.

5.4 Identification of Incident or Failure

An incident or failure may include, but not be limited to:

- Deterioration in surface water quality within waters discharged from Site
- Receipt of a stormwater quality release complaint
- Not maintaining on-site stormwater controls or treatment devices.

Any identification of incident or failure will be recorded on Site.

6. Environmental Incidents

The **Quarry Manager** will be responsible for ensuring that all employees at the Site are familiar with the procedure for incidents recording. Any employee becoming aware of an incident with actual or potential environmental implications, shall be reported to the **Quarry Manager**, or delegate immediately.

The **Quarry Manager** will notify upper management regarding any environmental incident. An Environmental Incident Report must be completed for all incidents.

Should reporting of an **environmental incident** to the relevant regulatory authority be required, this will be undertaken in accordance with the following.

When an environmental incident occurs, the **Quarry Manager** will notify administering authority via telephone and in writing.

The contact details of the administering authority are as follows:

Department of Environment and Science
Phone: 1300 130 372
Email: PollutionHotline@des.qld.gov.au

Following notification against this condition, an investigation and further reporting will be required, as per Section 6.1 and 6.2 below.

6.1 Investigation

All incidents should be investigated. The investigations should include:

- Determining what activities were being carried out at the time of the complaint/incident and any equipment involved.
- Identifying whether equipment or activities on-site were the cause of the incident or complaint.
- Determining what potential actions may be carried out to resolve the matter and/or minimise the likelihood of further impacts.

An assessment is to be conducted to determine what corrective actions are to be taken to remedy the matter and/or prevent a similar incident from occurring in the future. If monitoring is to be undertaken to investigate an incident or complaint these results should be supplied with the final report to the administering authority.

6.2 Reporting

A written notice detailing the following information may need to be provided to the administering authority, following the initial notification. General information likely to be required for any further reporting to the administering authority may include the following:

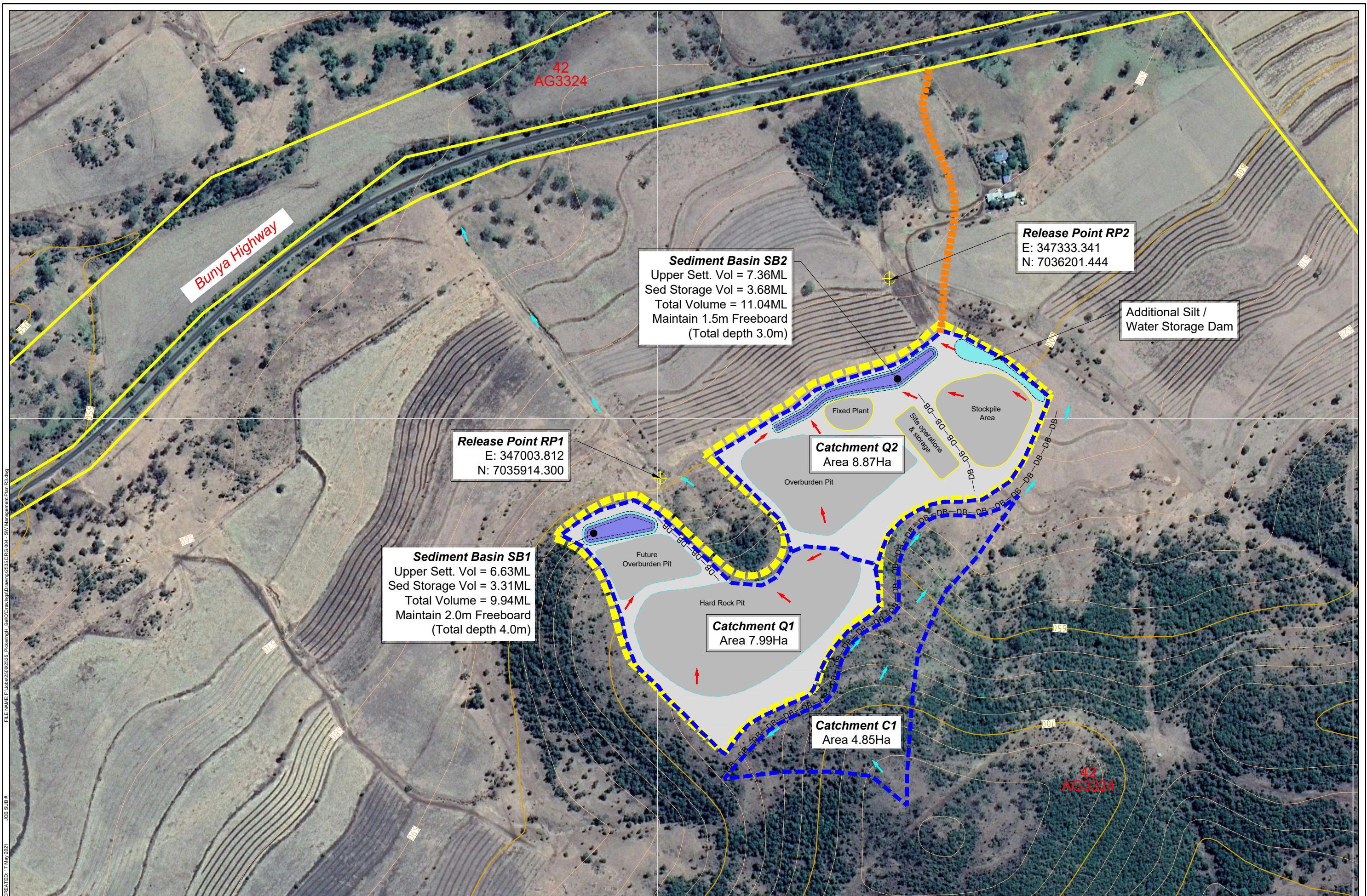
- The name of the operator.
- The name and telephone number of a designated contact person.
- A description of the event.
- The results of any monitoring performed in relation to the event.
- Actions taken to mitigate any environmental harm caused by the event.
- Proposed actions to prevent a recurrence of the event.

7. Conclusion

This SMP outlines the appropriate treatment measures and operational procedures to be adopted to integrate adequate stormwater management into daily operations and Site activity. Specifically, this document has prepared to ensure that appropriate measures will be developed to meet the requirements of the Site's Environmental Authority (EA) including the existing case and all future proposed development associated with the southern extension.

Operational procedures outlined in this SMP will assist to ensure compliance as a minimum standard.

FIGURES



ATTACHMENT 1 – SEDIMENT BASIN DESIGN

Sediment Basin Storage Volume Estimation
(Stormwater Guideline - Environmentally Relevant Activities - DEHP)

Project Name: 2535
Sediment Basin: SB1

$$V_s = A * C_v * R_{(1 \text{ in } 5; 24 \text{ hr})}$$

$$A = 79,900 \text{ m}^2$$

$$C_v (\text{composite}) = 0.825$$

$$R_{(1 \text{ in } 5; 24 \text{ hr})} = 100.56 \text{ mm}$$

$$R_{(1 \text{ in } 5; 24 \text{ hr})} = 0.10056 \text{ m}$$

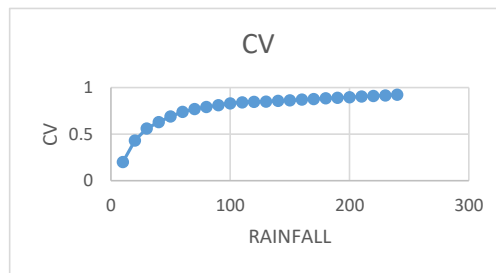
$$V_s = 6,629 \text{ m}^3$$

$$V_s = 6.63 \text{ ML}$$

$$V_{\text{SED}} = 0.5 * V_s$$

$$V_{\text{SED}} = 3.31 \text{ ML}$$

Sediment Basin Requires a Upper Settling Volume of **6.63 ML**
Sediment Basin Requires a Sediment Storage Volume of **3.31 ML**
Total Sediment Basin Storage Volume is **9.94 ML**



Sediment Basin Storage Volume Estimation
(Stormwater Guideline - Environmentally Relevant Activities - DEHP)

Project Name: 2535
Sediment Basin: SB2

$$V_s = A * C_v * R_{(1 \text{ in } 5; 24\text{hr})}$$

$$A = 88,746 \text{ m}^2$$

$$C_v (\text{composite}) = 0.825$$

$$R_{(1 \text{ in } 5; 24\text{hr})} = 100.56 \text{ mm}$$

$$R_{(1 \text{ in } 5; 24\text{hr})} = 0.10056 \text{ m}$$

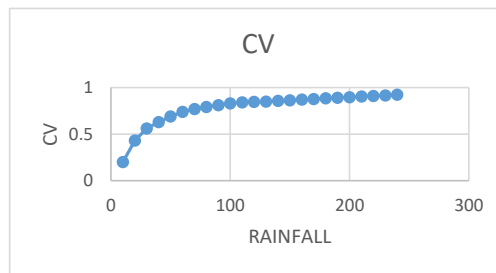
$$V_s = 7,363 \text{ m}^3$$

$$V_s = 7.36 \text{ ML}$$

$$V_{SED} = 0.5 * V_s$$

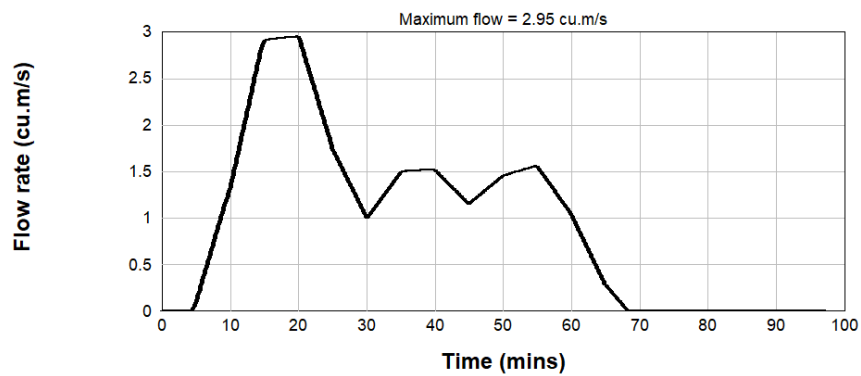
$$V_{SED} = 3.68 \text{ ML}$$

Sediment Basin Requires a Upper Settling Volume of **7.36 ML**
Sediment Basin Requires a Sediment Storage Volume of **3.68 ML**
Total Sediment Basin Storage Volume is **11.04 ML**

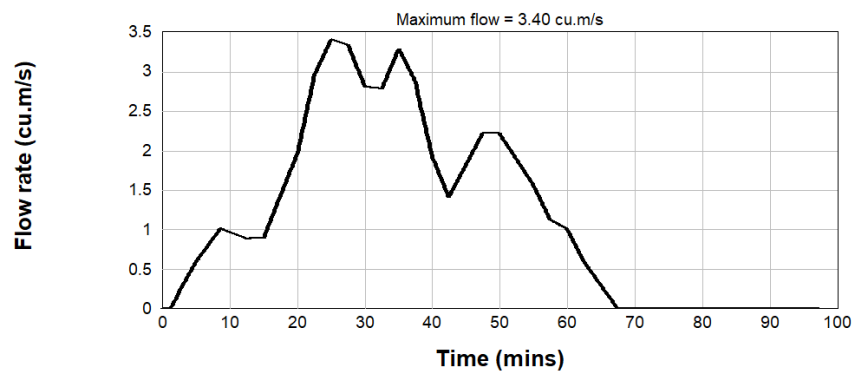


ATTACHMENT 2 – DRAINS MODELLING RESULTS

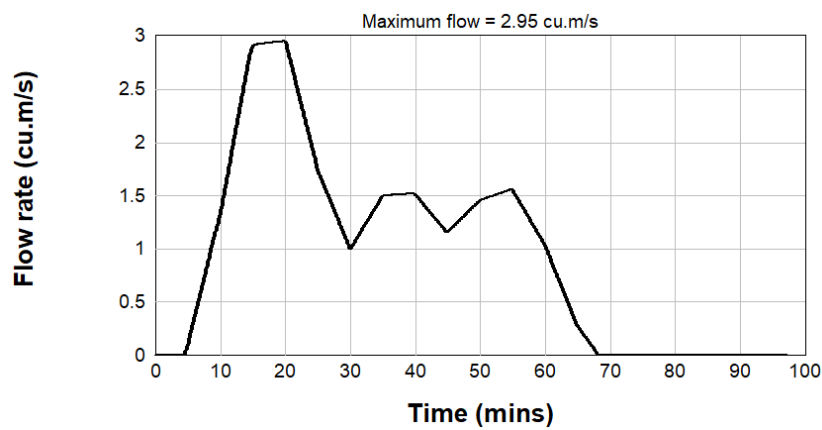
Hydrograph 1 % AEP, 1 Hour Duration, Existing Case Scenario (Release Point RP1)



Hydrograph 1 % AEP, 1 Hour Duration, Developed Case Scenario – Sediment Basin Inflow



Hydrograph 1 % AEP, 1 Hour Duration, Developed Case Scenario – Sediment Basin Outflow (Release Point RP1)



DRAINS results prepared from Version 2020.061									
PIT / NODE DETAILS				Version 8					
Name	Max HGL	Max Pond	Max Surface	Max Pond	Min	Overflow	Constraint		
		HGL	Flow Arrivin	Volume	Freeboard	(cu.m/s)			
			(cu.m/s)	(cu.m)	(m)				
SUB-CATCHMENT DETAILS									
Name	Max	Paved	Grassed	Paved	Grassed	Supp.	Due to Storm		
	Flow Q	Max Q	Max Q	T c	T c	T c			
	(cu.m/s)	(cu.m/s)	(cu.m/s)	(min)	(min)	(min)			
Exist 1	2.947	0	2.947	10	10	0	1% AEP, 1 hour burst, Storm 6		
Q1	3.404	3.404	0	7.5	7.5	0	1% AEP, 1 hour burst, Storm 9		
Q2	3.779	3.779	0	7.5	7.5	0	1% AEP, 1 hour burst, Storm 9		
Exist 2	3.176	0	3.176	12.5	12.5	0	1% AEP, 1 hour burst, Storm 6		
PIPE DETAILS									
Name	Max Q	Max V	Max U/S	Max D/S	Due to Storm				
	(cu.m/s)	(m/s)	HGL (m)	HGL (m)					
CHANNEL DETAILS									
Name	Max Q	Max V	Due to Storm						
	(cu.m/s)	(m/s)							
OVERFLOW ROUTE DETAILS									
Name	Max Q U/S	Max Q D/S	Safe Q	Max D	Max DxV	Max Width	Max V	Due to Storm	
OF1	2.455	2.455	11.042	0.136	0.19	20.14	1.4	1% AEP, 1 hour burst, Storm 6	
OF2	2.498	2.498	11.042	0.136	0.19	20.17	1.41	1% AEP, 1 hour burst, Storm 2	
DETENTION BASIN DETAILS									
Name	Max WL	MaxVol	Max Q	Max Q	Max Q				
			Total	Low Level	High Level				
SB1	24.44	11602.1	2.455	0	2.455				
SB2	23.44	13371.3	2.498	0	2.498				
Run Log for 2535 DRAINS V3.drn run at 08:32:19 on 14/5/2021 using version 2020.061									
Flows were safe in all overflow routes.									

Bell Quarry

Environmental Assessment Report

Prepared for: Kingaroy Quarry Supplies Pty Ltd

Date: May 2024

File Reference: 2821.620.001

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ATTACHMENTS

Attachment 1 Contaminated Land Register Search

1 Introduction

1.1 Background

Groundwork Plus have been engaged by Kingaroy Quarry Supplies Pty Ltd ('KQS') to prepare and submit an Environmental Authority ('EA') application for the Bell Quarry located at 5610 Bunya Highway, Cooranga QLD 4408 properly described as Lot 42 SP319216 (herein referred to as the 'site').

KQS intends to obtain an EA for the following Prescribed Environmentally Relevant Activities ('ERAs') under the *Environmental Protection Regulation 2019* ('EP Reg'):

- ERA 16(2)(b) – Extracting, other than by dredging, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes; and
- ERA 16(3)(b) – Screening, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes.

The site is currently authorised in the existing EA (EA ref: P-EA-100124846), to undertake the following ERA thresholds:

- ERA 16(2)(a) – Extracting, other than by dredging, in a year, more than 5,000 tonnes but not more than 100,000 tonnes; and
- ERA 16(3)(a) – Screening, in a year, more than 5,000 tonnes but not more than 100,000 tonnes.

1.2 Purpose of the EAR

The application requirements for Site-Specific EA applications for Prescribed ERAs are outlined in Section 125 (1)(i) of the *Environmental Protection Act 1994* ('EP Act') and must include:

- an assessment of the likely impact of the proposed activity on the Environmental Values ('EVs') including:
 - a description of the EVs likely to be affected by the activity.
 - details of any emissions or releases likely to be generated by the activity.
 - a description of the risk and likely magnitude of impacts on the EVs.
 - details of the management practices proposed to be implemented to prevent or minimise adverse impacts.
 - details of how the land the subject of the application will be rehabilitated after each relevant activity ceases.
- a description of the proposed measures for minimising and managing waste generated by each relevant activity.
- details of the site management plan that relates to the land the subject of the application or any other document relating to the application prescribed a regulation.

1.3 Eligibility Criteria and Standard Conditions

ERA 16(3)(b) are activities to which an ERA standard applies, however as a result of the location of a mapped watercourse under the *Vegetation Management Act 1999* ('VM Act') within 100m of the quarry operations area, the proposed activities are unable to meet the eligibility criteria prescribed under the administering authority and are required to make a Site-Specific EA application. As a result, a Site-

Specific EA is applied for, subject to the *Model operating conditions—ERA 16—Extractive and screening activities* (MOC) (DES 2019).

1.4 Site Description

The location details for the proposed activities are summarised in **Table 1 – Summary of Subject Land (Bell Quarry)**.

Table 1 – Summary of Subject Land (Bell Quarry)

Location:	5610 Bunya Highway, Cooranga QLD 4408
Land Parcel:	Lot 42 SP319216
Land Parcel Area:	473.7 hectares ('Ha')
Quarry Area:	Approx. 22 Ha
Tenure:	Freehold
Local Authority:	Western Downs Regional Council
Coordinates:	GDA2020MGA: Easting: 347376.01, Northing: 7035957.57
	GDA2020: Lat: 151.78950, Long: 151.46465

1.5 Description of Activities

Included as **Diagram 1 – Conceptual On-Site Extractive Operations** is an illustration of the quarry development. The key project activities are as follows:

1.5.1 Establishment and Construction Phase

1. Survey, staking and marking of quarry extents area and haul road centreline.
2. Internal Haul Road – This involves the construction of a haul road extending form the property boundary through to the quarry operations area.
3. Erosion and Sediment Control – This involves the initial establishment of diversion bunds, wheelshaker device and other measures to prevent the transport of sediment from outside of the disturbance area.
4. Vegetation clearing and topsoil stripping works – quarry operations area, stockpile area and sediment basin and silt water storage pond.
5. Excavation of sediment basin and silt pond.
6. Establishment of fixed plant.
7. Establishment of site operations and storage area.

1.5.2 Operation Phase

1. Vegetation stripping and topsoil stripping works – hard rock and overburden pit areas.
2. Establishment of internal drains to sediment basin.
3. Excavation of overburden pit area.

4. Drilling and controlled blasting of hard rock pit area.
5. Excavation, crushing, screening, stockpiling and export of quarry products.
Progressive stabilisation and rehabilitation.

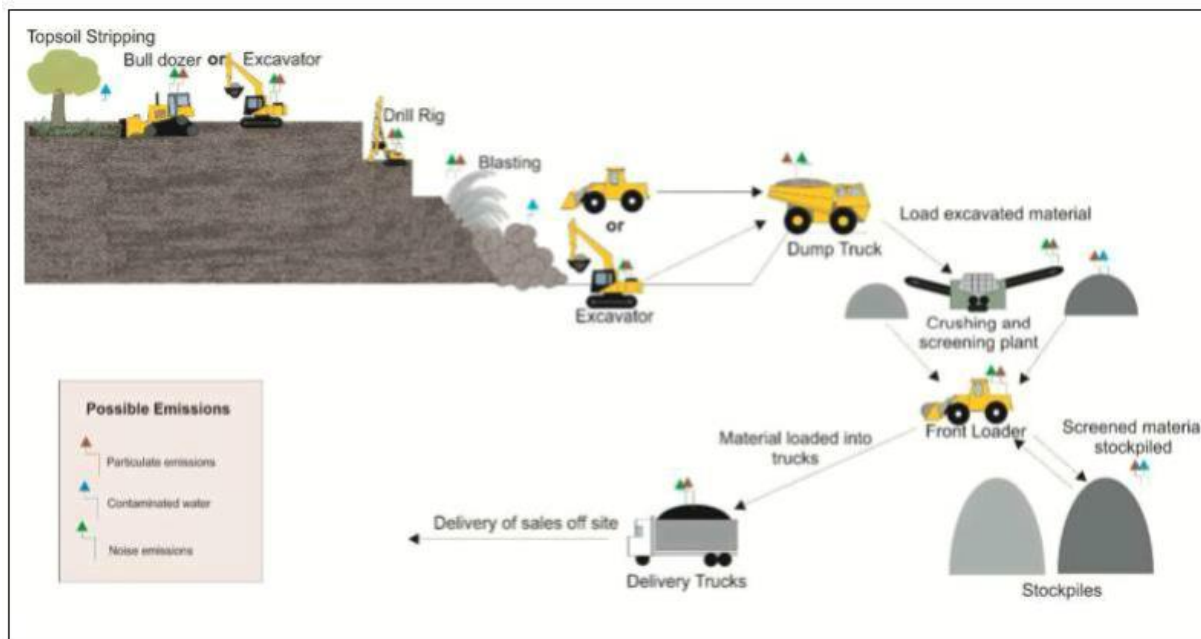


Diagram 1 – Conceptual On-Site Extractive Operations

1.6 Plant and Equipment

A range of plant and machinery will be used to undertake the construction and operation of the quarry including (but not limited to) the following:

- Excavators;
- Dozers;
- Loaders;
- Trucks;
- Crushers (cone and jaw types);
- Screens; and
- Blasthole drill rigs.

1.7 Hours of Operation

Quarrying operations and transport haulage must only operate between the following hours:

- 7:00am to 6:00pm on Monday to Friday;
- 8:00am to 2:00pm on Saturday; and
- No operations are to be undertaken on Sundays and Public Holidays.

Drilling and Blasting activities must only occur between the following hours:

- 9:00am to 3:00pm on Monday to Friday;
- No operations to be undertaken on Saturday, Sunday and Public Holidays.

2 Description of Environmental Values

2.1 Regional Context

2.1.1 Land Use

Figure 1 – Hard Rock Quarry Operations Location and Surrounds illustrates the locations of the site and surrounding areas.

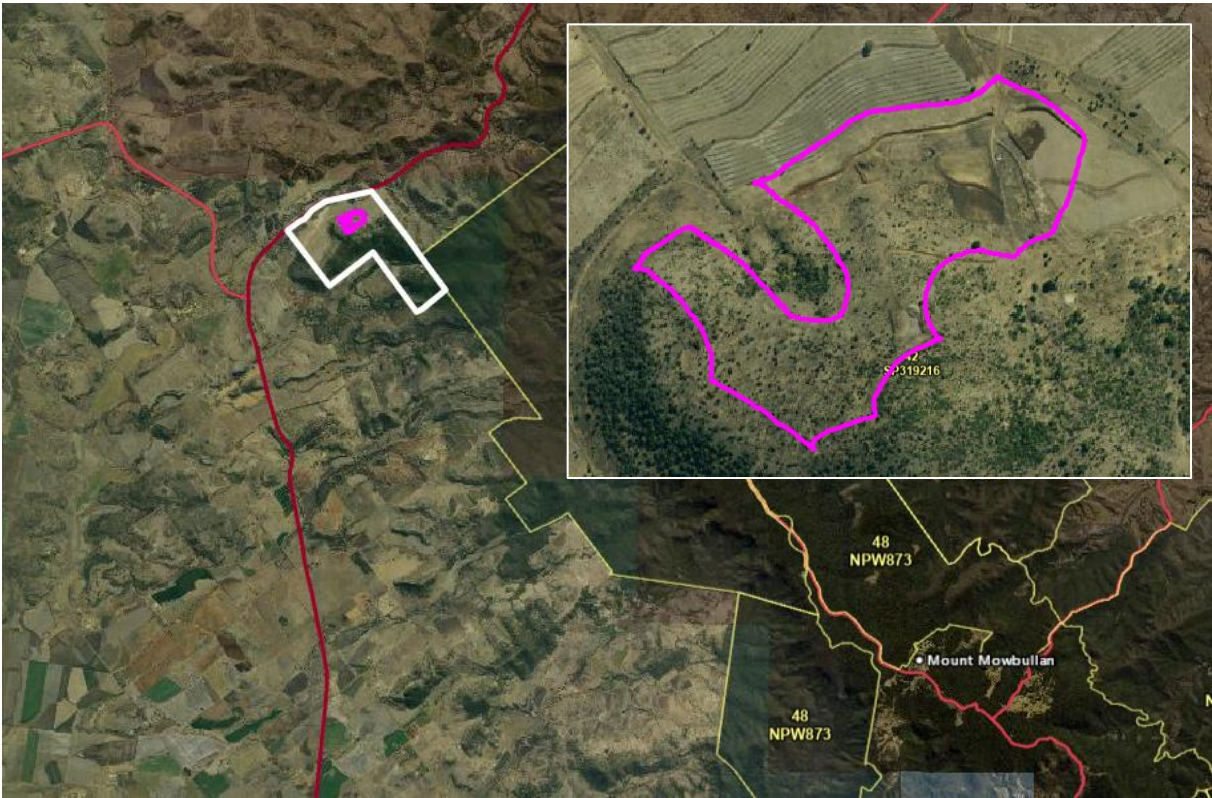


Figure 1 – Hard Rock Quarry Operations Location and Surrounds

(Figure reprinted from the State of Queensland (2023))

Table 2 – Adjacent Land Uses provides a summary of the land uses surrounding the site.

Table 2 – Adjacent Land Uses

Direction	Land Uses
North	Cropping / Grazing / Rural Residential
East	Cropping / Grazing
South	Cropping / Grazing
West	Cropping / Grazing

2.1.2 Nearest Sensitive Receptors

Sensitive receptors, as defined under Schedule 1 of the *Environmental Protection Policy (Noise) 2019*, are outlined in **Table 3 – Nearby Sensitive Receptors**. A discussion on whether any of these sensitive receptors are in proximity to the site is provided herein.

Table 3 – Nearby Sensitive Receptors

Sensitive Receptor	Description and Location
Residences	The nearest residential dwelling is located on Lot 42 SP319216, situated approx. 870m north of the existing Bells Quarry operation (refer Figure 2 – Nearest Residential Receptor).
Library and educational institution (including a schools, playgrounds, college and university)	The Bell branch of the Western Downs Libraries is located approx. 15km south of the operational area on the site.
Childcare centre or kindergarten	Dees' Day Care is situated approx. 21.5km northeast of the operational areas on the site
School or playground	The Bell State School is situated approx. 16km south of the operational areas on the site.
Hospital, surgery or other medical institution	The Kingaroy Hospital is situated approx. 47km northeast of the operational area on the site.
Commercial and retail activity	The Bell Racecourse is located approx. 15km south of the operational area on the site.
Protected area or critical area	The Bunya Mountains National Park is situated approx. 1.5km southeast of the operational area on the site (refer Figure 3 – Protected Area Mapping).
Marine park	The Moreton Bay Marine Park is situated approx. 156 km east of the operational area on the site.
Park or garden that is open to the public (whether or not on payment of an amount) for use other than for sport or organised entertainment	The Bunya Mountains National Park is situated approx. 1.5km southeast of the operational area on the site.



Figure 2 – Nearest Residential Receptor

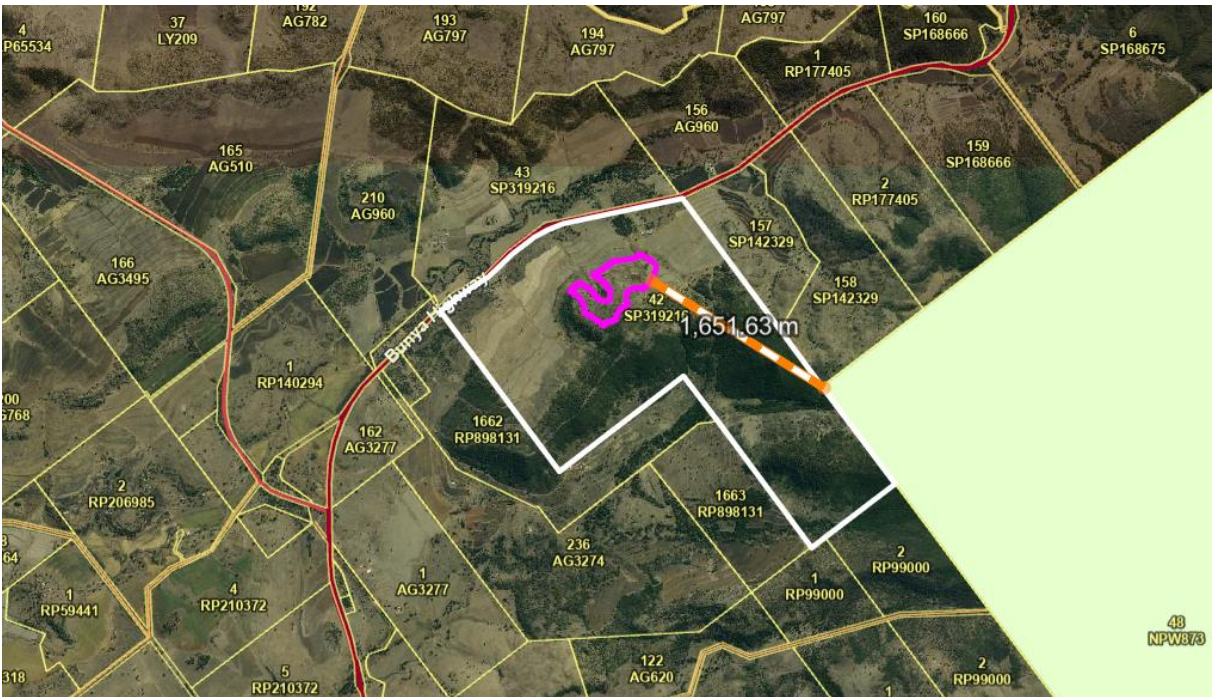


Figure 3 – Protected Area Mapping

(Source: The State of Queensland (2024))

2.1.3 Regional Climate

A summary of the regional climate data sourced from the Bureau of Meteorology ('BoM') is provided in **Table 4 – Regional Climatic Statistic**.

Table 4 – Regional Climatic Statistic

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Rainfall (mm)													
Mean	88.3	89.7	73.1	22.2	38.5	38.9	29.4	25.7	28.2	59.6	66.2	95.9	657.8
Temperature (°C)													
Mean min.	18.1	17.7	16.4	12.1	7.5	5.6	3.9	4.3	8.2	11.8	14.5	16.7	11.4
Mean max.	31.0	29.9	28.3	25.8	22.4	19.9	19.7	21.8	25.0	27.4	29.1	30.3	25.9
Wind Speed (km/h)													
Mean 9am wind speed	15.3	13.9	14.8	13.2	10.5	10.3	9.0	11.8	15.0	15.3	14.9	14.7	13.2
Mean 3pm wind speed	16.0	15.0	16.0	14.7	14.7	15.1	15.3	16.3	16.2	16.1	15.5	16.2	15.6

Source: Kingaroy Airport

Rainfall and Temperature data (2001-2024)

Wind data (2001-2010)

As shown in **Table 4**, the annual mean rainfall of the site's locality is 657.8mm with majority of the rain falling between December and March. Wind direction data sourced from the years 1967-2010 has been presented in **Figure 4 – Windroses of Annual Speed vs Direction 9:00am / 3:00pm, Kingaroy Airport Station** indicates that winds are generally from the southeast direction in both the morning and afternoon.

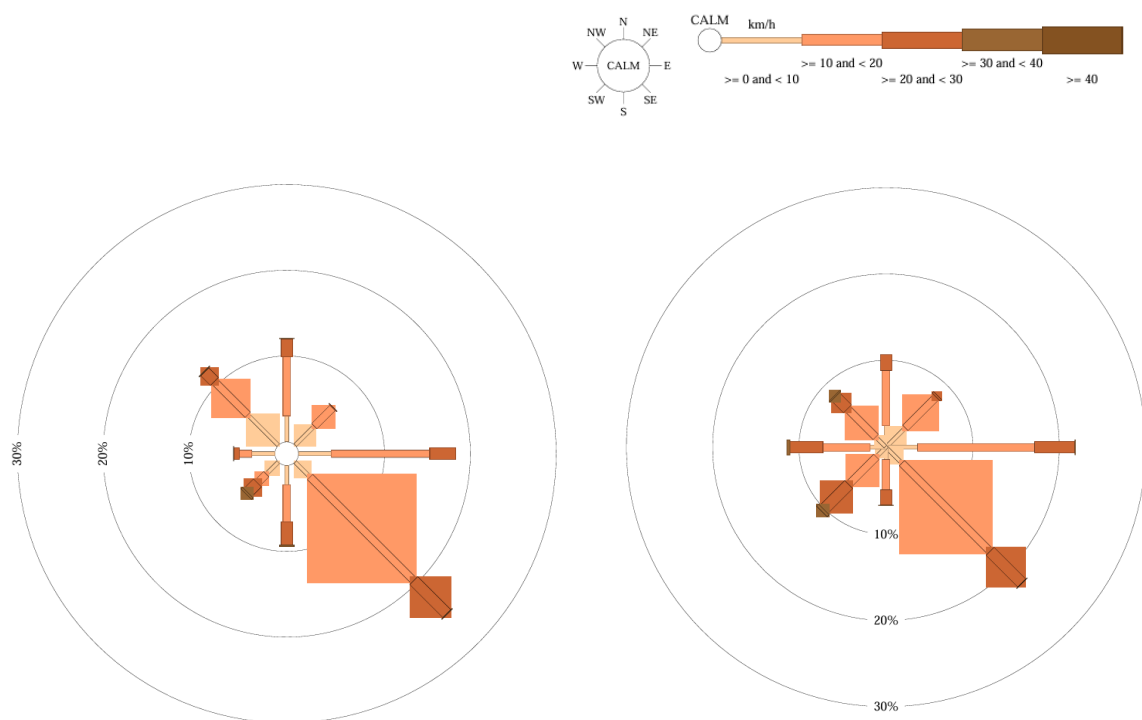


Figure 4 – Windroses of Annual Speed vs Direction 9:00am / 3:00pm, Kingaroy Airport Station

2.1.4 Topography

The site is situated at between approx. 600m AHD along the northern boundary, to approx. 680m AHD. Details of these contours is visually represented in **Figure 5 – Topography**.

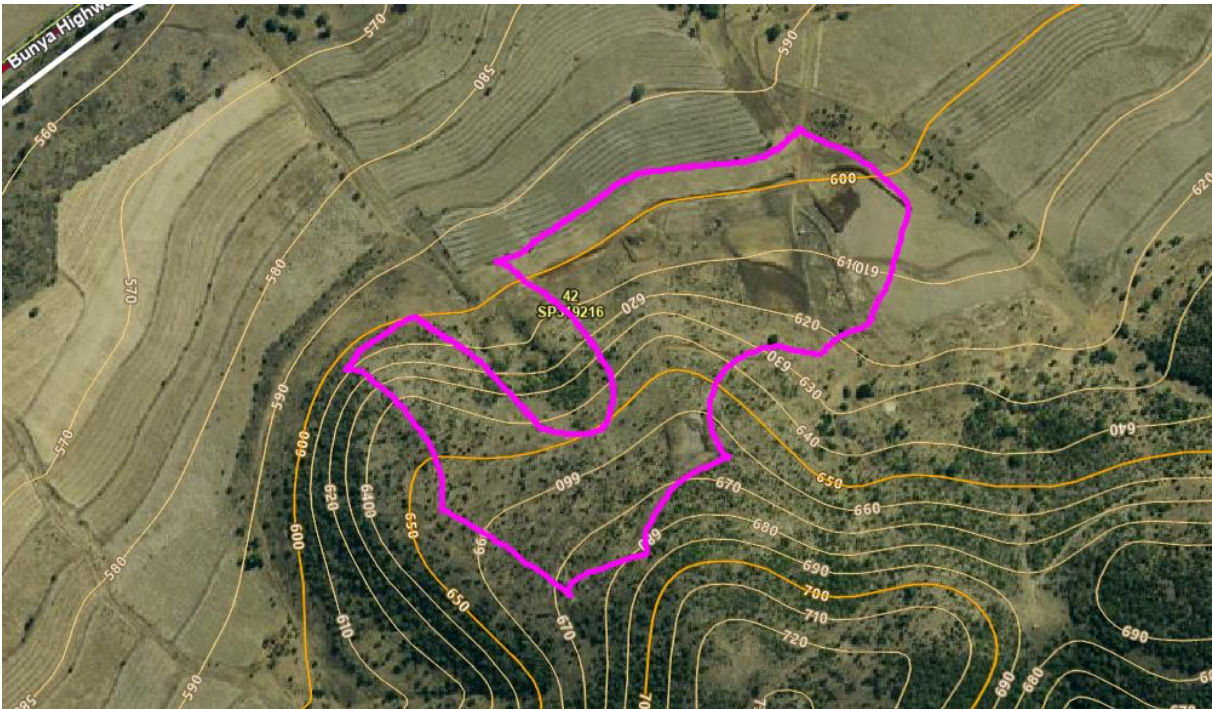


Figure 5 – Topography

(Source: The State of Queensland (2024))

2.2 Air

The sensitive receptors located near the site have been summarised above in **Table 3 – Nearby Sensitive Receptors**. Given the separation distance between the proposed operations and any sensitive receptors, no baseline assessment of air quality has been undertaken for the purpose of this EAR. Typical emissions from extractive industry activities are PM10 (particles with a diameter of 10 micrometres or less) and dust deposition (recorded as Total Suspended Particles (‘TSP’)). In accordance with the *Environmental Protection (Air) Policy 2019*, the air quality objectives for these two parameters are shown in **Table 5 – Air Quality Objectives**.

Table 5 – Air Quality Objectives

Indicator	Environmental Value	Air Quality Objective	Period	Days
PM ₁₀	Health and wellbeing	50 µm/m ³	24 hours	5 days per year
TSP	Health and wellbeing	90 µm/m ³	1 years	-

2.3 Water

2.3.1 Watercourses

The site is situated within the Condamine River Basin, which forms part of the wider Basin 422 and is not mapped as containing any watercourses identified under the *Water Act 2000*.

The site is not mapped as containing watercourses recognised under the VM Act, however multiple stream order 1 watercourses are situated within proximity of the identified operational areas. This is visually represented in **Figure 6 – VM Act Watercourse Mapping**.

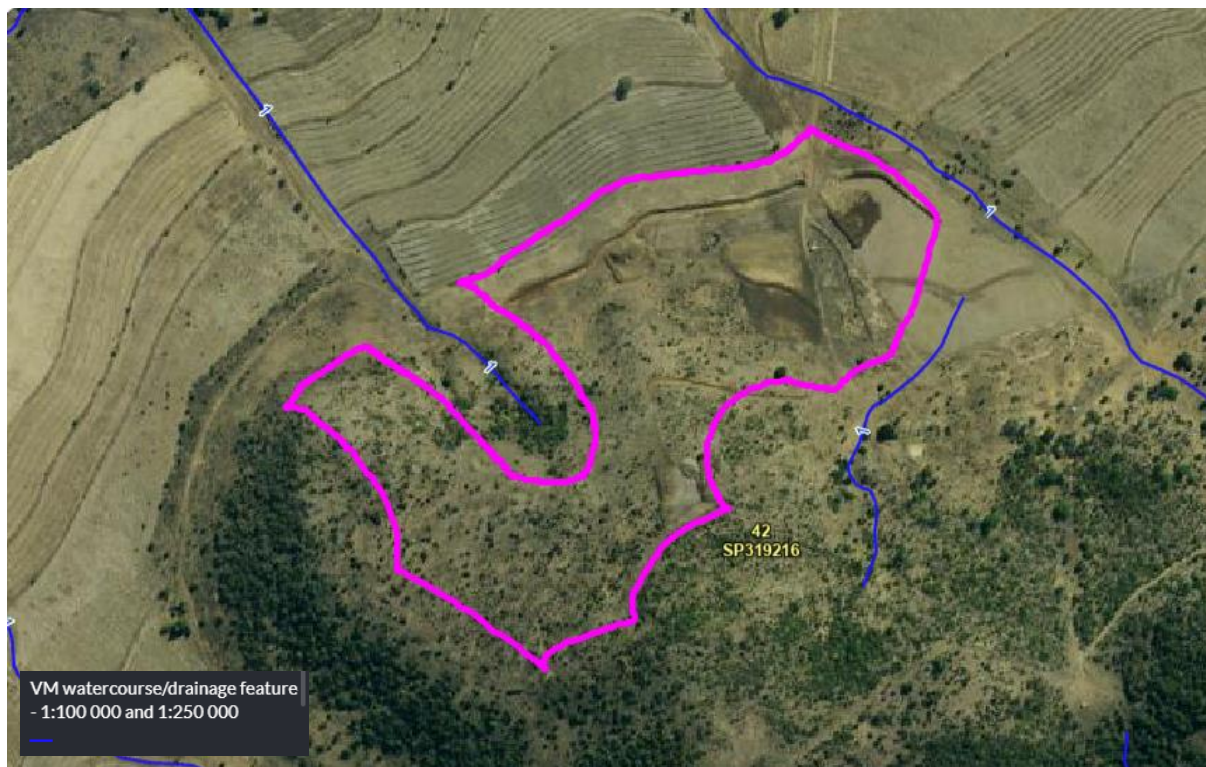


Figure 6 – VM Act Watercourse Mapping

(Source: The State of Queensland (2024))

2.3.2 Water Quality Objectives

The entirety of the site is situated on land which drains into the Jimbour Creek freshwaters within the Central Condamine catchment of the wider Condamine River Basin (Part of Basin 422).

The Water Quality Objectives ('WQOs') for the moderately disturbed Central Condamine Basin are prescribed under the *Environmental Protection (Water) Policy 2019 – Condamine River Basin Environmental Values and Water Quality Objectives* (DES, 2020), as summarised in **Table 6 – Central Condamine Basin Water Quality Objectives**.

Table 6 – Central Condamine Basin Water Quality Objectives

Quality Characteristic	WQO	
	Low Flow	High Flow
Ammonia Nitrogen ('N')	4 µg/L	Insufficient Data
Oxidised N	4 µg/L	480 µg/L
Total N	860 µg/L	2200 µg/L
Filterable Reactive Phosphorus	20 µg/L	500 µg/L
Total Phosphorus	170 µg/L	950 µg/L
Chlorophyll-a	9 µg/L	4 µg/L
Dissolved Oxygen	60%–110% saturation	60%–110% saturation
Turbidity	25 NTU	220 NTU
Suspended Solids	25 mg/L	130 mg/L
pH	7.4-8.3	7.0-7.6
Conductivity	890 µS/cm	290 µS/cm
Sulphate	5 mg/L	4 mg/L
Alkalinity	350 mg/L as CaCO ₃	100 mg/L as CaCO ₃

The existing operation is permitted to release waters at two (2) designated locations, as prescribed under the existing EA, that must comply with the imposed contaminant concentrations. These release locations and their respective limits are presented in **Table 7 – Surface Water Release Limits**.

Table 7 – Surface Water Release Limits

Release Points (GDA2020 decimal degrees)	Monitoring Points (GDA2020 decimal degrees)	Quality Characteristic (units)	Limit	Limit Type	Minimum Frequency and Location
RP1: 347004.42 7035915.716 RP2: 347333.949 7036202.86	MP1: 346959.392 7035861.35 MP2: 347278.754 7036049.734	Total suspended solids (mg/L)	25	Maximum	Prior to Release
		Turbidity (NTU)	25	Maximum	
		Dissolved Oxygen (% sat.)	60-110	Range	
		pH (pH units)	7.4-8.3	Range	
		Electrical Conductivity (µS/cm)	890	Maximum	

2.3.3 Flooding

The site is not mapped within either the Council or State Flood Hazard area mapping. This is visually represented in **Figure 7 – Council Flood Hazard Mapping** and **Figure 8 – Queensland Floodplain Assessment Overlay**, below.

As such, it is considered that the site will not be susceptible to flooding impacts.

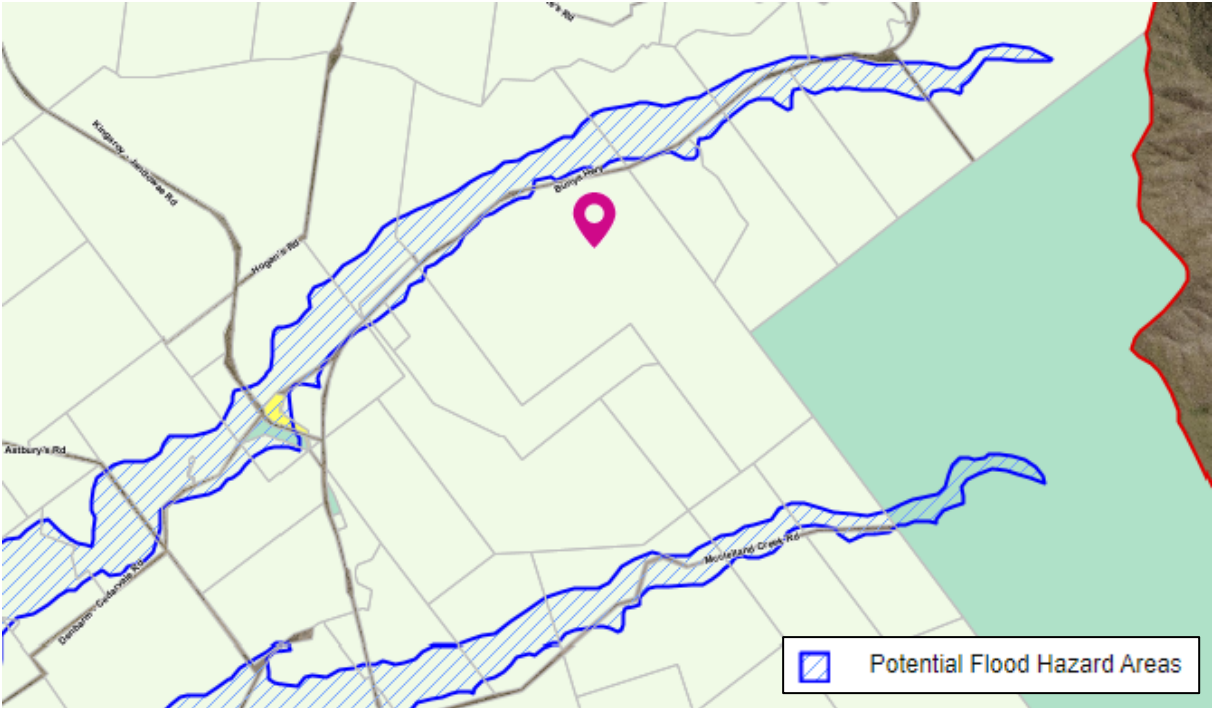


Figure 7 – Council Flood Hazard Mapping

(Source: Western Downs Regional Council (2024))

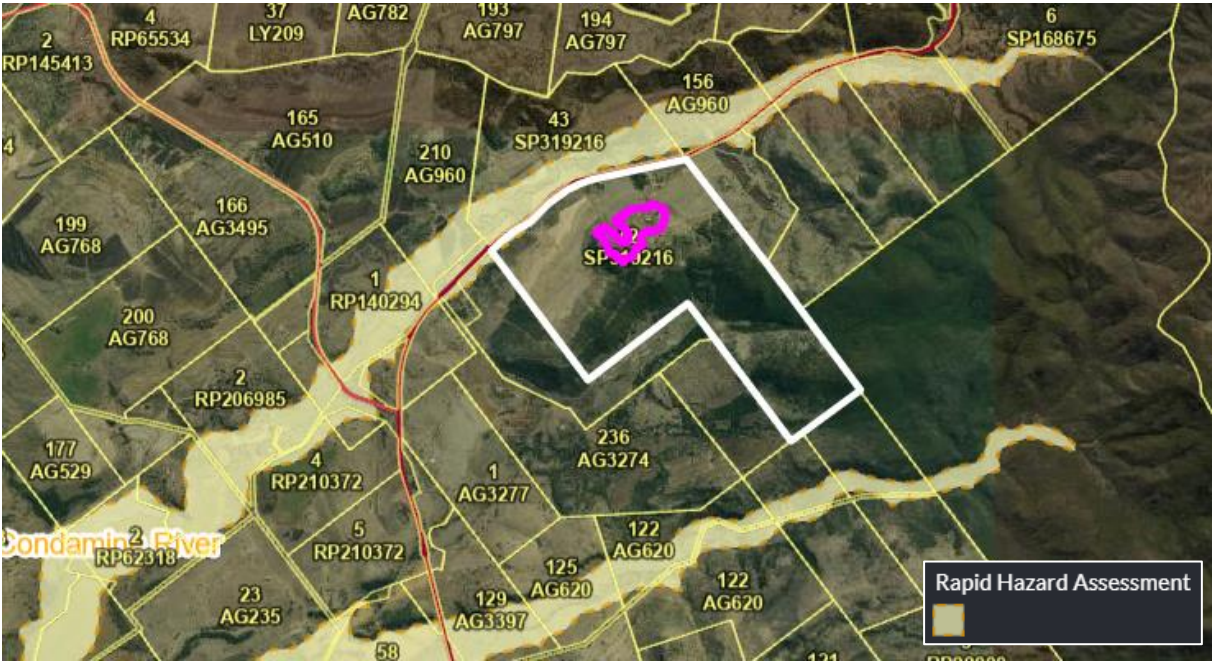


Figure 8 – Queensland Floodplain Assessment Overlay

(Source: The State of Queensland (2024))

2.4 Groundwater

Local groundwater information sourced from Queensland Globe shows that there are a number of registered sub-artesian bores located close to the site. The details for these bore locations are summarised in **Table 8 – Registered Bore Groundwater Data Summary**. An illustration of the location of the bores is provided in **Figure 9 – Local Groundwater Bore Locations** below.

The registered bore no. RN192023 is situated nearest to the operational area, shows top of aquifer levels at approx. 28m below ground level. The quarry operation will also avoid any interaction with groundwater as the maximum extraction depth will not exceed the level which is currently approved for the site (590m AHD), which is above the anticipated standing water level.

Table 8 – Registered Bore Groundwater Data Summary

Registered number	Latitude	Longitude	Drilled date	Quality	Geology	Top of Aquifer (and SWL)
15705	-26.7797	151.4411	28/11/1963	NR	BSLT – Basic Volcanic	Top of Aquifer: 33.5m SWL: NR
30890	-26.7866	151.4797	12/02/1969	NR	BSLT – Basic Volcanic	Top of Aquifer: 40.2m SWL: NR
48234	-26.7985	151.4736	05/05/1975	NR	BSLT – Basic Volcanic	Top of Aquifer: 22.5m SWL: NR
55166	-26.7813	151.4716	11/04/1978	NR	BSLT – Basic Volcanic	Top of Aquifer: 9.7m SWL: -6.6m
66168	-26.7862	151.4528	NR	NR	NR	Top of Aquifer: NR SWL: NR
83459	-26.7949	151.4463	05/02/1990	NR	BSLT – Basic Volcanic	Top of Aquifer: 48.5m SWL: -20.3m
83691	-26.7916	151.4432	12/11/1988	NR	BSLT – Basic Volcanic	Top of Aquifer: 20.3m SWL: -14.m
86565	-26.7836	151.4505	10/04/1989	NR	BSLT – Basic Volcanic	Top of Aquifer: 15.4m SWL: -15.2m
86833	-26.7815	151.4624	19/05/1990	NR	BSLT – Basic Volcanic	Top of Aquifer: 14.3m SWL: - 14.3
107248	-26.7899	151.4459	17/01/2000	COND. 2440	BSLT – Basic Volcanic	Top of Aquifer: 19.5m SWL: -20.0m
147359	-26.7811	151.4651	21/08/2009	Potable	BSLT – Basic Volcanic	Top of Aquifer: 19.0m SWL: -16.0m
147922	-26.7891	151.4411	11/03/2015	1000 PPM	BSLT – Basic Volcanic	Top of Aquifer: 28.0m SWL: -25.4m
172461	-26.8011	151.4516	06/09/2017	Potable	BSLT – Basic Volcanic	Top of Aquifer: 12.0m SWL: -12.0m

Registered number	Latitude	Longitude	Drilled date	Quality	Geology	Top of Aquifer (and SWL)
192022	-26.7889	151.4543	03/09/2021	NR	BSLT – Basic Volcanic	Top of Aquifer: 72.0m SWL: NR
192023	-26.7858	151.4645	04/09/2021	780 PPM 8.23PH	BSLT – Basic Volcanic	Top of Aquifer: 28.0m SWL: -19.0m

Table Notes:

1. Top of Aquifer are measured as depth Below Ground Level (BGL).
2. SWL = Standing Water Level.
3. NR = No recorded data.



Figure 9 – Local Groundwater Bore Locations

(Source: The State of Queensland (2024))

A search of Queensland Globe for Groundwater Dependant Ecosystems ('GDEs') has identified that the site is located on land which is subject to the potential GDE igneous rock aquifer (GDE Rule ID: eMDB_RS_06B). This is visually represented in **Figure 10 – Groundwater Dependant Ecosystems Mapping**. The rule set for this GDE is as follows:

Basalt weathers and oxidises relatively fast in comparison to other rock types. Basalt has highly variable porosity and may form aquifers which store and transmit groundwater through the vesicles, fractures and weathered zones of the basalt. Discharge of groundwater is common around the contact between basalt and less permeable underlying geologies including bands of rhyolite and mudstone. This rule-set identifies potential GDEs intermittently connected to geologically stratified basalt aquifers with fresh salinity located in low rainfall areas.

- Potential surface GDEs dependent on these basalt aquifers include lacustrine wetlands and palustrine wetlands.
- Potential surface GDEs dependent on these basalt aquifers include lacustrine wetlands and palustrine wetlands within 50 metres of the edge of basalt.

- Potential surface GDEs dependent on these basalt aquifers include channels extending up to one hundred metres from basalt.
- Potential surface GDEs dependent on these basalt aquifers include riverine water bodies within 50 metres of a channel on basalt.
- Potential surface GDEs dependent on these basalt aquifers include riverine water within 50 metres of the edge of basalt.
- Potential terrestrial GDEs dependent on these basalt aquifers include deep rooted regional ecosystems within 50 metres of the edge of basalt.
- Potential terrestrial GDEs dependent on these basalt aquifers include riverine wetlands within 50 metres of a channel on basalt.
- Potential terrestrial GDEs dependent on these basalt aquifers include riverine wetlands within 50 metres of the edge of basalt.

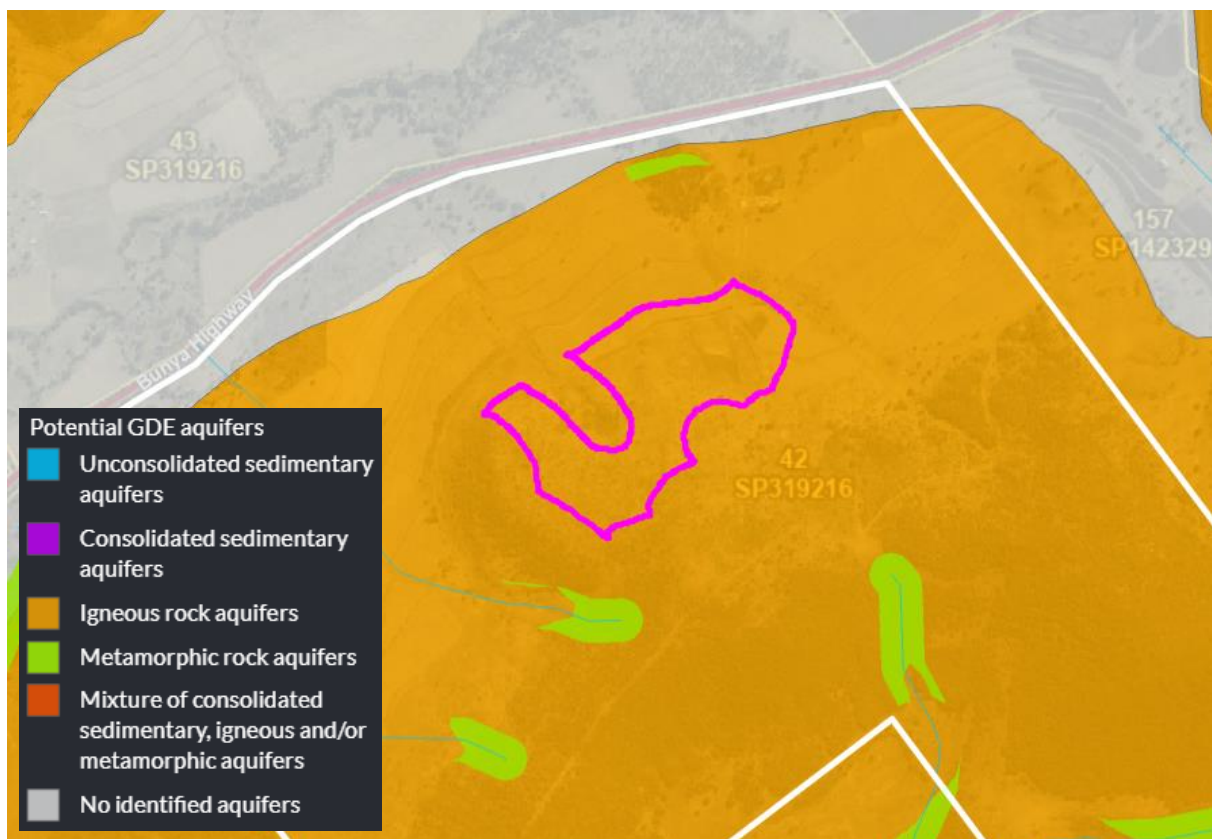


Figure 10 – Groundwater Dependant Ecosystems Mapping

(Source: The State of Queensland (2024))

2.5 Noise

The primary activities and equipment which may generate noise emissions are similar to those outlined in **Section 2.2 – Air**.

Based on historic noise modelling assessment completed for other extractive industry projects, typical sound power levels (measured as LAeq dB(A)) are understood to generally range between 70 dB(A) / m for haulage vehicles (line source emissions), to 118 dB(A) for items of plant and equipment such as rock drills, crushing and screening plant (point source emissions).

The nearby sensitive receptors for the site are summarised in **Table 3 – Nearby Sensitive Receptors**. As discussed in **Section 2.1.2**, the nearest dwelling is situated approximately 870m north of the existing Bells Quarry operation and the adjacent land uses is mostly cropping and grazing. The nearest dwelling is in an isolated rural setting. The ambient noise environment is predominantly rural in nature with use of plant and equipment as part of agriculture uses being the main influences.

Broadly, the EPP Noise requires that the qualities of the acoustic environment that are conducive to human health and wellbeing are preserved. The relevant outdoor and indoor Acoustic Quality Objectives for dwellings prescribed in the EPP (Noise) are summarised in **Table 9 – Acoustic Quality Objectives**.

Table 9 – Acoustic Quality Objectives

Sensitive Receptor	Time of Day	Acoustic Quality Objective (measured as the Receptor) dB(A)			Environmental Value
		L _{Aeq,adj,1hr}	L _{Aeq,adj,1hr}	L _{Aeq,adj,1hr}	
Dwelling (outdoors)	Daytime and evening	50	55	65	Health and wellbeing
Dwelling (indoors)	Daytime and evening	35	40	45	Health and wellbeing
	Night-time	30	35	40	Health and wellbeing

A Noise Impact Assessment is to be undertaken by a suitably qualified professional to demonstrate that the Bell Quarry operation can continue to comply with the relevant noise criteria outlined in the EA with the proposed increase to the production rate. It is anticipated that the recommendations from the Noise Impact Assessment will be included as conditions of approval or implemented into the site management measures and operational controls.

2.6 Land

2.6.1 Remnant Vegetation

The site is mapped entirely as Category X – Non-remnant Vegetation for the purpose of the VM Act. This is visually represented in **Figure 11 – Regional Ecosystems Mapping** and **Figure 12 – Remnant Vegetation Mapping**.

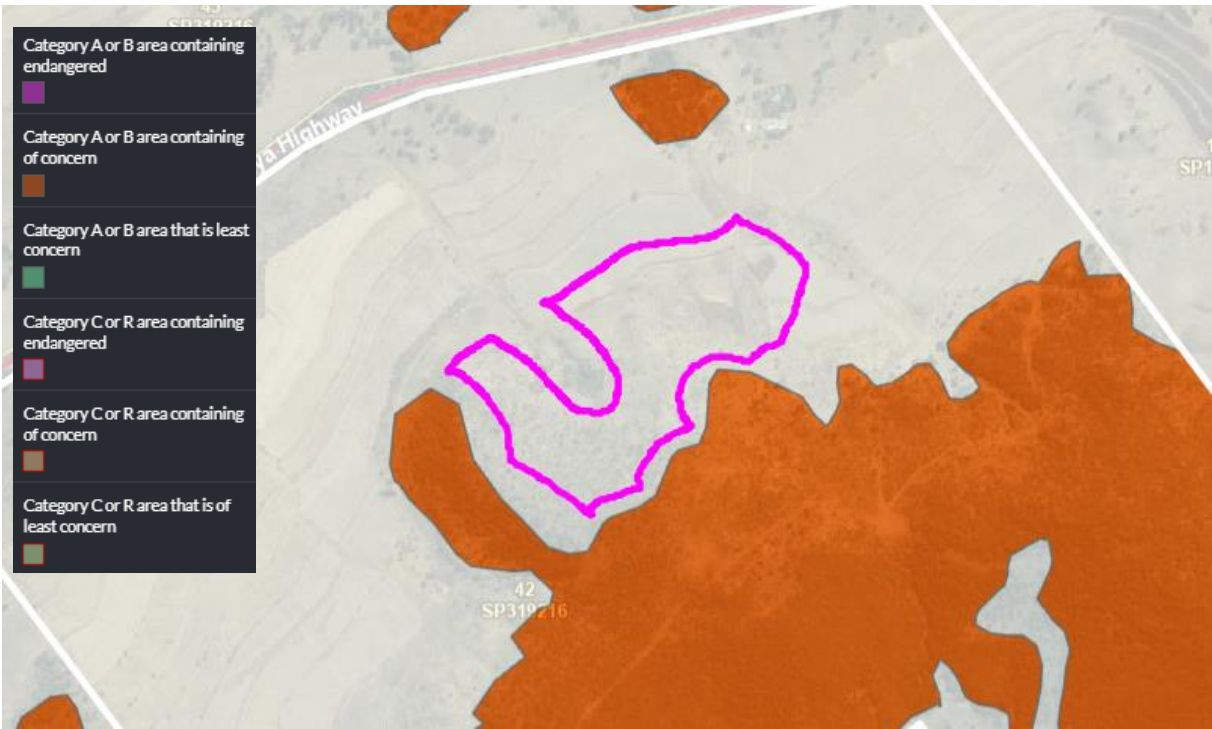


Figure 11 – Regional Ecosystems Mapping
(Source: The State of Queensland (2024))



Figure 12 – Remnant Vegetation Mapping
(Source: The State of Queensland (2024))

2.6.2 Matters of State Environmental Significance

The site is not mapped by the State of Queensland as being subject to Matters of State Environmental Significance ('MSES') (refer **Figure 13 – MSES Mapping**).



Figure 13 – MSES Mapping

(Source: The State of Queensland (2024))

2.6.3 Flora Survey Trigger Map

The proposed operations area is not mapped as containing any High-Risk Areas for the purpose of the flora survey trigger maps, pursuant to the *Nature Conservation Act 1999*.

2.6.4 Geology

The site extends across two surface geology unit, which has been described and presented in **Table 10 – Surface Geology Description** and **Figure 14 – Surface Geology Mapping**, respectively.

Table 10 – Surface Geology Description

Surface Geology	Description
Marburg Subgroup (Jbm)	The lithology of this unit includes lithofeldspathic labile and sublabile sandstone, siltstone, shale, minor coal, ferruginous oolite marker. The dominant rock for this unit Arenite-Mudrock.
Main Range Volcanics (Tm)	The lithology of this unit includes olivine basalt. The dominant rock for this unit Basalt.



Figure 14 – Surface Geology Mapping

(Source: The State of Queensland (2024))

2.6.5 Contaminated Land

A review of search results of the Environmental Management Registers ('EMR') and Contaminated Land Register ('CLR') has confirmed that the subject lot is not on the Contaminated Land Register (refer **Attachment 1 – Contaminated Land Register Search**).

2.6.6 Acid Sulfate Soils

Review of the Acid Sulfate Soils ('ASS') mapping (The State of Queensland (2023)) has confirmed that the site is not located within, or near, an area where ASS have previously been identified, or within a prospective land zone containing ASS.

2.7 Wetlands

The site is not mapped as containing any VMA Wetlands or High Ecological Significance ('HES') Wetlands. This closest mapped wetland is situated approx. 16km southeast of the site. This is visually represented in **Figure 15 – Wetland Mapping**.



Figure 15 – Wetland Mapping

(Source: The State of Queensland (2024))

This site is mapped under the Western Downs Regional Council and State Planning Policy interactive mapping systems as containing land affected by Medium Potential Bushfire Hazard. This is visually represented in **Figure 16 – Bushfire Hazard Mapping**.



Figure 16 – Bushfire Hazard Mapping
(Source: The State of Queensland (2024))

3 Potential Environmental Impacts and Risks

3.1 Purpose of Assessment

The purpose of this assessment is to determine the extent to which the proposed site activities will achieve the environmental objective and performance outcomes nominated in Schedule 8, Part 3, Division 1 of the EP Reg. A risk-based approach has been utilised, with the source activities and potential impacts to environmental values utilised to determine the management strategies, if required, to mitigate these impacts to ensure the performance outcomes can be achieved.

3.2 Risk Assessment Methodology

This risk assessment methodology has been adopted from the process for risk management as set out in Clause 6 of the AS ISO 31000:2018 Risk management – Guidelines (Standards Australia Limited 2018). The risk assessment follows the following process; Risk Identification (source activity and potential impact); Risk Analysis (risk level = likelihood x consequence) and Risk Evaluation (commentary or risk).

The risk treatment outlines the controls / management measures that can be implemented to reduce the level of risk to as low as reasonably possible. The risk analysis qualitative estimates the level of risk based on the likelihood of an environmental impact or event occurring (**Table 11 – Definitions of Likelihood**), and the consequences of occurrence (**Table 12 – Definition of Consequences**).

Table 11 – Definitions of Likelihood

Rating	Descriptor	Score
Rare	May occur only in exceptional circumstances	1
Unlikely	Could occur but doubtful	2
Possible	Might occur at some time in the future	3
Likely	Will probably occur	4
Almost Certain	Is expected to occur in most circumstances	5

Table 12 – Definition of Consequences

Rating	Descriptor	Score
Negligible	Impacts not requiring any treatment or management action	1
Minor	Nuisance or insignificant environmental harm requiring minor management action	2
Moderate	Serious environmental impacts, readily manageable at low cost	3
Major	Substantial environmental impacts, manageable but at considerable cost and some disruption	4
Severe	Severe environmental impacts with major consequent disruption and heavy cost	5

The consequence and likelihood scores are plotted on the risk vs consequence matrix (**Table 13 – Risk Assessment Matrix**) and the final risk level assigned is a product of the likelihood and consequence scores, which equals the magnitude of the impacts. The higher the risk score, the higher the priority is for management.

Table 13 – Risk Assessment Matrix

Likelihood		Consequence				
		Negligible	Minor	Moderate	Major	Severe
		1	2	3	4	5
Almost Certain	5	5 Medium	10 High	15 High	20 Very High	25 Very High
Likely	4	4 Low	8 Medium	12 High	16 High	20 Very High
Possible	3	3 Low	6 Medium	9 Medium	12 High	15 High
Unlikely	2	2 Low	4 Low	6 Medium	8 Medium	10 High
Rare	1	1 Low	2 Low	3 Low	4 Low	5 Medium

Table 14 – Indicative Management Option for Each Risk Assessment Rating describes the possible actions required for each risk assessment rating.

Table 14 – Indicative Management Option for Each Risk Assessment Rating

Risk Rating	Risk Rating Scores	Indicative Management Option
Very High	17 – 25	Manage by implementing site management and emergency procedures, plant design controls and regular monitoring.
High	10 – 16	Manage by implementing site management procedures, specific monitoring and may require some operation/plant design controls.
Medium	5 – 9	Manage by implementing specific monitoring or response procedures.
Low	1 – 4	Manage by routine procedures, unlikely to need specific application of resources.

3.3 Inherent and Residual Environmental Risk Assessment

Activities associated with the activity which have the potential to cause environmental harm and/or nuisance and the potential impacts have been identified and tabulated in **Table 15 – Operational Assessment of Environmental Risk**. **Table 15** also includes the inherent risk of the impacts occurring, and the residual risk following implementation of management strategies.

An *Environmental Management Plan* ('EMP') (Doc ref: 2821_610_001) has been developed for the site to manage potential environmental impacts, and these documents are referenced where relevant in the risk assessment provided in **Table 15**.

Table 15 – Operational Assessment of Environmental Risk

Environmental Objective ¹	Performance Outcome	Source Activity	Potential Impact	Inherent Risk Rating ²	Control / Management Measures	Residual Risk Rating ³
AIR						
The activity will be operated in a way that protects the EVs of air.	<ul style="list-style-type: none"> Fugitive emissions of contaminants from storage, handling and processing of materials and transporting materials within the site are prevented or minimised. Contingency measures will prevent or minimise adverse effects on the environment from unplanned emissions and shut down and start up emissions of contaminants to air. Releases of contaminants to the atmosphere for dispersion will be managed to prevent or minimise adverse effects on environmental values. 	<ul style="list-style-type: none"> Clearing of vegetation and topsoil / overburden ahead of the extraction activity. Stockpiling of topsoil and overburden. Drilling and blasting activities. Extraction and handling of raw materials (e.g., transfer of materials, processing, blending, stockpiling, transportation). Vehicle movements on unsealed roads and access tracks. Wind erosion on exposed surfaces and stockpiles. 	Emission of dust to air impacting nearby sensitive receptors.	3 x 3 = 9 (Medium)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>As stated in Section 2.1.2, the nearest sensitive dwelling is situated approx. 870m to the north of the site. It should be noted that a dwelling is located on the same land parcel as the proposed site (approx. 200m north of the operational area), and the operators of the Bell Quarry have obtained the relevant consents from the landowner to undertake the proposed extractive activities. Therefore, this dwelling is not considered to be a sensitive receptor.</p> <p>An Air Quality Management Plan containing management measures and on site controls has been developed for the operation and included within Section 3.1 of the EMP to manage the potential impacts to air from the site activities.</p> <p>The existing EA (P-EA-100124846) contains conditions A1 and A2 relating to air quality limits which are anticipated to continue to apply to the Bell Quarry operation.</p> <p>Provided the operator implements the measures outlined in the Air Quality Management Plan (Section 3.1 of the EMP), and continues to observe the requirements of the EA, the environmental objective for 'Air' is likely to be achieved. The residual risk is reduced to 'low' as the likelihood of an incident occurring is reduced through the implementation of the Air Quality Management Plan.</p>	2 x 2 = 4 (Low)
WATER						
The activity will be operated in a way that protects the EVs of water.	<ul style="list-style-type: none"> The storage and handling of contaminants will include effective means of secondary containment to prevent or minimise releases to the environment from spillage or leaks. Contingency measures will prevent or minimise adverse effects on the environment due to unplanned releases or discharges of contaminants to water. The activity will be managed so that stormwater 	<ul style="list-style-type: none"> Clearing of vegetation and topsoil. Stockpiling of topsoil and overburden. Extraction and handling of raw materials (e.g., transfer of materials, processing, blending, stockpiling, transportation). 	Release of contaminated water to the receiving environment.	3 x 3 = 9 (Medium)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>Stormwater runoff will interact with disturbed areas created through the development of the proposed extraction areas. Inherent risks to off-site waters are scored high in the absence of any environment controls to mitigate these risks.</p> <p>The existing Stormwater Management Plan ('SMP') for the site will continue to ensure that surface water within the extraction and operation area continues to be appropriately managed in accordance with the requirements of the EA (refer Attachment 2 of the EMP).</p> <p>In addition to the SMP, a Water Quality Management Plan has been developed for the operation and included in Section 3.2 of the EMP. Provided the SMP and the measures</p>	2 x 3 = 6 (Medium)

Environmental Objective ¹	Performance Outcome	Source Activity	Potential Impact	Inherent Risk Rating ²	Control / Management Measures	Residual Risk Rating ³
	<p>contaminated by the activity that may cause an adverse effect on an environmental value will not leave the site without prior treatment.</p> <ul style="list-style-type: none">• The disturbance of any acid sulfate soil, or potential acid sulfate soil, will be managed to prevent or minimise adverse effects on environmental values.• Any discharge to water or a watercourse or wetland will be managed so that there will be no adverse effects due to the altering of existing flow regimes for water or a watercourse or wetland.• The activity will be managed so that adverse effects on environmental values are prevented or minimised.				<p>outlined in the Water Quality Management Plan are implemented, the environmental outcomes of the future EA are likely to be achieved.</p> <p>KQS wish to retain the existing physico-chemical parameters in relation to water releases, which are:</p> <ul style="list-style-type: none">• Total suspended solids (mg/L): 25• Turbidity (NTU): 25• Dissolved Oxygen (% sat.): 60-110• pH (pH units): 7.4-8.3• Electrical Conductivity (µS/cm): 890 <p>The EMP also includes a Hydrocarbon and Chemical Management Plan which provides for measures to minimise risk of potential contaminant release through handling and storage of hydrocarbons and chemicals at the site.</p> <p>The site is not mapped as being subject to flooding and is not in a land zone or at an elevation which would be subject to ASS.</p> <p>Residual risk is reduced to a lower level as the likelihood of an incident occurring is reduced through the implementation of the management measures nominated in the SMP and the Water Quality Management Plan. The consequence remains the same, which results in a residual risk rating of medium. A medium residual risk requires ongoing implementation of specific monitoring or response procedures. These are documented in Section 3.2 of the EMP. The environmental objective for 'Water' is likely to be achieved through application of these controls.</p>	
WETLANDS						
The activity will be operated in a way that protects the environmental values of wetlands.	The activity will be managed in a way that prevents or minimises adverse effects on wetlands.	<ul style="list-style-type: none">• Clearing of vegetation and topsoil.• Stockpiling of topsoil and overburden.• Extraction and handling of raw materials (e.g., transfer of materials, processing, blending, stockpiling, transportation).	Release of contaminants to, or physical damage of, nearby wetlands.	1 x 2 = 2 (Low)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>The site does not contain any areas of mapped VMA of HES wetlands. As a result, inherent and residual risk is scored low and does not require the application of specific controls to mitigate impacts to wetlands. The environmental objective for 'Wetlands' is therefore expected to be achieved.</p>	1 x 2 = 2 (Low)

Environmental Objective ¹	Performance Outcome	Source Activity	Potential Impact	Inherent Risk Rating ²	Control / Management Measures	Residual Risk Rating ³
GROUNDWATER						
The activity will be operated in a way that protects the environmental values of groundwater and any associated surface ecological systems.	The activity will be managed to prevent or minimise adverse effects on groundwater or any associated surface ecological systems.	Extraction of raw materials.	Impacts to groundwater quality or quantity.	2 x 3 = 6 (Medium)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>The depth of extraction will vary depending on the location of the desired resource, which will be estimated based on drill data collected on the site. No change to the currently approved extraction depth is proposed (590m AHD).</p> <p>Section 3.3 of the EMP (Hydrocarbon and Chemical Management Plan) provides the necessary mitigation measures to reduce the likelihood of impacts, reducing the residual risk score.</p> <p>Provided the operator implements the recommendations of the Hydrocarbon and Chemical Management Plan, potential for indirect impacts to groundwater will be minimised. The residual risk remains unchanged given there are no changes to the disturbance area, extraction depth or methods for extraction.</p>	2 x 3 = 6 (Medium)
			Impacts to GDEs.	2 x 2 = 4 (Low)	There are no GDEs mapped as occurring within the operational area. While no on-site investigations of GDE have been completed, as outlined previously, the extraction depth will not exceed what is currently approved for the site. As a result, changes to the quality or quantity of groundwater available to any GDEs in proximity to the site are considered unlikely. Inherent risk is scored low as a result, which requires no application of specific management measures.	2 x 2 = 4 (Low)
NOISE						
The activity will be operated in a way that protects the EVs of the acoustic environment.	The release of sound to the environment from the activity is managed so that adverse effects on EVs including health and wellbeing and sensitive ecosystems are prevented or minimised.	<ul style="list-style-type: none">Clearing of vegetation and topsoil / overburden ahead of the extraction activity.Stripping and stockpiling of topsoil, subsoils and overburden.Extraction and handling of materials (e.g., transfer of materials, stockpiling, transportation).Screening and processing of the materials.	Noise nuisance for nearby noise sensitive receptors.	3 x 3 = 9 (Medium)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>As stated in 'Air', the nearest sensitive dwelling is situated approx. 200m to the north of the site on the same land parcel as the proposed operational area. The operators of the Bell Quarry have obtained the relevant consents form the landowner to undertake the proposed extractive activities. Due to the otherwise isolated and rural nature of the site, there are limited sensitive receptors within proximity of the site.</p> <p>In the absence of any noise management measures, the site activities have the potential to influence the noise EVs of the locality.</p> <p>A Noise Management Plan has been included in Section 3.4 of the EMP to manage the potential impacts from noise at the site activities. Residual risk is reduced to a lower level as the likelihood of an incident occurring is reduced through the implementation of the Noise Management Plan.</p>	3 x 2 = 6 (Medium)

Environmental Objective ¹	Performance Outcome	Source Activity	Potential Impact	Inherent Risk Rating ²	Control / Management Measures	Residual Risk Rating ³
		<ul style="list-style-type: none">Vehicle movements on unsealed roads and access tracks.Plant and equipment use, including reverse beepers.Radio / UHF use.Alarms.			<p>A Noise Impact Assessment is to be undertaken by a suitably qualified professional to demonstrate that the Bell Quarry operation can continue to comply with the relevant noise criteria outlined in the EA with the proposed increase to the production rate. It is anticipated that the recommendations from the Noise Impact Assessment will be included as conditions of approval or implemented into the site management measures and operational controls.</p> <p>Provided the operator implements the measures outlined in the Noise Management Plan (Section 3.4 of the EMP), and continues to comply with the EA, the environmental objective for ‘Noise’ is likely to be achieved.</p> <p>As such, the residual risk rating is scored medium, which will require ongoing management measure to be applied as outlined in the EMP.</p>	
		<ul style="list-style-type: none">Blasting activities.	Air overpressure and ground vibration impacts causing disturbance for sensitive receptors.	3 x 3 = 9 (Medium)	<p>Blasting activities at the site inherently have the potential to cause air-blast overpressure and vibration impacts for sensitive receptors. The isolated nature of the site assists greatly in reducing the number of sensitive receptors within a distance to the quarry where blasting impacts can be felt.</p> <p>The Blasting Management Plan of the EMP (included as Section 3.5 of the EMP) includes measures for management of blasting activities at the site. A key measure is that only suitably experienced and qualified blasting personnel shall be employed or contracted to provide blasting services.</p> <p>The blasting activities to be carried out as part of the proposed increase to the ERA 16 threshold on the site will not change from what is currently approved in the exiting EA. As such, the residual risk will remain consistent with the existing inherent risk for the undertaking of these activities.</p> <p>Provided that the Blasting Management Plan is implemented by the operator, and only suitably qualified persons are engaged to undertake blasting activities at the site, the residual risk is reduced to a lower level as the likelihood of an incident occurring is reduced.</p> <p>As such, the residual risk rating is scored medium, which will require ongoing management measure to be applied as outlined in the EMP.</p>	3 x 2 = 6 (Medium)
WASTE						
Any waste generated, transported, or received as part of carrying out the activity is managed in a way that protects all environmental values.	Waste generated, transported or received is managed in accordance with the waste and resource management hierarchy in the <i>Waste Reduction and Recycling Act 2011</i> . If waste is disposed of, it is disposed of in a way that	Vegetation clearing. Storage and disposal of residual waste (i.e., general, and regulated waste).	Improper disposal of wastes.	2 x 2 = 4 (Low)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>The proposed increase to the production volume of the Bell Quarry will not result in the introduction of any new waste generated on the site. Types of waste that may be generated may include, but are not necessarily limited to, the following: Regulated wastes (e.g., batteries, oil filters, waste oil/hydrocarbons and containers, and tyres); Scrap metal and</p>	2 x 2 = 4 (Low)

Environmental Objective ¹	Performance Outcome	Source Activity	Potential Impact	Inherent Risk Rating ²	Control / Management Measures	Residual Risk Rating ³
	prevents or minimises adverse effects on environmental values.				<p>used or faulty parts and equipment; General waste such as food waste, packaging, and consumables; and green waste.</p> <p>It is anticipated that the volumes of the abovementioned waste generated at the site will be very limited. In the absence of control measures, potential for impacts associated with improper disposal of wastes is inherently scored medium.</p> <p>The Waste Management Plan, included as Section 3.5 the EMP, details measures for management of waste at the site, with reference to the requirements of the <i>Waste Reduction and Recycling Act 2011</i> ('WRR Act'). Condition PMG038 (WS1) of the MOC (DES 2019a) if applied to the future EA, would enable regulation of impacts associated with waste. Provided Council implement the measures outlined in the EMP, and comply with the requirements of the EA, the residual risk of a potential incident involving waste is reduced, and the environmental objective for 'Waste' is likely to be achieved, and the residual risk score is reduced to low based on a reduced likelihood of impacts.</p>	
LAND						
The activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna.	<ul style="list-style-type: none">The activity will be managed to prevent or minimise adverse effects on the environmental values of land due to unplanned releases or discharges, including spills and leaks of contaminants.The application of water or waste to the land is sustainable and is managed to prevent or minimise adverse effects on the composition or structure of soils and subsoils.	Handling of chemicals and fuels on-site (e.g., refuelling of mobile plant).	Release of hydrocarbons and fuels to land.	3 x 3 = 9 (Medium)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>It is anticipated that the types and volumes of hydrocarbons and chemicals will be limited to that necessary for the operation of the mobile plant. No permanent fuel or chemical storages are anticipated to be established on the land. In the absence of controls, the inherent risk of handling minor volumes of fuels and chemicals is scored medium due to an increased likelihood of potential release if handling and storage activities are unmanaged.</p> <p>A Hydrocarbon and Chemical Management Plan has been incorporated into Section 3.3 of the EMP which provides management measures for handling and storage of hydrocarbons and chemicals to reduce the potential impacts to land associated with spills and/or leaks. Common Condition (DES 2019b) can also be applied, which states:</p> <p>PCG012 (G6) - Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.</p> <p>Provided the operator implements the measures outlined in the EMP, the residual risk is reduced to a lower level as the likelihood and consequence of an incident occurring is reduced through the implementation of the management measures outlined in the EMP.</p> <p>The residual risk is scored medium, and ongoing management in accordance with the EMP will be required to ensure risk is as low as reasonably possible. The environmental objective for 'Land' can be achieved through application of the nominated controls.</p>	2 x 2 = 4 (Low)

Environmental Objective ¹	Performance Outcome	Source Activity	Potential Impact	Inherent Risk Rating ²	Control / Management Measures	Residual Risk Rating ³
The activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna.	Activities that disturb land, soils, subsoils, landforms and associated flora and fauna will be managed in a way that prevents or minimises adverse effects on the EVs of land.	Clearing of vegetation ahead of extraction.	Unauthorised impacts to protected species as a result of site activities.	2 x 2 = 4 (Low)	<p>There will be no clearing of MSES vegetation to support the activity.</p> <p>To assist with mitigating risks to flora and fauna, management measures have been incorporated into Section 3.6 of the EMP.</p>	2 x 2 = 4 (Low)
The activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna.	<p>Areas disturbed will be rehabilitated or restored to achieve sites that are—</p> <ul style="list-style-type: none">• safe to humans and wildlife; and• non-polluting; and• stable; and• able to sustain an appropriate land use after rehabilitation or restoration.	Post-closure implementation and management of the site rehabilitation.	Failure to achieve rehabilitation milestones in disturbance areas at the cessation of the activities.	2 x 3 = 6 (Medium)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>The environmental objectives for rehabilitation are unchanged from what are prescribed in the existing EA. As part of the proposal, KQS will continue to implement the measures outlined in the Rehabilitation Management Plan (Section 3.7 of the EMP).</p> <p>The life of the operation is anticipated to extend into the foreseeable future; therefore, a more detailed rehabilitation and closure plan should be prepared prior to cessation of the extractive industry use to reflect a land use relevant to the planning scheme in place at the time.</p> <p>Provided that the operator implements the EMP, the environmental objectives for ‘Land’ are likely to be achieved. With future planning and implementation of successful rehabilitation, the likelihood of failure is reduced; however, the consequence remains the same, which result in a residual risk rating of medium.</p>	2 x 3 = 6 (Medium)
The activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna.	Activities undertaken on the site are carried out and managed in a way that mitigates the potential for bushfire hazards.	Vegetated areas within the site boundary.	Bushfires	2 x 3 = 6 (Medium)	<p>The Inherent Risk Rating has been calculated in relation to the existing Bell Quarry operation of the site. The Residual Risk Rating reflects the change to the existing operation, being an increase to the annual production volume only.</p> <p>The potential for bushfires is a constant threat for all landholdings, with this risk elevated during periods of dry climatic conditions. Portions of the site are identified as being subject to, medium potential bushfire hazard in accordance with the Western Downs Council and State mapping.</p> <p>Quarrying activities generally have available a broad range of plant and equipment that can assist in preventing and reducing potential impacts associated with bushfire events (e.g., heavy machinery, water trucks). To assist in managing potential risks associate with bushfires, Section 3.8 – Bushfire Management Plan of the EMP has been prepared to provide bushfire management measures for the site.</p>	2 x 3 = 6 (Medium)

Notes:

1.

Environmental Objectives and Performance Outcomes have been reprinted from Schedule 8, Part 3, Division 1 of the EP Reg

2.

“Inherent risk” is the level of risk that exists if the impacts go unmitigated.

3.

“Residual risk” is the risk that remains after implementation of the proposed control / management measures.

4 Concluding Remarks

The EAR has been prepared to address that EA application requirements as outlined in Section 125 of the EP Act.

The highest level of residual risk has been calculated in **Table 15** as medium. Management of the site will be required in accordance with the management measures provided in the site's EMP and through compliance with the EA conditions, to ensure that the potential risk associated with environmental impacts identified is reduced to as low as reasonably possible.

The EMP has been developed to provide written procedures regarding the measures for the management of potential environmental impacts from the site activities, with reference to the risk assessment provided in **Table 15**. In addition, it is proposed that the MOC applied to enable regulation of environmental impacts.

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ATTACHMENTS

Attachment 1

Contaminated Land Register Search



Department of Environment, Science and Innovation (DESI)
ABN 46 640 294 485
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA
www.des.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Olivia Edwards
PO Box 1779
Milton QLD 4064

Transaction ID: 50935265 EMR Site Id: 21 May 2024
Cheque Number:
Client Reference:

This response relates to a search request received for the site:
Lot: 42 Plan: SP319216
5750 BUNYA HWY
COORANGA

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if DESI has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DESI has not been notified

If you have any queries in relation to this search please email emr.clr.registry@des.qld.gov.au

Administering Authority

Bell Quarry

Environmental Management Plan

Prepared for: Kingaroy Quarry Supplies Pty Ltd

Date: May 2024

File Reference: 2821.610.001

DOCUMENT CONTROL

PROJECT / DETAILS REPORT

Document Title:	Bell Quarry Environmental Management Plan
Principal Author:	Jack Wallace
Client:	Kingaroy Quarry Supplies Pty Ltd
Reference Number:	2821.610.001

DOCUMENT STATUS

Issue	Description	Date	Author	Reviewer
0	Environmental Management Plan	May 2024	J. Wallace	S. Lyons

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ATTACHMENTS

- Attachment 1 Annual Environmental Performance Review
- Attachment 2 Stormwater Management Plan

1 Introduction

1.1 Background

Kingaroy Quarry Supplies Pty Ltd ('KQS') operate the Bell Quarry located at 5610 Bunya Highway, Cooranga QLD 4408 properly described as Lot 42 SP319216 (herein referred to as the 'site'). The activity constitutes the following prescribed Environmentally Activities ('ERAs') in accordance with the *Environmentally Protection Regulation 2019* ('EP Reg'):

- ERA 16(2)(b) – Extracting, other than by dredging, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes; and
- ERA 16(3)(b) – Screening, in a year, more than 100,000 tonnes but not more than 1,000,000 tonnes.

This Environmental Management Plan ('EMP') describes the site operations, the potential environmental impacts of these activities, and how any potential impacts may be mitigated or managed to achieve acceptable environmental outcomes for the activity.

Table 1 – Site Details Summary provides a summary of the site location details.

Table 1 – Site Details Summary

Location:	5610 Bunya Highway, Cooranga QLD 4408
Land Parcel:	Lot 42 SP319216
Land Parcel Area:	473.7 hectares ('Ha')
Quarry Area:	Approx. 22 Ha
Tenure:	Freehold
Local Authority:	Western Downs Regional Council
Coordinates:	GDA2020MGA: Easting: 347376.01, Northing: 7035957.57
	GDA2020: Lat: 151.78950, Long: 151.46465

1.2 Activity Overview

Included as **Diagram 1 – Conceptual On-Site Extractive Operations** is a conceptual illustration of the quarry development. The key project activities are as follows:

1.2.1 Establishment and Construction Phase

1. Survey, staking and marking of quarry extents area and haul road centreline.
2. Internal Haul Road – This involves the construction of a haul road extending form the property boundary through to the quarry operations area.

3. Erosion and Sediment Control – This involves the initial establishment of diversion bunds, wheelshaker device and other measures to prevent the transport of sediment from outside of the disturbance area.
4. Vegetation clearing and topsoil stripping works – quarry operations area, stockpile area and sediment basin and silt water storage pond.
5. Excavation of sediment basin and silt pond.
6. Establishment of fixed plant.
7. Establishment of site operations and storage area.

1.2.2 Operation Phase

1. Vegetation stripping and topsoil stripping works – hard rock and overburden pit areas.
2. Establishment of internal drains to sediment basin.
3. Excavation of overburden pit area.
4. Drilling and controlled blasting of hard rock pit area.
5. Excavation, crushing, screening, stockpiling and export of quarry products.
6. Progressive stabilisation and rehabilitation.

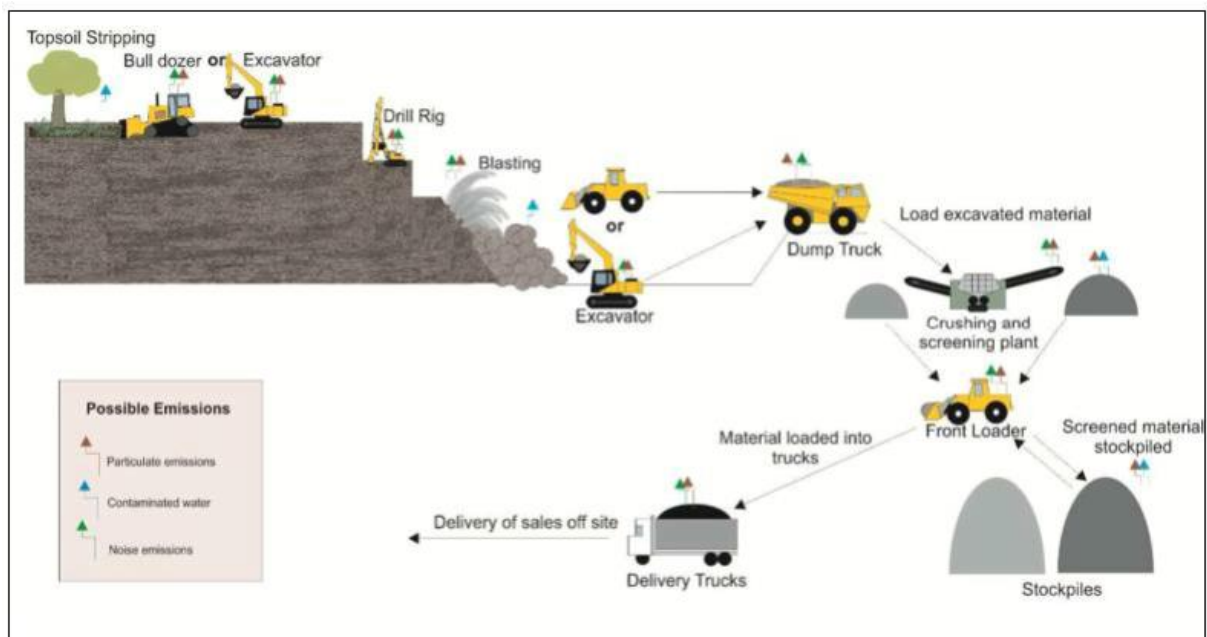


Diagram 1 – Conceptual On-Site Extractive Operations

The site is shown in **Diagram 2 – Site Location**, as outlined in the pink polygon.

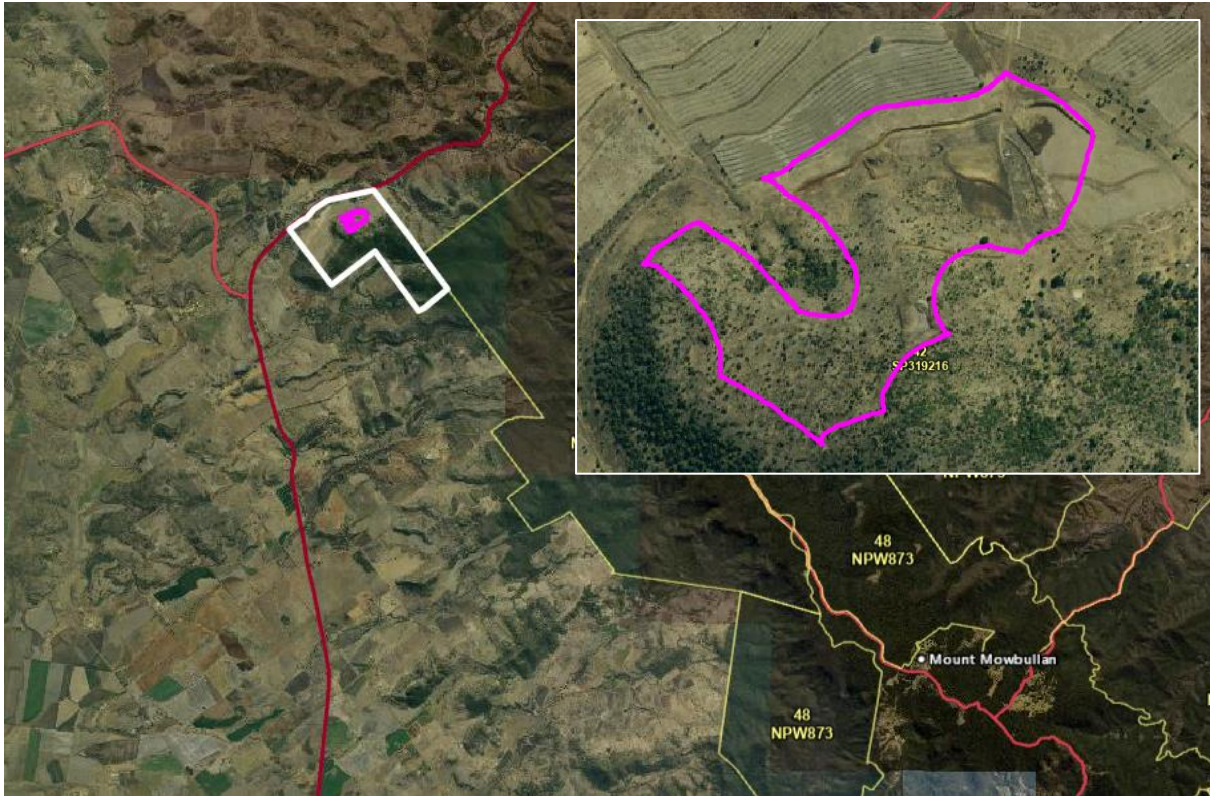


Diagram 2 – Site Location

1.3 Plant and Equipment

A range of plant and machinery will be used to undertake the construction and operation of the quarry including (but not limited to) the following:

- Excavators;
- Dozers;
- Loaders;
- Trucks;
- Crushers (cone and jaw types);
- Screens; and
- Blasthole drill rigs.

1.4 Hours of Operation

Quarrying operations and transport haulage must only operate between the following hours:

- 7:00am to 6:00pm on Monday to Friday;
- 8:00am to 2:00pm on Saturday; and
- No operations are to be undertaken on Sundays and Public Holidays.

Drilling and Blasting activities must only occur between the following hours:

- 9:00am to 3:00pm on Monday to Friday;
- No operations to be undertaken on Saturday, Sunday and Public Holidays.

1.5 Purpose of EMP

This EMP has been prepared to provide written procedures for the site activities that:

- Identify potential risks to the environment from the activity during routine operations and emergencies.
- Establish and maintain control measures that minimise the potential for environmental harm.
- Ensure plant, equipment and measures are maintained in a proper and effective condition.
- Ensure plant, equipment and measures are operated in a proper and effective manner.
- Ensure that staff are trained and aware of their obligations under the *Environmental Protection Act 1994* ('EP Act').
- Ensure that reviews of environmental performance are undertaken at least annually.

1.6 Relevant Legislation

In Queensland, the EP Act is the principal legislation for protecting the environment. The EP Act was assented on 1 December 1994 and was proclaimed on 1 March 1995. The object of the EP Act is to:

"protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development)".

The EP Act imposes a General Environmental Duty on corporations, government departments and individuals, in order to meet the primary objective (s319 of the EP Act). The duty relates to the notion that everyone must take all reasonable and practicable measures to prevent or minimise environmental harm. The general environmental duty is extracted below for reference:

"319 General environmental duty

1. *A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm (the **general environmental duty**).*

Note— See section 24 (3) (Effect of Act on other rights, civil remedies etc.).

2. *In deciding the measures required to be taken under subsection (1), regard must be had to, for example—*
 - a) *the nature of the harm or potential harm; and*
 - b) *the sensitivity of the receiving environment; and*
 - c) *the current state of technical knowledge for the activity; and*
 - d) *the likelihood of successful application of the different measures that might be taken; and*
 - e) *the financial implications of the different measures as they would relate to the type of activity."*

In addition, the EP Act states that it is an offence to cause environmental nuisance (s440 of EP Act), material environmental harm (s438 of EP Act), serious environmental harm (s437 of EP Act), and it is an offence to contravene a condition of an Environmental Authority ('EA') (s430 of EP Act).

2 Policies and Procedures

2.1 Staff Training

All site personnel, including contractors, are to be inducted on the environmental management requirements for the site and informed of the environmental management objectives and specifics of the EMP as well as obligations under the EP Act. Training may include awareness on impact minimisation measures, operational practices, maintenance measures, reporting, and individual responsibilities.

Site personnel are to be made aware of penalties if conditions of approval are breached and reporting requirements for incidents involving environmental nuisance and/or harm in accordance with the relevant environmental legislation. A record of all employee training is to be maintained on-site.

2.2 Communication

Communication must take place regarding environmental matters at the site between operational personnel, management, and external stakeholders. Internal communication mechanisms relating to environmental matters and potential impacts, objectives and targets, training and awareness, complaints and incidents, and suggestions for improvement may include, but shall not be limited to:

- Self-assessments and audits.
- Action requests, memos, noticeboards, etc.
- Environmental incident reporting.
- Environmental compliance monitoring and reporting.
- Inductions and environmental awareness training.
- Toolbox talks or verbal advice.
- Weekly construction meetings.
- Management reviews.
- Site meetings.

All external communications are to be undertaken by management. External communication mechanisms for environmental matters may include:

- Formal and informal correspondence with the administering authorities.
- Formal correspondence with interest groups.
- Community complaints and enquiries.

2.3 Complaint Recording and Response

All complaints received are to be reported to the Quarry Manager or delegate immediately.

The following details are to be recorded upon receipt of any complaint:

- Date and time the complaint was received.
- Name and contact details for the complainant when provided and authorised by the complainant.
- Nature of the complaint.
- Investigation undertaken.
- Conclusions formed.
- Actions taken.

The Quarry Manager is to liaise with any complainants to discuss the nature of the complaint and to determine a suitable resolution. Initial contact with the complainant is to be made within 24 hours of the complaint being received to initiate a resolution to the matter.

The administering authority may request additional monitoring to investigate any complaint of environmental nuisance received directly by the administering authority. A copy of any monitoring results must be provided to the Department (currently the Department of Environment and Science) as per the specifics of their request.

2.4 Incident Response Procedure

2.4.1 Overview

The objective of this Incident Response Procedure is to ensure that any breaches of the EA, or incidents and activities that cause or threaten to cause serious or material environmental harm, are reported, investigated, and addressed to prevent recurrence or remedy harm caused. A diagrammatic overview of incidents procedure is provided in **Diagram 3 – Incident Response Procedure Overview**. The Quarry Manager will be responsible for ensuring that all employees at the site are familiar with the procedure for incidents procedures.

Environmental harm is defined under the EP Act as:

- Any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.
- May be caused by an activity—
 - whether the harm is a direct or indirect result of the activity; or
 - whether the harm results from the activity alone or from the combined effects of the activity and other activities or factors.



Diagram 3 – Incident Response Procedure Overview

2.4.2 Incident Awareness

When an employee becomes aware of an event resulting in the breach of an EA condition, or an incident with actual or potential environmental harm implications, the employee must report the incident to the Quarry Manager or delegate immediately (no more than 24 hours after becoming aware of the incident).

To demonstrate regard for the general environmental duty, all possible breaches of the EA should be reported to the administering authority as soon becoming aware of the matter, even if there is uncertainty as to whether a condition of the EA has been breached.

2.4.3 Notification

If the matter is an emergency, call 000.

Under Sections 320 to 320G of the EP Act, persons have a duty to notify the administering authority within 24 hours of becoming aware of any incidents or activities that cause or threaten to cause serious environmental harm or material environmental harm. In addition, the EA requires that any breach of a condition of the EA is reported no more than as soon as practicable within 24 hours of becoming aware of the breach.

The Quarry Manager must notify the administering authority via telephone and email within 24 hours of becoming aware of the incident. The contact details of the administering authority for notification purposes are as follows:

Department of Environment, Science and Innovation
Phone: 1300 130 372 and select option 2 (during business hours of 8.30am to 5.00pm)
Email: PollutionHotline@des.qld.gov.au

Notification must include the following where known:

- Contact details for a site representative.
- Details of the affected land (e.g., site address, real property description, local government area, maps / plans of affected areas).
- EA reference number.
- Nature of the activity / circumstances that led to the incident.
- Timeframes for the event and when staff became aware (date and time).
- Event type (e.g., spill, fire, leaks, release, etc), source and environment affect (e.g. waterways, drains, land, etc).
- Details of any potential contaminants.
- Actions taken to resolve or remedy potential impacts.

All records of the incident or breach are to be stored at the site and made available to the administering authority upon request.

2.4.4 Investigation

All incidents are to be investigated. The investigations should include:

- Determining what activities were being carried out at the time of the incident and any equipment involved.
- Identifying whether equipment or activities on-site were the cause of the incident.
- Determining what potential actions may be carried out to resolve the matter and/or minimise the likelihood of further impacts.

Corrective action is to be implemented and an assessment conducted to determine what actions are to be taken to remedy the matter and/or prevent a similar incident from occurring.

Where monitoring is required to investigate an incident (e.g., water quality monitoring), a suitably qualified person as identified under the EP Act must be engaged to perform the monitoring and interpret any results.

2.5 Record Keeping

All environmentally relevant documentation, including approvals, corporate policies, procedures, forms, records, and reports required to be kept as per this EMP or conditions of approval shall be available at the approved premises for a period of at least five (5) years, and must be available for inspection by an authorised person.

2.6 Monitoring

Any monitoring required by a condition of approval or by this EMP must be carried out by a suitably qualified person(s) as defined under the EP Act.

All instruments, equipment and measuring devices used for measuring or monitoring in accordance with a condition of approval must be calibrated and appropriately operated and maintained.

All analyses of samples must be carried out by a laboratory that has National Association of Testing Authorities ('NATA') certification, or an equivalent certification, for such analyses.

2.7 Periodic Review of Environmental Performance and Continual Improvement

The EMP has been prepared for implementation as a continuous improvement program. The following key aspects of this EMP ensures continuous improvement results from the implementation of this EMP.

Commitment and Environmental Policy

Senior management are to commit to environmental performance through ensuring regulatory compliance, prevention of actual or potential environmental harm, and continuous improvement.

Planning

The EMP identifies environmental aspects associated with the site operations, such as potential impacts. EMP outlines the environmental objectives, performance targets and management measures for each environmental aspect.

Implementation

Implementation of the EMP outlines responsibilities, training requirements, communication procedures, and contingency plans. KQS will be responsible for ensuring additional implementation requirements are in place, such as preparing monitoring documentation, following procedures, and establishing communication pathways.

Checking

Monitoring of compliance will determine whether the environmental objectives are being met and will identify non-compliances. Additional actions that will check environmental performance include audits and review of the EMP.

Review

Reviews of environmental performance are to be undertaken at least annually and should review:

- Any monitoring data produced under the conditions of the EA and any trends.
- Any non-compliances reported, or complaints received, over the preceding 12 months and actions taken to achieve compliance / resolution.
- Changes in site approval documents, legislation and standards.
- The suitability of the EMP against the site development.
- Any measures that are proposed to be implemented over the coming 12 months to improve the environmental performance of the site.

A template for annual environmental performance reviews is included as **Attachment 1 – Annual Environmental Performance Review**.

The outcomes of all environmental performance reviews must be communicated to senior management for actioning as required.

The Quarry Manager may commission updates to this EMP as required to ensure that it meets the operational needs of the site. Periodic review of the EMP will ensure continuous improvement of the site environmental performance through adaption of management strategies to meet the changing needs of the site.

2.8 Responsibilities

Although responsibilities for implementation of the EMP have been assigned to the Quarry Manager, it must be noted that the Quarry Manager may delegate these responsibilities to a nominated person where required. Prior to delegation of duties, the Quarry Manager is to ensure that the nominated person has been adequately trained in relation to the delegated duties and is aware of their responsibilities.

3 Environmental Management Plans

3.1 Air Quality Management Plan

3.1.1 Objective

The activity will be operated in a way that protects the environmental values of air.

3.1.2 Purpose

This Air Quality Management Plan has been prepared to control potential air quality impacts occurring as a result of land disturbance necessary for the site operations. The *Environmental Protection Act 1994* and the associated *Environmental Protection (Air) Policy 2019* provide the legislation and regulatory controls for management of emissions to the atmosphere.

3.1.3 Performance Targets

- No environmental nuisance complaints in relation to air quality impacts (i.e., unmitigated emissions of dust, odours or light) associated with the site activities.
- Dust and particulate matter emissions generated by the activities must not cause exceedances of Dust and particulate matter not exceeding the levels shown in **Table 2 – Air Quality Parameters** when measured at the sensitive receptor.

Table 2 – Air Quality Parameters

Contaminant	Measure	Target Upper Limit
Dust Deposition	Deposition rate	120 mg/m ² /day
PM ₁₀	Concentration	50 µg/m ³ averaged over 24 hours
	Concentration	25 µg/m ³ annual average
PM _{2.5}	Concentration	25 µg/m ³ averaged over 24 hours
	Concentration	8 µg/m ³ annual average

3.1.4 Management Strategies

GENERAL

- Ensure sufficient on-site water supply is available for dust suppression.
- Apply good housekeeping practices.
- Monitor meteorological conditions to time potential dust generating activities with favourable weather conditions.
- Restrict vehicle and mobile machinery movements to designated routes to the extent practicable.

3.1 Air Quality Management Plan

WORK AREAS / TRAFFICABLE AREAS

- Limit high dust generating activities to periods of favourable weather conditions.
- Dampen down work areas, stockpiles, access roads and other hardstand areas by water spraying when visual surveillance indicates excessive dust generation.
- Restrict vehicle movements to designated routes to the extent practicable.
- Enforce speed limits on internal roads.
- Maintain road surfaces in good condition.

PROCESSING PLANT

- Use shielding and/or windbreaks where possible.
- Maintain equipment in accordance with the original equipment manufacturers' specifications.

STOCKPILES

- Limit the height of any stockpiles to <6m, where practicable.
- Locate stockpiles in a manner that protects from prevailing winds, and distance for transfer is limited.

TRANSPORT OF MATERIALS

- Ensure loads are appropriately contained and covered prior to leaving the site.
- Dampen down the load prior to transport where necessary.
- Clear spillages from side rails, tailgates and draw bars of trucks (following loading and tipping).
- Level loads prior to truck exit from the site (e.g., via rumble pad).
- Securely fix tailgates of all material transport vehicles prior to loading to prevent material.

3.1.5 Monitoring

Daily visual surveillance must be undertaken by all employees to ensure dust generation on-site is controlled appropriately. Dust and particulate monitoring must be undertaken at the request of the administering authority in accordance with the relevant conditions of the EA. Dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter.

3.1.6 Contingency Plan

Any complaint received in relation to dust impacts is to be managed by the Quarry Manager in accordance with **Section 2.3 – Complaint and Recording Response**. Any exceedance of the approved limits is to be reported to the administering authority in accordance with **Section 2.4-Incident Response Procedure**, and corrective action is to be identified and undertaken in consultation with the administering authority. In the event that air quality monitoring (dust and/or particulate matter) determines an exceedance of the approved limits (noted under *Performance Targets*), the Quarry Manager, in consultation with management, may engage the services of a suitably qualified person to determine additional management strategies to mitigate impacts. Additional air quality monitoring should be undertaken as necessary to determine the effectiveness of any additional management strategies employed in response to exceedance of approved limits.

3.2 Water Quality Management Plan

3.2.1 Objective

The activity will be operated in a way that protects the environmental values of water.

3.2.2 Purpose

This Water Quality Management Plan has been prepared to control potential environmental impacts occurring as a result of land disturbance necessary for the site operation.

3.2.3 Performance Targets

- To ensure all prescribed water contaminants (Schedule 10 EP Reg) including sand, suspended solids, turbid waters, chemicals, lubricants, or fuels are not released from the site.
- Stormwater runoff from disturbed areas of the site, generated by (up to and including) a 24-hour storm event with an average recurrence interval of 1 in 10 years must be retained on site or managed to remove contaminants prior to release.
- An uncontrolled release from site should only occur under exceptional circumstances such as the site receiving a rainfall event larger than a 24-hour storm event with an ARI of 1 in 5 years.
- Water that is controlled released from the site is to comply with conditions of the EA.

3.2.4 Management Strategies

The Bell Quarry will continue to be operated in accordance with the existing approved Stormwater Management Plan ('SMP') (refer **Attachment 2 – Stormwater Management Plan**). No changes to the approved disturbance footprint or depth of extraction are proposed. Therefore, the existing SMP continue to be a relative management document for the Bell Quarry operation.

The following provides a general summary of water quality control measures.

SEDIMENT BASINS

- Within 120 hours of the most recent rainfall event, the required design capacity of the upper settling volume is available for capture and storage of stormwater runoff from the next rainfall event¹.
- Sediment basins must be designed to capture sediment up to a depth of 0.5 m within the base of the pit. An indicator marker is to be installed at the base of the pit to identify the level of sediment accumulated.
- Site features such as extraction pits and drop cuts may be utilised as on-site storage.
- Sediment is to be removed to return the sediment basins to full capacity on a periodic basis or when the sediment level is approaching the sediment storage capacity.

¹ DES, (2014). *Guideline: Stormwater and environmentally relevant activities*. Accessed 14 July 2022 via https://environment.des.qld.gov.au/_data/assets/pdf_file/0028/89119/pr-gl-stormwater-guideline-era.pdf

3.2 Water Quality Management Plan

EROSION AND SEDIMENT CONTROLS

Site Management

- Allow stormwater to pass through the site in a controlled manner and at non-erosive flow velocities up to the specified design storm discharge.
- Minimise soil erosion resulting from rain, water flow and/or wind.
- Minimise adverse effects of sediment runoff, including safety issues.
- Prevent, or at least minimise, environmental harm resulting from work-related soil erosion and sediment runoff.
- Ensure that use of land/properties adjacent to the development are not diminished as a result of the adopted Erosion and Sediment Control measures.

Land Clearing

- Land clearing is to be undertaken in conjunction with development of each stage of the quarry and must be within the approved extraction limits.
- Bulk tree clearing must occur in a manner that minimises disturbance to existing ground cover (organic or inorganic).
- No land clearing is to be undertaken unless preceded by the installation of adequate drainage and sediment control measures, unless such clearing is required for the purpose of installing such measures, in which case, only the minimum clearing required to install such measures is to occur.
- Prior to land clearing, areas of protected vegetation, and significant areas of retained vegetation must be clearly identified for the purposes of minimising the risk of unnecessary land clearing.
- All reasonable and practicable measures must be taken to minimise the removal of, or disturbance to, those trees, shrubs and ground covers (organic or inorganic) that are intended to be retained.
- All land clearing must be undertaken in accordance with applicable legislation.
- Land clearing is limited to the minimum practicable extent during those periods when soil erosion due to wind, rain or surface water is possible.

Stockpile Management

- Adequately protect stockpiles from wind, rain, concentrated surface flow and excessive upslope stormwater surface flows.
- Located at least 5 m from any hazardous area, retained vegetation or concentrated drainage line.
- Located up-slope of an appropriate sediment control system.
- A suitable flow diversion system must be established immediately up-slope of a stockpile.
- Prior to wet season (generally from December to March) overburden / soil stockpiles should be revegetated with temporary groundcover and/or located out of concentrated stormwater flow paths.

Drainage Control

- Adequately protect stockpiles from wind, rain, concentrated surface flow and excessive upslope stormwater surface flows.
 - Located at least 5 m from any hazardous area, retained vegetation or concentrated drainage line.
 - Located up-slope of an appropriate sediment control system.
 - A suitable flow diversion system must be established immediately up-slope of a stockpile.
-

3.2 Water Quality Management Plan

- Prior to wet season (generally from December to March) overburden / soil stockpiles should be revegetated with temporary groundcover and/or located out of concentrated stormwater flow paths.

Sediment Control

- Efforts are to be employed to trap sediment within the site, and as close as practicable to its source.
- Sediment traps must be installed and operated to both collect and retain sediment.
- The potential safety risk of proposed sediment control devices to site workers, visitors and the public must be given appropriate consideration, especially those devices located within commonly accessible areas.
- All reasonable and practicable measures must be taken to prevent, or at least minimise, the release of sediment from the site.
- Suitable all-weather maintenance access must be provided to all sediment control devices.
- Sediment control devices must be de-silted and made fully operational as soon as reasonable and practicable after a sediment-producing event, whether natural or artificial, if the device's sediment retention capacity falls below 75% of its retention capacity.
- Materials, whether liquid or solid, removed from sediment control devices during maintenance or decommissioning, must be disposed of in a manner that does not cause ongoing soil erosion or environmental harm.

Site Maintenance

- All erosion and sediment control measures, including drainage control measures, must be maintained in proper working order at all times during their operational lives.
- Sediment removed from sediment traps and places of sediment deposition must be disposed of in a lawful manner that does not cause ongoing soil erosion or environmental harm.

3.2.5 Monitoring

Visual inspection of the operations area is to be undertaken by the Operations Manager (or delegate) on a daily basis. Any monitoring requirements outlined in the EA must be undertaken as prescribed.

3.2.6 Contingency Plan

If a release of contaminants occurs off-site not in accordance with the conditions of the EA, the administering authority must be notified, and an investigation conducted to identify appropriate action to resolve the issue to the fullest practicable extent. Refer to **Section 2.4 – Incident Response Procedure**.

3.3 Hydrocarbon and Chemicals Management Plan

3.3.1 Objective

The activity is operated in a way that protects the environmental values of land, air and water including soils, subsoils, landforms and associated flora and fauna.

3.3.2 Purpose

The Hydrocarbons and Chemicals Management Plan has been prepared to control the potential for spills or leaks from chemicals and hydrocarbons associated with the site activities.

3.3.3 Performance Targets

- No land contamination from the site activity that would require registration on the Contaminated Land Register ('CLR').
- No serious spills of oils, greases, fuels, or other hazardous chemicals.
- No preventable release of hydrocarbons and chemicals to the environment.

3.3.4 Management Strategies

GENERAL

- Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.
- Refuelling, equipment maintenance and cleaning of vehicles is to be undertaken within a designated area, or offsite.
- Spills are to be cleaned up immediately with appropriate spill kits. Spillages must not be cleaned up in a way that releases wastes, contaminants or other materials to any stormwater drainage systems or waters.
- All new employees are to be inducted on the use of handling of chemicals used on-site.
- All plant, equipment and vehicles are to be serviced and maintained in the designated workshop, hardstand and/or concrete areas.
- All new employees are to be inducted on the use of handling of chemicals used on-site.

SPILL KITS

- Maintain appropriate spill kits and personal protective equipment at locations known to all employees (e.g., refuelling locations, chemical storage facilities, mobile equipment).
- Ensure employees are familiar with, and trained in, the use of proper spill clean-up procedures and always maintain a copy of the procedures at the site.
- Undertake regular spill kit inventory checks to ensure sufficient materials and supplies are available in the event of a spill.

DISPOSAL

- Hydrocarbon contaminated materials are to be appropriately disposed of at a licensed facility.
- Records are to be kept on disposal of waste for all regulated waste materials.

3.3 Hydrocarbon and Chemicals Management Plan

3.3.5 Monitoring

Areas where handling of hydrocarbons and chemicals occur (e.g., refuelling, or minor on-site servicing) shall be regularly inspected by the Quarry Manager.

The Quarry Manager must ensure that adequate resources are available for management of hydrocarbons and chemicals, and is to ensure that all personnel carrying out service and maintenance activities are appropriately qualified to do so.

3.3.6 Contingency Plan

In the event of any spill, implement the steps outlined in **Diagram 4 – Spill Response Procedure**. Remediation of land contamination may be required in the event of more serious incidents; however, KQS are to consult with a suitably qualified person to determine the nature and extent of any contamination remediation process.

Any incident caused by handling of hydrocarbons or chemicals which has the potential to cause environmental harm must be reported and investigated by the Quarry Manager or delegate in accordance with **Section 2.4 – Incident Response Procedure**, and corrective action is to be identified and undertaken.

SPILL RESPONSE PROCEDURE

1. INITIAL ASSESSMENT



For emergencies call 000

Advise the Site Supervisor immediately.

Assess the following:

- What is the type and volume of the spill
- What is the source?
- What PPE is required according to the SDS?
- Are third parties needed to contain and manage the spill?

2. ISOLATE



Cease work in the area immediately.

Declare the area a no go zone and cordoned off where possible.

Avoid movement of plant/equipment into the area.

3. STOP THE SOURCE



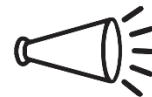
Locate and contain the source of the spill.

Stop the spill (e.g. close valves / taps, rotate damaged / punctured drums, plug leaks or gaps).

Protect water (e.g. block drains and outlets, apply drain covers, divert spills via spill berms, sandbag or similar).

Contain the spill use temporary bunds and spill kits, or absorbent materials (e.g., clay, rags).

4. NOTIFY



If a spill threatens or causes environmental harm, DES must be notified.

Spills within waterways pose a risk of environmental harm. DES must be notified, and professional assistance sought regarding clean-up operations.

5. CLEAN UP / REMOVAL



- Remove the spill by shovels and / or earthmoving equipment.
- Move plant and equipment to allow removal of the spill.
- Dispose contaminated soils / materials off-site via an approved regulated waste transporter to a licenced disposal facility.
- Do NOT dispose of any contaminated materials on-site.
- Do NOT use water or liquids to wash the spill area.

Spills within a waterway are to be cleaned up in accordance with advice provided by third parties, including DES.

6. INVESTIGATE



Investigate the cause of the spill and conduct a review of the on-site management measures to prevent a recurrence.

Carry any further notification or reporting requirements if directed to do so by DES.

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Diagram 4 – Spill Response Procedure

3.4 Noise Management Plan

3.4.1 Objective

The activity will be operated in a way that protects the environmental values of the acoustic environment.

3.4.2 Purpose

This Noise Management Plan has been prepared to control potential nuisance impacts that may occur as a result of noise associated with the site operations.

The EP Act and the associated *Environmental Protection (Noise) Policy 2019* provide the legislation and regulatory controls for management of noise in relation to protection of EVs.

3.4.3 Performance Targets

- No environmental nuisance complaints relating to the site operations.
- Noise at the site must not exceed the noise limits specified in the EA.

3.4.4 Management Strategies

- Quarrying operations and transport haulage must only operate between the following hours:
 - 7:00am to 6:00pm on Monday to Friday;
 - 8:00am to 2:00pm on Saturday; and
 - No operations are to be undertaken on Sundays and Public Holidays.
- Drilling and Blasting activities must only occur between the following hours:
 - 9:00am to 3:00pm on Monday to Friday;
 - No operations to be undertaken on Saturday, Sunday and Public Holidays.
- Fit mobile plant with broadband reversing alarms to mitigate nuisance from tonal characteristics.
- Ensure all modern mobile plant is fitted with effective exhaust silencers.
- Ensure all site equipment, machinery and vehicles are serviced in accordance with the manufacturers' specifications as a minimum.
- Wherever possible, work areas should be designed to allow forward-in, forward-out movement of plant and vehicles to avoid a requirement to reverse.
- Engines, pumps and compressors are to be enclosed where practicable.
- Equipment and machinery are to be shut down when not in use.
- Unnecessary revving of mobile or stationary motors and engines is to be avoided.
- Ensure that equipment at the site is used for the intended purpose.
- Ensure that any extraneous noises are rectified.

3.4.5 Monitoring

- Ensure regular surveillance of the site to qualitatively assess noise generation from the operations.
- The Manager is to initiate noise monitoring when requested by the Department of Environment, Science and Innovation ('DESI'), or as otherwise deemed necessary, to investigate noise complaints.
- Any monitoring must be in accordance with the most recent version of the administering authority's *Noise Measurement Manual* (DES 2020).

3.4 Noise Management Plan

- When required by the administering authority, noise monitoring must be undertaken, and the results notified within 14 days to DESI.

3.4.6 Contingency Plan

Any complaint received in relation to noise impacts is to be managed by the Quarry Manager in accordance with **Section 2.3 – Incident Response Procedure**.

Should the outcomes of noise monitoring undertaken upon the request of the administering authority determine an exceedance of the specified limits, the administering authority notification is to be carried out in accordance with **Section 2.4 – Incident Response Procedure**, and corrective action is to be identified and undertaken.

Where necessary, advice should be sought from a suitably qualified person as to whether additional management measures are required to minimise noise. Additional noise monitoring must be undertaken where necessary to determine the effectiveness of the additional management strategies

3.5 Waste Management Plan

3.5.1 Objective

Any waste generated, transported, or received as part of carrying out the activity is managed in a way that protects all environmental values.

3.5.2 Purpose

This Waste Management Plan has been prepared with reference to the conditions of approval to ensure wastes produced on-site are appropriately managed.

The type of wastes that may be generated at the site may include, but are not necessarily limited to the following:

- Regulated wastes (e.g., batteries, oil filters, waste oil/hydrocarbons and containers, oil/water emulsions and tyres).
- Scrap metal and used or faulty parts and equipment.
- General waste such as food waste, packaging and consumables.
- Green waste.

The *Waste Reduction and Recycling Act 2011* ('WRR Act') nominates a waste and resource management hierarchy in a preferred order of adoption. The hierarchy is as follows:

- (a) *AVOID unnecessary resource consumption*
- (b) *REDUCE waste generation and disposal*
- (c) *RE-USE waste resources without further manufacturing*
- (d) *RECYCLE waste resources to make the same or different products*
- (e) *RECOVER waste resources, including the recovery of energy*
- (f) *TREAT waste before disposal, including reducing the hazardous nature of waste*
- (g) *DISPOSE of waste only if there is no viable alternative.*

3.5.3 Performance Targets

- Implement the WRR Act waste management hierarchy.
- Maintain a record of wastes requiring off-site disposal.
- Meet all legislated waste tracking requirements in accordance with the EP Reg.
- No unlawful disposal of wastes on or off-site.

3.5.4 Management Strategies

WASTE AVOIDANCE

Waste avoidance relates to preventing the generation of waste or reducing the amount of waste generated. Reasonable and practicable measures for achieving waste avoidance may include, but are not necessarily limited to:

- Input substitution (using recyclable materials instead of disposable materials, for example using oil delivered in recyclable steel drums instead of non-recyclable plastic containers).
- Increased efficiency in the use of raw materials, energy, water, or land (purchasing consumables in bulk (large containers) rather than in small quantities).
- Improved maintenance and operation of equipment (keep equipment in good working order to reduce wear and overhaul).
- Undertaking an assessment of waste minimisation opportunities from time to time.

3.5 Waste Management Plan

WASTE REUSE

Waste re-use refers to re-using waste, without first substantially changing its form. Reasonable and practicable measures for reusing waste may include, but are not necessarily limited to:

- Recovering and separating solvents, metals, oil, or components or contaminants and reusing separated solvents for degreasing plant and equipment.
- Applying waste processing fines to land in a way that gives agricultural and ecological benefits (using fine sediments in rehabilitation activities).
- Using overburden for constructing bunds and landforming.
- Reusing silt/sediment on-site to the maximum practicable extent.

WASTE RECYCLING

Waste recycling refers to treating waste that is no longer useable in its present form and using it to produce new products. Reasonable and practicable measures may include, but are not necessarily limited to:

- Recovering oils, greases, and lubricants for collection by a licensed oil recycling contractor, recovering, separating, and recycling packaging (including paper, cardboard, steel and recyclable plastics).
- Recycling used plant and equipment to the maximum practicable extent.
- Finding alternatives to disposal of non-recyclable materials (using conveyor belts for noise attenuation, mudflaps, ute tray liners).
- Providing suitable receptacles and storage areas for collection of materials for recycling.

ENERGY RECOVERY FROM WASTE

This refers to recovering and using energy generated from waste. Due to the scale of the operation, energy recovery is not considered viable.

WASTE DISPOSAL

This refers to disposing of waste which cannot otherwise be reused, recycled or used for energy recovery. Reasonable and practicable measures may include, but are not necessarily limited to:

- Regulated wastes must be transported and disposed of in accordance with the *Environmental Protection Regulation 2019*.
- Disposal to a licensed waste disposal facility (i.e., landfill or transfer station).

WASTE STORAGE

- Waste storage containers or areas are to be provided and located at safe and convenient locations at the site.
 - Any storage containers are to be identified with the type of wastes which may be disposed of in each container.
 - Carry out a daily housekeeping and litter collection to ensure loose litter is contained and disposed of appropriately.
-

3.5 Waste Management Plan

- Whenever possible use fencing, enclosures, cover and other physical barriers to prevent inadvertent transport of litters off-site.

REGULATED WASTE

Regulated wastes are defined in the EP Reg. Waste management areas must include a dedicated section for regulated wastes, which must be stored within sealed containers within a bunded area in accordance with Australian Standards and the following minimum requirements:

- All regulated wastes will be transported off-site by a suitably licensed commercial transporter with an ERA 57 Regulated Waste Transport (or equivalent) approval.
- To assist in the collection and transfer of regulated wastes, designated regulated waste bins, drums and skips must be used. Where possible these regulated waste storage containers should be located at the work location where the waste is being generated and then returned to the designated regulated waste storage areas for storage prior to offsite disposal or recycling.
- Dedicated regulated waste storage areas must be provided to prevent the mixing of regulated wastes with other stored material or with incompatible hazard classes. Wastes must only be deposited into designated areas within the applicable storage area.
- Storage areas for regulated wastes must be constructed in accordance with AS 1940-2004 or an equivalent Australian Standard.
- Any regulated waste stored at the site should be recorded in a Waste Management Register or similar.
- Where possible, regulated waste stores must be lockable to prevent access by unauthorised persons.
- As soon as practicable, remove and dispose of all regulated waste to a licensed waste disposal facility or recycling facility using a licenced contractor.

TRACKABLE WASTE

Certain regulated wastes as defined under Schedule 9 of the EP Reg are to be tracked in accordance with the requirements of Section 11 of the EP Reg. **Diagram 5 – Waste Tracking Requirements (Paper Based System)** provides an overview of the waste tracking requirements for each stakeholder in the transport and handling of trackable waste chain.

3.5.5 Monitoring

All site personnel shall be responsible for ensuring wastes are stored and removed from the site on a regular basis.

The Quarry Manager must:

- undertake ongoing visual inspections to ensure the waste management hierarchy is being effectively implemented.
- undertake daily visual inspections of baled materials to identify and remedy any damage to covering materials.
- ensure that waste treatment measures are implemented at the site.

3.5 Waste Management Plan

- ensure that waste receptacles are provided, and that temporary waste storage areas are signed; recycling bins are emptied when full and materials which may cause land contamination are not disposed of on the site.
- keep a record of regulated waste generated at the site, treatment and disposal methods, approved contractors for transporting and disposing of waste and the location of the facility for accepting the waste.

3.5.6 Contingency Plan

Where a non-compliance is identified, a review of the Waste Management Plan is to be undertaken to determine areas for improvement and additional staff training on waste management procedures and waste handling is to be undertaken.

Where KQS become aware that putrescible, trackable or regulated wastes have been inappropriately disposed of, or an incident occurs involving potential or actual environmental harm, the incident must be notified to the administering authority in accordance with **Section 2.4 – Incident Response Procedure**, and corrective action is to be identified and undertaken.

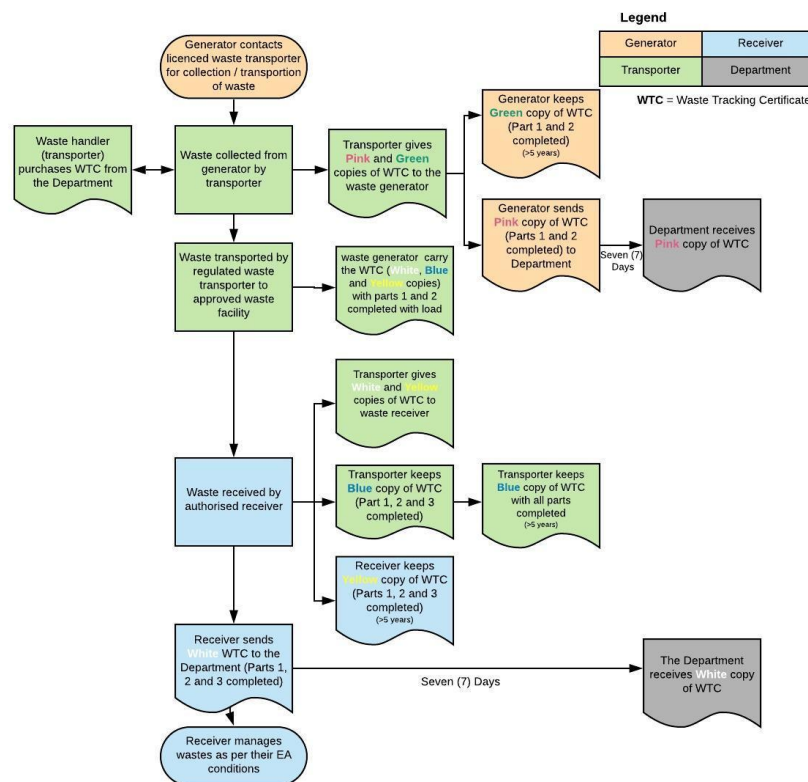


Diagram 5 – Waste Tracking Requirements (Paper Based System)

(Source: Figure adapted from the *Waste tracking guidelines (DES, 2020)*)

3.6 Fauna and Flora Management Plan

3.6.1 Objective

The activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna.

3.6.2 Purpose

This Flora and Fauna Management Plan has been prepared to detail the necessary mitigation measures when undertaking this activity to prevent impacts to flora and fauna not already approved for the project.

3.6.3 Performance Targets

- No vegetation clearing outside the specified, pre-approved boundaries.
- Final searches for fauna and their relocation as appropriate is to be carried out prior to all vegetation clearance.
- Minimise injury or death of wildlife.
- No increase in level of weed and pest infestation as a result of construction activities.
- Downstream habitats are not degraded by sediment deposition, scouring or water quality degradation.
- Downstream flow changes remain within natural fluctuations.

3.6.4 Management Strategies

FLORA

- Prior to clearing of any remnant vegetation, it is recommended that an assessment of the area is undertaken prior to work commencing to determine the presence of weed outbreaks, hollow baring trees, threatened species, communities or their habitat. Any significant areas are to be mapped, and areas not approved for clearing are to be delineated with exclusion fencing or flagging to prevent over clearing occurring.
- Survey pegs or bunting flags are to be established around the full extent of each vegetation clearing stage and the total approved vegetation clearing area to ensure no over clearing or encroachment occurs.
- All machinery operators are to be briefed in a toolbox talk about site specific vegetation clearing to ensure the task and associated risks are well understood.
- All machinery to be used during land clearing operations is required to be weed free prior to arriving at site.
- Significant features of the landscape that could be reused on site during rehabilitation to create habitat structures are to be identified and salvaged prior to land clearing operations.
- Undertake vegetation clearing in stages.
- Implement measures to avoid the spill of earth and rock downslope of the development footprint into areas of retained vegetation.
- Design and install temporary erosion control measures to avoid impacts on retained vegetation downslope of the development footprint.
- Leave ground layer vegetation (grasses and herbs) in situ wherever possible to assist soil stability. Mulching of heavily disturbed areas can assist in reducing soil erosion. Where necessary, temporary interception devices such as hay bales or geotextile fabric fencing can be employed to slow stormwater and intercept sediment.

3.6 Fauna and Flora Management Plan

- Non-millable vegetation can be mulched and used in rehabilitation or soil stabilisation works, provided that no weeds are incorporated into the mulch.
- Undertake regular monitoring of the health and condition of retained vegetation and habitat, and the health of significant plant specimens.

GENERAL FAUNA

- Limit activities to daylight hours as far as practicable.
- Vegetation clearing must be undertaken in a staged manner to allow ground dwelling and avian fauna to disperse away from areas being cleared on their own accord.
- Land clearing is to be in a staged manner and to the minimal extent required to advance the next stage of development.
- Habitat features such as hollows and log piles are to be salvaged, where possible, and placed in nearby (retained) habitat areas and used in the rehabilitation of the site.
- Work areas are to be checked regularly for fauna that may have entered the work area or become trapped. The sediment dam should remain fenced to exclude native fauna from watering from this area where they could potentially become trapped.
- If fauna must be relocated, a qualified spotter catcher who holds a rehabilitation permit must be engaged to handle, capture and or relocate native fauna.
- All waste receptacles are to remain sealed and covered at all times to prevent attaching native wildlife into the operational areas of the site.
- No pet animals are allowed to be brought onto the site.

WEED CONTROL

- Weed control is to be carried out at the site on an ongoing basis by a suitably qualified person with relevant accreditation (e.g., ACDC licence or equivalent).
 - Clearing for subsequent stages is to be staged and to the minimum extent necessary to advance the stage of development to prevent rapid spread of weeds in cleared areas.
 - Areas of weed infestation are to be isolated and management action is to be implemented to control the specific weeds identified.
 - To ensure risks of weed spread are minimised to the maximum extent possible, the operator is to implement the measures outlined in the Department of Agriculture and Fisheries (DAF) *Vehicle and Machinery Cleandown Procedures* (DAF 2019), accessed via https://www.daf.qld.gov.au/data/assets/pdf_file/0011/58178/cleandown-procedures.pdf. This is not limited to carrying out cleandown practices, and implementing the following measures to reduce weed spread (DAF 2019, p. 6):
 - Avoid driving off-road in areas known to contain declared plants (e.g. giant rat's-tail grass, parthenium weed) or in other areas that present a risk of vehicle or machinery contamination.
 - Do not drive through infested paddocks.
 - Ensure clothing and footwear is free of soil and plant material before stepping into vehicles.
 - Avoid driving or working in contaminated areas in wet or dewy conditions.
 - Clean vehicles and machinery suspected of carrying soil or plant material.
 - Begin work in clean areas or in areas with the least amount of infestation and work towards infested or high-density areas.
-

3.6 Fauna and Flora Management Plan

- Keep roads, laneways and buffer zones free of invasive plants.
- Where possible, work infested areas separately and clean down equipment thoroughly before moving to another area.
- Avoid slashing and other work in infested areas during peak seed production times.
- Secure loads (e.g. grain, fodder) if you suspect they contain weed seeds.

3.6.5 Monitoring

- A fauna mortality register is to be maintained to document the location and frequency of mortality and the fauna species most susceptible to injury and death, to enable on-going modifications to fauna conservation management strategies where necessary.
- The condition of all site fencing is to be inspected regularly to determine maintenance requirements.
- Operational areas are to be inspected daily prior to commencement of work to determine if fauna is present. If fauna is present, they are to be relocated or moved on as appropriate.

3.6.6 Contingency Plan

The Site Manager is to be notified immediately of any incident resulting in the harm, injury or death of a fauna species. Injured, sick or orphaned wildlife must be reported to the RSPCA on 1300 264 625.

Where a Category 2 restricted invasive plant as defined under the *Biosecurity Act 2014* is identified, the invasive plant must be reported within 24 hours Biosecurity Queensland on 13 25 23.

Where a non-compliance is identified, a review of these measures is to be undertaken to determine areas for improvement. Where necessary, additional staff training or engaging an appropriately qualified third party to undertake an audit of these controls.

All incidents relating to actual or potential impacts involving protected matters including impacts to protected vegetation or species must be reported to the administering authority in accordance with **Section 2.4 – Incident Response Procedure**.

3.7 Rehabilitation Management Plan

3.7.1 Objective

The activity is operated in a way that protects the environmental values of land including soils, subsoils, landforms and associated flora and fauna.

3.7.2 Purpose

This Rehabilitation Management Plan has been prepared to assist with site rehabilitation.

3.7.3 Performance Targets

- Land that has been disturbed for activities must be rehabilitated in a manner such that:
 - suitable native species of vegetation for the location are established and sustained for earthen surfaces.
 - potential for erosion is minimised.
 - the quality of water released from the site, including seepage, does not cause environmental harm.
 - potential for environmental nuisance caused by dust is minimised.
 - the water quality of any residual water body does not have potential to cause environmental harm.
 - the final landform is stable and protects public safety.
- Rehabilitation of disturbed areas must take place progressively as works are staged and new extraction areas are commenced.

3.7.4 Management Strategies

REHABILITATION ACTIVITIES

The following measures are to be implemented for rehabilitation activities at the site:

- Using earthmoving equipment to progressively shape and trim disturbed areas.
- Rounding or marrying the contours into the natural ground surface.
- Topsoiling and revegetating re-profiled surfaces.
- Providing access to the rehabilitated areas to allow ongoing maintenance.
- Designing landform and drainage to control erosion for the particular hydrological regime, ensuring the hydrological regime that existed prior to the development of the site is reinstated.
- Revegetating the banks with a combination of natural regeneration, hydro-mulching, seed broadcasting, seedling planting and direct seeding.
- Undertaking appropriate weed control to prevent rehabilitated areas from being overrun with weed species.
- All compacted surfaces are to be ripped along contour lines where ground conditions and hydrology allow.

The Key Performance Indicators ('KPIs') summarised in **Table 3 – Key Performance Indicators for Rehabilitation** have been established to provide quantifiable measures for achieving the performance targets for rehabilitation. Each of the KPIs are assigned to KQS for completion; however, should KQS require assistance to measure the achievement of these KPIs, they may engage a suitably qualified person.

3.7 Rehabilitation Management Plan

Table 3 – Key Performance Indicators for Rehabilitation

KPI Description	Measure(s)	Critical Timeframe
The final landform demonstrates consideration for the surrounding undisturbed areas and land zoning.	True / False.	Prior to lodgement of application for surrender.
Suitable species are to be utilised for revegetation.	Species Suitable for Revegetation.	Prior to commencement of rehabilitation activities.
Groundcover achieves a suitable density to protect surface soils from rain-induced erosion (DES 2014).	Groundcover at a minimum of 70% (DES 2014).	Assessment prior to any stormwater management device reduction or removal; and, Final assessment prior to surrender application.
Erosion rates of soil / sediment from disturbed areas associated with the extractive industry activities does not exceed natural rates experience for the locality.	Local erosion rate calculated and compared against actual site erosion rates.	Within three months of completion of each stage of the quarry (including at final stage).
Evidence that water quality of any residual water bodies complies with the water quality objectives of the EA or other agreed release parameters. Alternatively, water bodies are to be filled and stabilised with vegetation to create a clean, free-draining catchment.	Water quality objectives of EA conditions or other agreed Water Quality Objectives (e.g., Livestock Watering Guidelines).	Prior to lodgement of a surrender application for the EA.
Air quality of the final landform achieves levels consistent with adjacent undisturbed areas through establishment of the final landform.	Visual surveillance and complaints register review.	Prior to lodgement of a surrender application for the EA.
Review of geotechnical stability confirms that the site is stable and not subject to slumping.	Geotechnical assessment.	Prior to lodgement of a surrender application for the EA.
Assessment confirms the slope stability of final landforms.	Slope ratio, degree, or percentage.	Prior to lodgement of application for surrender.

3.7 Rehabilitation Management Plan

Landowner statement(s) obtained for: <ul style="list-style-type: none"> any retained items of extractive industry-related infrastructure; and satisfaction with the rehabilitated final landform. 	True / False.	Prior to lodgement of application for surrender.
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PROGRESSIVE REHABILITATION

Rehabilitation is to be undertaken progressively throughout the life of the operations and is to commence in each area as soon as practicable after it is no longer required for operational purposes. Progressive rehabilitation will be deemed complete when the Key Performance Indicators are achieved (refer to **Table 3 – Key Performance Indicators for Rehabilitation**).

TOPSOIL AND SUBSOIL MANAGEMENT

The following measures should be implemented for topsoil and subsoil stripping:

- Materials should not be stripped when too wet or too dry.
- When stripped, materials should be used directly for rehabilitation to the maximum practicable extent or stockpiled and preserved for future use.
- Stockpiling of materials should not exceed a height of 2 m and should be shaped and revegetated to protect the soil from erosion and weed infestation.
- Stockpiles should be maintained in a free draining condition and long-term soil saturation should be avoided.
- Runoff waters external to the areas to be stripped should be diverted away from the working area.
- Stripping of topsoil should be limited to the minimum area necessary.

The following measures should be implemented for topsoil and subsoil spreading:

- Whenever possible, stripped materials should be directly placed on an area undergoing rehabilitation.
- Areas to be re-spread should be shaped prior to placing materials over the re-profiled surface.
- Equipment used to spread materials should be scheduled to avoid compaction.
- Before resspreading the materials, loosen the underlying substrate to break up any compacted or surface sealing and to enable keying of the two (2) materials.
- On slopes less than 3(H):1(V), loosen lightly compacted substrate, ensuring all ripping operations occur along the contour.
- Materials are to be removed from stockpiles in a manner that avoids vehicles travelling over the stockpiles.
- Materials are to be respread in the reverse sequence to its removal so that the original upper soil layer is returned to the surface to re-establish the entrapped seed content of the soil.
- Ensure all exposed substrates are covered with a minimum 150mm of suitable topsoil / subsoil to enable success of revegetation.

3.7 Rehabilitation Management Plan

- After spreading materials, ensure the surface is left in a roughened state to assist moisture infiltration and inhibit soil erosion.
- Prior to any revegetation, cultivate any compacted or crusted topsoil surfaces (to a depth no greater than the depth of the materials to be spread).
- Spreading is to be immediately followed by revegetating wherever possible.
- If erosion occurs on treated surfaces, the area is to be re-spread with additional materials and revegetated.

WEED AND PEST CONTROL

- Any materials (e.g., soil, mulch, straw) brought onto site for rehabilitation are to be inspected to ensure they are free from weeds and pests.
- Prior to the establishment of vegetation, a spraying campaign may be required to control weeds to prevent migration of weed species into areas under rehabilitation.
- Alternative methods for controlling both grass and weeds include manual weeding, burning, slashing, weed matting and mulching.
- Predation (e.g., grazing animals, birds and insects) are risks for revegetation. Depending on the situation, specific measures may be required to protect the works from predation such as fencing.

WATER BODIES

Water bodies are likely to remain within the final landform, created through the final extraction void and sediment basins utilised for stormwater management during the operational phase of the quarry.

Water bodies are to be converted to clean water storages where they are to be retained in the final landform. This can be achieved by:

- Cleaning sediment from the base of water storages.
- Battering slopes to achieve grades of no more than 3(H):1(V) where practicable.
- Ensuring that the water quality within these water storages is suitable for future use.

KQS is to engage a suitably qualified person to assess water quality of any residual water bodies at the site to ensure that the release parameters specified by the EA conditions, or other water quality objectives agreed with the administering authority.

INFRASTRUCTURE

Infrastructure that is to remain on-site after the surrender of the approvals may only be retained where a landowner agreement has been provided to the administering authority which clearly itemises the infrastructure that will remain, and detail the condition it is to remain in. It is anticipated that the following infrastructure would be suitable for retention:

- Access tracks and roads.

Plant, equipment, and buildings (including demountable and mobile infrastructure) should be removed from the final landform.

A landowner's agreement is to be obtained at cessation of the rehabilitation to confirm satisfaction with the rehabilitation site and for retention of any infrastructure within the landform.

3.7 Rehabilitation Management Plan

3.7.5 Monitoring

The Quarry Manager or delegate must conduct regular inspections of any rehabilitated areas to ensure maintenance and repairs are carried out as necessary.

The monitoring and management program will review the ongoing success of the rehabilitation treatment. The Quarry Manager or delegate may engage a consultant to assist with any detailed monitoring or management of rehabilitation. The key parameters to be measured as part of the rehabilitation monitoring and management program will include:

- Landform stability.
- Erosion and sedimentation.
- Groundcover success (<70% desirable).
- Vegetation species composition and density.
- Water quality.
- Weed presence.

Final rehabilitated areas are to be visually monitored by the Quarry Manager or delegate and, where relevant, assessed by suitably qualified persons to determine the effectiveness of measures implemented.

3.7.6 Contingency Plan

In the event that monitoring identifies failures in the rehabilitation implementation, the following contingency measures may be used, however; these will be adapted to the particular failure identified:

- Replacement of failed plantings to increase establishment / success rates.
 - Use of fertilisers and soil ameliorants where necessary.
 - Reprofilling or eroded or failed landforms.
 - Application of additional topsoil where necessary to support vegetation growth.
 - Impletion of additional erosion and sediment controls.
 - Water quality improvements where necessary.
-

3.8 Bushfire Management Plan

3.8.1 Objective

The activity will be operated in a way that minimises the risk of bushfires.

3.8.2 Purpose

This Bushfire Management Plan has been prepared to identify and manage potential impacts occurring as a result of bushfires.

3.8.3 Performance Targets

- Minimise the potential for spread of bushfires on site.
- Protect the people and property from bushfire impacts.
- Minimise potential impacts from bushfires on local flora and fauna.

3.8.4 Management Strategies

RISK CONTROL

- Ensure all staff on-site and other personnel are aware of evacuation procedures and the location and the use of firefighting equipment.
- Ensure there is an adequate water supply on-site in the event of a fire.
- Keep the operational areas tidy and not storing any material around the edges of the site that would increase bushfire risk.
- Maintain a site attendance register.
- Maintain a communications system with all on-site personnel.
- Maintain firebreaks in accordance with the allowable widths prescribed under the relevant legislation (in accordance with the *Planning Regulation 2017*, the clearing is limited to the establishment and/or maintenance of necessary firebreaks to protect buildings and structures (other than fences, roads and tracks) and must be a maximum width of 20 m or 1.5 times the height of the tallest adjacent tree (whichever is the greater)).
- Ensure availability of heavy earthmoving machinery and water trucks used in quarry operations to assist in the event of major bushfires, if required.
- Consult with adjacent landowners and fire services for implementing fire control management on-site in accordance with district/area fire control plans.

IGNITION SOURCE

- Appropriate signage is to be erected near flammable and combustible areas e.g. 'No smoking, stop engine', hazard symbols (explosive, flammable, combustible).
- Any cigarette butts must be free of embers and discarded into site bins.
- Smoking is only permitted in designated smoking areas and is not allowed in work vehicles.
- Vehicles and/or plant must be turned off during refuelling.
- Refuelling is to occur only in a designated area.
- Mobile phones must be switched off when refuelling.
- Ensure welding and other hot works is undertaken in controlled areas where potential for starting a fire is minimised.

3.8 Bushfire Management Plan

FIRE PROTECTION

- Ensure that extinguishers, fire hoses, fire blankets, sand buckets and other such equipment is regularly inspected and maintained in accordance with AS 1851-2005 (A4), Maintenance of Fire Protection Systems and Equipment (Standards Australia 2005).
- All vehicles and plant must be provided with fire protection equipment (e.g., fire extinguisher, fire blanket) that meets applicable Australian Standards.
- Staff should be trained in the correct use of fire protection equipment.
- All fire extinguishers must be clearly signed and their purpose clearly visible for the user.

FUEL STORAGE AREA

- Fuel storage areas must be located away from vegetation and office areas as per *AS 1940 - The storage and handling of flammable and combustible liquids* (Standards Australia 2017b).
- Aboveground bulk tanks and package stores are to be separated from each other as per *AS 1940 - The storage and handling of flammable and combustible liquids* (Standards Australia 2017b).
- Firefighting equipment must be located within proximity to these areas.

SITE PREPARATION AND MAINTENANCE

- Plan, create and/or maintain strategic firebreaks in order to implement hazard reduction works where necessary.
- Construct and maintain perimeter fencing to prevent unauthorised access where necessary.
- Incorporate fire safety management system for chemical fires for temporary buildings and on-site vehicles.
- Consult with the local fire station and council prior to each bushfire season in order to re-assess the situation, site conditions and predicted bushfire conditions for the bushfire danger period ahead.
- Maintain a line of contact with the fire station throughout the bushfire season.

REDUCE THE HAZARDS

- Assess fire risk each day and evacuate where necessary.
- Ensure no fuel load is available around work site.
- Create firebreaks around all temporary facilities and infrastructure on site.

3.8.5 Monitoring

- Regularly review and update the site evacuation procedures.
- Ensure regular surveillance of the site, to ensure access roads, fire trails and the edges of the operational area are maintained.
- All employees will be responsible for the identification and giving alarm of fires on-site or adjacent bush fires off-site.
- Monitor the site, conditions, and situation in order to evaluate changes occurring on or off site, e.g., changes in infrastructure, risks and hazards, legislative and environmental changes.

3.8.6 Contingency Plan

Should emergency fire services be required, dial '000' or '112' from a mobile cellular device.

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ATTACHMENTS

Attachment 1

Annual Environmental Performance Review

Annual Environmental Performance Review

Site:

Date:

Reviewer:

Approvals

1. Have there been any changes to the site approvals?
Note: consider the Environmental Authority, Development Permit, etc.

Yes ☐ No ☐

If yes, provide details of the change (e.g. change to Environmental Authority condition, or Development Permit condition). Include the date / reference number of the current approvals relevant to the site activities.

Environmental Monitoring

2. Has all monitoring required under the Environmental Authority been carried out?

Yes ☐ No ☐

If no, provide details

3. Has all monitoring required under the Environmental Management Plan (EMP) been carried out?

Note: Refer to Section 4. Environmental Management Plans for monitoring requirements.

Yes ☐ No ☐

If no, provide details

4. Were any exceedances of the approval limits recorded?

Yes ☐ No ☐

If yes, provide details.

5. Was the exceedance reported to the administering authority?

Yes ☐ No ☐

Provide details of any notifications to the administering authority and actions taken to address the exceedance (if any).

Complaints / Incidents

6. Have any complaints been received, or environmental incidents reported, over the previous 12 months?

Note: An environmental incident generally relates to an event which has caused, or threatens, serious or material environmental harm, consistent with the duty to notify of environmental harm under Division 2 of the *Environmental Protection Act 1994*.

Yes ☐ No ☐

If yes, briefly summarise the nature of the complaint and/or incident and any action taken to resolve the matter.

Site Operations

7. Have there been any changes to the site operations over the previous 12 months?

Yes ☐ No ☐

If yes, provide details and determine if any change to the EMP or associated management documents are required.

Proposed Measures for Improved Environmental Performance

8. Are any measures proposed to be implemented over the coming 12 months to improve the environmental performance of the site?

Note: Examples of measures may include; revised stormwater management measures, changes to fuel / chemical storage, etc.

Yes ☐ No ☐

If yes, provide details and determine if any change to the EMP or associated management documents are required.

Attachment 2

Stormwater Management Plan

BELL QUARRY

STORMWATER MANAGEMENT PLAN

Prepared for:
Harry Pickering

Date:
May 2021

File Ref:
2535.800.001

**Western Downs
Regional Council**

**APPROVED
19 January 2022**


**Kym Bannerman
A/PRINCIPAL PLANNER**

Document Control

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Principal Author:	M. Folker
Client:	Harry Pickering
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Engineering Certification

Name	RPEQ Number	Date	Signature
Mark Folker	17269	23/04/2021	

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1. Introduction

1.1 Background

Groundwork Plus were commissioned by the client to prepare a Stormwater Management Plan (SMP) for a proposed quarry located on land at 5610 Bunya Highway, Cooranga, QLD, 4626 RP Lot 42 AG3324 (herein referred to as the 'site').

The proposed quarry will be authorised by an Environmental Authority ('EA'), which will regulate for relevant Environmentally Relevant Activities ('ERAs') including:

- ERA 16(2)(a) – Extractive and screening activities (Extracting rock or other materials: 5,000-100,000t/yr); and
- ERA 16(3)(c) – Screening rock or other material (5,000-100,000t/yr)

1.2 Scope of the SMP

The scope of this SMP includes:

- Proposed operational management procedures for management of stormwater quantity and quality, relating to the proposed quarry;
- Compliance requirements for the operation, with reference to the ERA model conditions which are assumed to be applied;
- Stormwater quality and quantity assessment for existing and proposed operations to demonstrate non-worsening hydrology conditions; and
- Implementation and maintenance strategy.

This SMP outlines the operational management procedures to be adopted in order to integrate stormwater management (quality and quantity) into the proposed quarry operations to ensure compliance with the site EA and industry best practice.

1.3 Site Location

Refer to **Table 1 – Summary of Subject Land** for site location details.

Table 1 – Summary of Subject Land

Real Property Description	Lot 42 AG3324
Site Area	505 Hectares
Access	Access to the site is from the Bunya Highway.
Local Government	Western Downs Regional Council

1.4 Proposed Operating Conditions

The ERA 16 Model Operating Conditions (Extractive and Screening Activities) prescribe a number of conditions relating to stormwater and water quality management. These are assumed to apply to the proposed quarry and proposed conditions that are consistent with ERA 16 are summarised in **Table 2 – Proposed Surface Water Operating Conditions** and addressed in **Section 2 – Operational Procedures**.

Table 2 – Proposed Surface Water Operating Conditions

Condition Number	Proposed Condition Details						
Water 1	<p>The only contaminants to be released to surface waters are at Release Point RP1 & RP2 as identified in Drawing 2535.DRG.004 Revision 3 - in accordance with each of the limits specified in Table W1 – Water Quality Release Criteria for each quality characteristic.</p> <p>Table W1 – Water Quality Release Criteria</p> <table><tr><th>Quality Characteristic Determination</th><th>Release Limits</th><th>Frequency</th></tr><tr><td>Total Suspended Solids</td><td>Maximum 50mg/L</td><td>Prior to discharge and daily during discharge</td></tr></table> <p>Associated monitoring requirements</p> <ul style="list-style-type: none">• Monitoring must be in accordance with the methods prescribed in the current edition of the Department of Environment and Heritage Protection's Water Quality Sampling Manual.• Samples must be taken using representative samples.• All determinations must employ analytical practical quantification limits sufficiently low enough to enable comparisons to be made against water quality objectives / limits relevant to the particular water quality characteristic.• Monitoring must be undertaken during a release as per the frequency stated.• All monitoring devices must be correctly calibrated and maintained.	Quality Characteristic Determination	Release Limits	Frequency	Total Suspended Solids	Maximum 50mg/L	Prior to discharge and daily during discharge
Quality Characteristic Determination	Release Limits	Frequency					
Total Suspended Solids	Maximum 50mg/L	Prior to discharge and daily during discharge					
Water 2	Monitoring must be undertaken and records kept of contaminant releases at the monitoring points, frequency and for the parameters specified in condition Water 1.						
Water 3	Stormwater runoff from disturbed areas of the site, generated by (up to and including) a 24hour storm event with an average recurrence interval of 1 in 5 years must be retained on site or managed to remove contaminants prior to release.						
Water 4	The release to waters permitted under condition Water 1 must not contain any other properties at a concentration capable of causing environmental harm.						
Water 5	The release to waters permitted under condition Water 1 must not produce any slick or other visible evidence of oil or grease, scum, litter or other visually objectionable matter.						

2. Operational Procedures

An overview of the proposed Operational Procedures for implementation at the site are summarised below. These are to be regularly reviewed and updated to reflect changes in operations or EA conditions.

Aspect	Details
Purpose	The Operational Procedures have been prepared to manage potential environmental impacts that may result from the operation in relation to stormwater management.
Risk Sources and Potential Impacts	<p>Adverse impacts resulting from current and future operations may include the following:</p> <ul style="list-style-type: none"> • Overtopping of clean water dams and/or sediment basins; • Overland flow from disturbed areas, including unsealed internal access and haulage roads; • Overland flow from topsoil, overburden, raw material and product stockpile areas; • Wastewater from processing plant; • Overland flows from storage and handling areas of oils, greases, fuels and other chemicals; • Wastewater from vehicle wash-down facility; • Construction and maintenance of carpark, roads and hardstands; • Spillage during handling of materials; and • Use and storage of oils, greases, fuels and other chemicals.
Performance Targets	The overarching performance targets for the site relating to monitoring targets are detailed in the EA and outlined in Section 1.4 – Proposed Operating Conditions .
Responsibilities	The Operations Manager will be primarily responsible for the implementation of this SMP.
Strategies/mitigation measures	<p><u>Sediment basin and clean water dam infrastructure</u></p> <p>The infrastructure required to manage the requirements of the EA conditions and associated performance targets are outlined in Section 4 – Stormwater Quality Management, comprising a sediment basin and associated drainage features.</p> <p>The sediment basins will be operated and maintained in accordance with Section 4 – Stormwater Quality Management and the requirements below:</p> <ul style="list-style-type: none"> • Freeboard must be maintained in each sediment basin and clean water dam prior to rainfall events occurring to ensure adequate capture volume is available to meet EA conditions; • All releases from the site to waters must be carried out in accordance with EA <p><u>Diversion of clean surface water runoff</u></p> <p>The site is subject to upstream surface water from external catchment areas. The quarry must monitor and divert upstream catchments away from site operations wherever practical.</p> <p>Any drains or bunds proposed for diversion should have greater than 80% vegetation coverage where applicable or stabilised using an alternative material (rock lined, geofabric, erosion matting etc.).</p> <p>This coverage is required to be in-place at all times. Seeding of the exposed areas using approved native grass species. The grass species will be required to have the following characteristics (as per IECA 2008):</p> <ul style="list-style-type: none"> • Plants with a fibrous root system. • Plants that primarily grow horizontal rather than upright clumping plants. • Leguminous plants. • Non-invasive plants.

	<p><u>Oil separators, and Bunding of Fuels and Chemicals</u></p> <p>Clearly designate storage areas and do not deviate from assigned bunded areas for storage of chemicals and fuels unless a suitable secondary bund is provided. Oil separators to be provided where necessary.</p> <p>Storing and handling of hazardous chemicals, corrosive substances, toxic substances, gases, dangerous goods, flammable and combustible liquids in accordance with the relevant legislative requirements and Australian Standards including but not limited to the provisions of:</p> <ul style="list-style-type: none"> • AS 1692:2006 - Steel tanks for flammable and combustible liquids • AS 3780:2008 – The storage and handling of corrosive substances • AS 1940:2004 – The storage and handling of flammable and combustible liquid • AS 3833:2007 - Storage and handling of mixed classes of dangerous goods in packaged and intermediate bulk containers <p><u>Stockpile areas</u></p> <p>Stockpiles must be:</p> <ul style="list-style-type: none"> • Adequately protected from wind, rain, concentrated surface flow and excessive upslope stormwater surface flows. • Placated to direct drainage water to sediment basin systems in event of surface water runoff. • Maintained in a moist state including by use of sprinklers to minimise the risk of movement by wind.
Auditing	Stormwater management reviews are required to be carried out on a periodic bases to assess the implementation of the management strategies.
Identification of Incident or Failure	<p>Non-compliance with the performance criteria herein will be identified by:</p> <ul style="list-style-type: none"> • Lack of monitoring at the frequencies indicated in the EA • Stormwater in treatment system exceeds capacity after rainfall event due to insufficient freeboard • Release of contaminants from the site • Poor vegetation establishment • Poorly maintained, damaged or failed stormwater management devices
Corrective Action	The authorised representative shall be responsible for identification of incident or failure and completion of corrective actions. Following identification of incident or failure, the source/cause is to be immediately identified and rectified with records kept preventing future incidents occurring.
Internal Reporting	A copy of all incidents and complaints will be stored at the site within the incident and complaint register.
External Reporting	Reporting of non-compliance events including discharge of contaminants from the site are to be reported in accordance with EA requirements.

An inspection and maintenance program should be implemented as detailed in **Table 3 - Inspections and Maintenance of Stormwater and Wastewater Treatment Systems**. A summary schedule of the various inspections, performance criteria and responses that shall be performed on site is shown below.

Table 3 – Inspections and Maintenance of Stormwater and Wastewater Treatment Systems

Device	Minimum Frequency	Performance Criteria	Required Actions
Sediment Basins	Prior to forecast rainfall event, and after each rainfall event	<ul style="list-style-type: none"> Ensure adequate freeboard volume available, all ponds in satisfactory condition, no leaking or erosion 	<ul style="list-style-type: none"> Water to be managed or treated as required to meet EA requirements prior to release from site
Drainage lines including catch drains, Contour drains and diversions	Prior to forecast rainfall event, and after each rainfall event	<ul style="list-style-type: none"> Erosion in areas adjacent to water conveyancing structures 	<ul style="list-style-type: none"> Eroded areas shall be rehabilitated
Hardstand areas	Weekly	<ul style="list-style-type: none"> Sediment accumulation Visible silt 	<ul style="list-style-type: none"> Ensure site entry hardstand area is regularly swept to remove freestanding sediment and dust Monitor and manage the external catchment that flows across hardstand and divert away from release point.
Waste containers	Weekly	<ul style="list-style-type: none"> Waste is stored in appropriate containers Waste receptacles labelled 	<ul style="list-style-type: none"> Ensure waste material is stored and disposed of properly and in accordance with conditions of the EA and legislative requirements
Spill response stations	Weekly and following use	<ul style="list-style-type: none"> Equipment is properly maintained 	<ul style="list-style-type: none"> Maintain equipment Replace used equipment
Maintenance / refuelling area	Weekly	<ul style="list-style-type: none"> Fuel, oil spills 	<ul style="list-style-type: none"> Clean up fuel spills and investigate source
		<ul style="list-style-type: none"> Equipment maintenance 	<ul style="list-style-type: none"> Maintain equipment maintenance records
		<ul style="list-style-type: none"> Fuel storage integrity maintained 	<ul style="list-style-type: none"> Investigate and repair potential leaks

3. Stormwater Quantity Assessment

3.1 Stormwater Quantity Management Objective

The stormwater quantity management objective is to demonstrate compliance with EA condition Water 3, which states that stormwater runoff from disturbed areas, generated by (up to and including) a 24 hour storm event with an average recurrence interval (ARI) of 1 in 5 years must be retained on-site. In addition to the EA, the proposed development must demonstrate non-worsening peak discharge conditions for a range of AEP events (50% - 1%) to comply with state controlled road requirements, as the site is located within 25m of a state-controlled road.

3.1.1 Hydrologic Modelling

Hydrologic modelling was undertaken using DRAINS (a computer simulation program by Watercom) as shown in **Diagram 1 – DRAINS Schematic**. Site-based rainfall polynomial coefficients were obtained using the Design Rainfall Data System 2016, available on the Bureau of Meteorology's website. The IFD data is shown in **Table 6 – Intensity Frequency Duration (IFD) Data**. The existing case conditions were modelled and then compared to each proposed stage of the southern extension of the quarry.

Diagram 1 - DRAINS Schematic

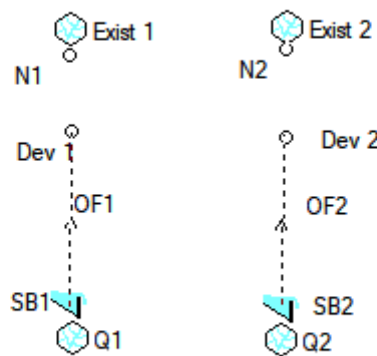


Table 3 – Intensity Frequency Duration (IFD) Data

Duration of Rainfall	Annual Exceedance Probability (AEP)						
	6EY	4EY	3EY	2EY	1EY	0.5EY	0.2EY
20 min	25	32.9	38.6	46.5	60.2	76.1	96.4
25 min	22.1	29	34	41	53.2	67.3	85.4
30 min	19.8	26	30.5	36.8	47.8	60.5	76.8
45 min	15.4	20.1	23.5	28.3	36.9	46.6	59.3
1 hour	12.7	16.5	19.3	23.3	30.3	38.3	48.6
1.5 hour	9.57	12.4	14.4	17.4	22.6	28.5	36
2 hour	7.8	10.1	11.7	14.1	18.3	22.9	28.9
3 hour	5.81	7.46	8.65	10.4	13.4	16.8	21
4.5 hour	4.32	5.53	6.4	7.65	9.85	12.3	15.2
6 hour	3.51	4.47	5.17	6.16	7.91	9.82	12.1
9 hour	2.62	3.32	3.83	4.55	5.82	7.19	8.79
12 hour	2.13	2.7	3.1	3.68	4.69	5.78	7.04
18 hour	1.59	2.01	2.3	2.73	3.46	4.26	5.18
24 hour	1.29	1.63	1.87	2.2	2.79	3.44	4.19

Note: All rainfall intensities in mm/hr.

3.1.2 Release Point RP1

For the existing and proposed stages of development, the nominated site Release Point RP1 & RP2 were considered, as shown in **Table 5 – Release Point Locations**. The pre / post development peak discharge rates were examined, with the operational areas of the quarry being modelled to also retain the 1 in 5 ARI 24 hour event (0.2 EY) as required by the EA.

Table 4 – Release Point Locations

Release Point ID	Description
RP1	Proposed release point from the quarry pit sediment basin. Discharging north into the existing water course towards Bunya Highway. Refer Figure 1 – Stormwater Management Plan for details.
RP2	Proposed release point from the quarry overburden and processing sediment basin. Discharging north into the existing water course towards Bunya Highway. Refer Figure 1 – Stormwater Management Plan for details.

3.1.3 Peak Discharge Comparison

A comparison of estimated peak discharge at the nominated release points are shown in **Table 6 – Peak Discharge Comparison (Release Point 1)** and **Table 7 – Peak Discharge Comparison (Release Point 2)**. Peak discharge was modelled on a 1 hour storm duration for each AEP event as shown, and considers that the quarry operational areas retain the 1 in 5 year ARI 24 hour duration event as required by the EA.

Table 6 – Peak Discharge Comparison (Release Point 1)

Scenario	Annual Exceedance Probability (AEP)						Peak Discharge
	1%	2%	5%	10%	20%	50%	
Existing	2.95	2.61	2.13	1.79	1.74	1.17	m ³ /s
Developed	2.46	2.16	1.97	1.69	1.46	1.00	

Table 7 – Peak Discharge Comparison (Release Point 2)

Scenario	Annual Exceedance Probability (AEP)						Peak Discharge
	1%	2%	5%	10%	20%	50%	
Existing	3.18	2.81	2.28	1.93	1.63	1.09	m ³ /s
Developed	2.50	2.20	1.99	1.68	1.32	0.89	

As demonstrated by the DRAINS modelling, there is non-worsening of peak discharge and associated runoff for all AEP events from 1% - 50% AEP. This is partially due to the EA requirement to retain all runoff from disturbed areas up to and including the 1 in 5 year 24 hour duration event, however is more significantly impacted by the proposed quarry development. Details of the sediment basin design criteria and volume requirements are details in **Section 4 – Stormwater Quality Management**.

As demonstrated on the development plans, no additional discharge points are proposed which will impact on the downstream environment and stormwater systems.

3.2 Surface Water Harvesting / Reuse

The quarry will draw water from the sediment basin for operations including dust suppression. It is noted that in addition to capture and reuse, surface water may be treated and released back into the receiving environment in accordance with the EA in order to restore operating freeboard.

The source of the surface water is proposed to be overland flow from Catchment Q1 & Q2 as depicted in **Figure 1 – Stormwater Management Plan**. This overland flow source is considered to be necessary to satisfy the requirements of the site environmental authority, subject to its final condition requirements and associated development application assessment.

Therefore an assessment against the State Code 10 of the State Development Assessment Provisions will not be applicable or required.

Any additional water that is required for the quarry over the course of its operation will be sourced from external supply subject to any applicable permits and/or approvals.

3.3 Flood Impact Assessment

As shown in **Figure 1 – Stormwater Management Plan** the proposed development is not within a defined floodplain and there is no further flood impact assessment required.

4. Stormwater Quality Management

4.1 Water Quality Objectives

In accordance with the proposed EA conditions, stormwater runoff from disturbed areas, generated by (up to and including) a 24 hour storm event with an average recurrence interval of 1 in 5 years must be retained on-site or managed to remove contaminants before release.

4.2 Stormwater Treatment System Details

The total upper settling storage requirements for sediment basins were estimated based on the following formula (EHP, 2014):

$V_s = A * C_v * R$ (1 in 5; 24hr), where:

A = Catchment Area (m²)

C_v = Coefficient of Discharge

R = Rainfall depth (m) from 24 hour storm, and ARI of 1 in 5 years

Table 10 – Sediment Basin Storage Requirements details the sediment basin storage requirements for each catchment, based on a rainfall depth (R) of 0.100m, from an adopted average intensity of 4.19mm/h (Source: Bureau of Meteorology).

Table 10 – Sediment Basin Storage Requirements

Basin ID	Location	Disturbed Catchment Area (Ha)	Required Upper Settling Volume (ML)	Freeboard level below spillway (m)
SB1	Catchment Q1	7.99	6.63	2.0
SB2	Catchment Q2	8.87	7.36	1.5

The quarry will be responsible to ensure the upper settling volumes are maintained in each structured as required. The sediment basin is to be maintained in accordance with **Section 2 – Operational Procedures**. Since the sediment basin is required to restore freeboard in order to manage the upper settling volume, it is recommended that appropriate pumping infrastructure to reuse captured water in operations as far as practical, for example for use in dust suppression / water cart.

5. Responsibilities

5.1 Monitoring Management Measures

The following management measures will be implemented during facility operations:

- The **Quarry Manager** or authorised representative is to regularly inspect the water quality management devices, particularly prior to forecasted wet weather and following major rainfall events to ensure that these devices are in good working order. All inspections should be documented (including photos) and available on Site at all times.
- The **Quarry Manager** shall carry out general surveillance to qualitatively assess stormwater releases from Site during discharge events.

5.2 Auditing and Review

The effectiveness of the SMP will be reviewed as necessary (e.g. following a change in site operations) and at least once every year. The review shall take into account changes to Site activities, available surface water monitoring results, any complaints, pollution incidents and any corrective actions taken.

5.3 Responsibility

The following details the responsibilities with regard to the ongoing operations:

- The **Quarry Manager** will be responsible for the implementation of this SMP and for training of Site personnel in their responsibilities in relation to this SMP.
- The **Quarry Manager** will be responsible for ensuring that all stormwater devices constructed on the Site have adequate free water storage capacity.
- All complaints pertaining to water quality received will be recorded in the complaints register/log maintained on-site.
- The **Quarry Manager** or a suitably qualified consultant will prepare water monitoring records if and when required by the regulatory authority.
- Records, including results of any monitoring program undertaken on-site, complaints or incidents will be kept on-site for a minimum of five (5) years.

5.4 Identification of Incident or Failure

An incident or failure may include, but not be limited to:

- Deterioration in surface water quality within waters discharged from Site
- Receipt of a stormwater quality release complaint
- Not maintaining on-site stormwater controls or treatment devices.

Any identification of incident or failure will be recorded on Site.

6. Environmental Incidents

The **Quarry Manager** will be responsible for ensuring that all employees at the Site are familiar with the procedure for incidents recording. Any employee becoming aware of an incident with actual or potential environmental implications, shall be reported to the **Quarry Manager**, or delegate immediately.

The **Quarry Manager** will notify upper management regarding any environmental incident. An Environmental Incident Report must be completed for all incidents.

Should reporting of an **environmental incident** to the relevant regulatory authority be required, this will be undertaken in accordance with the following.

When an environmental incident occurs, the **Quarry Manager** will notify administering authority via telephone and in writing.

The contact details of the administering authority are as follows:

Department of Environment and Science
Phone: 1300 130 372
Email: PollutionHotline@des.qld.gov.au

Following notification against this condition, an investigation and further reporting will be required, as per Section 6.1 and 6.2 below.

6.1 Investigation

All incidents should be investigated. The investigations should include:

- Determining what activities were being carried out at the time of the complaint/incident and any equipment involved.
- Identifying whether equipment or activities on-site were the cause of the incident or complaint.
- Determining what potential actions may be carried out to resolve the matter and/or minimise the likelihood of further impacts.

An assessment is to be conducted to determine what corrective actions are to be taken to remedy the matter and/or prevent a similar incident from occurring in the future. If monitoring is to be undertaken to investigate an incident or complaint these results should be supplied with the final report to the administering authority.

6.2 Reporting

A written notice detailing the following information may need to be provided to the administering authority, following the initial notification. General information likely to be required for any further reporting to the administering authority may include the following:

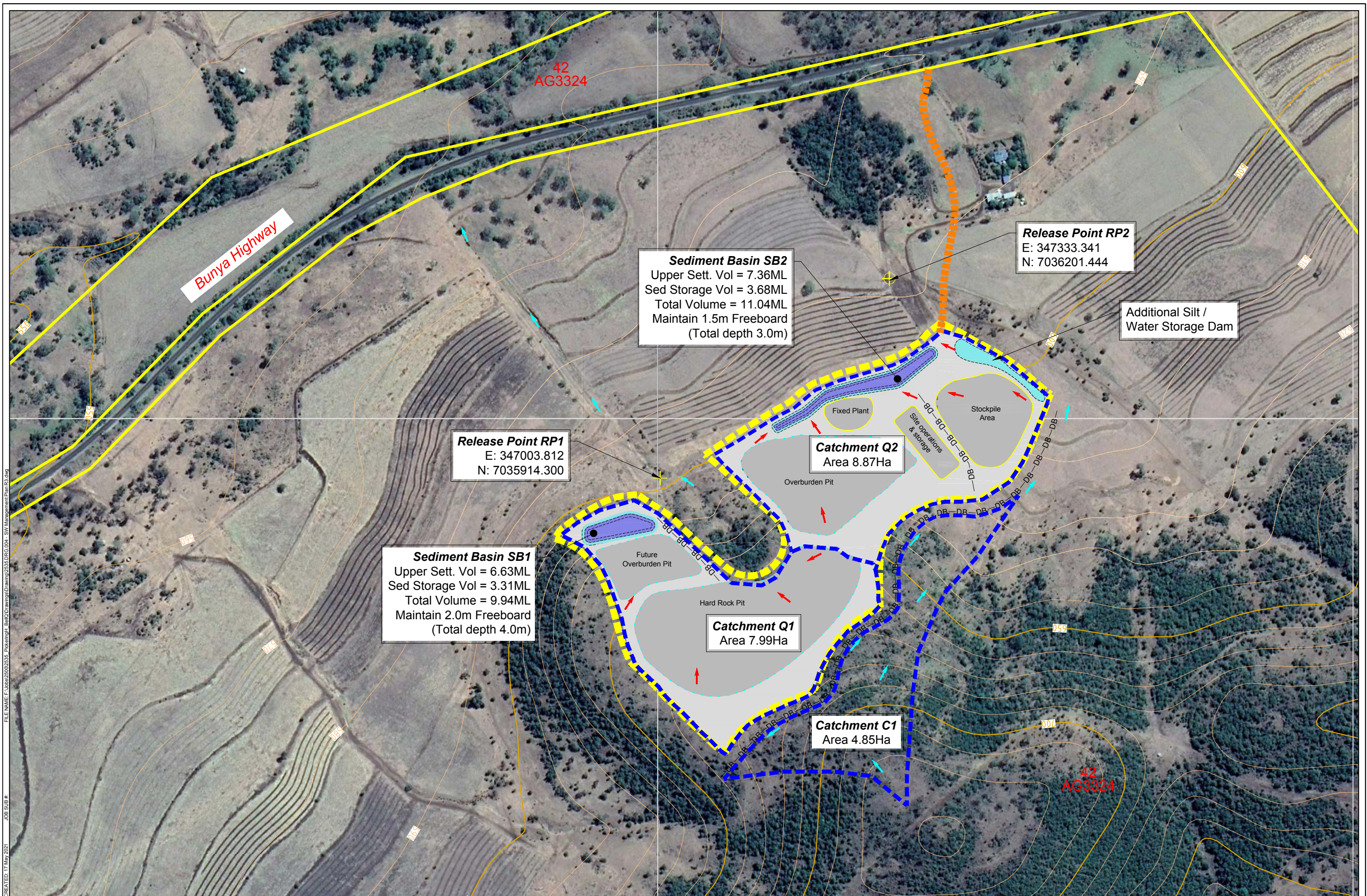
- The name of the operator.
- The name and telephone number of a designated contact person.
- A description of the event.
- The results of any monitoring performed in relation to the event.
- Actions taken to mitigate any environmental harm caused by the event.
- Proposed actions to prevent a recurrence of the event.

7. Conclusion

This SMP outlines the appropriate treatment measures and operational procedures to be adopted to integrate adequate stormwater management into daily operations and Site activity. Specifically, this document has prepared to ensure that appropriate measures will be developed to meet the requirements of the Site's Environmental Authority (EA) including the existing case and all future proposed development associated with the southern extension.

Operational procedures outlined in this SMP will assist to ensure compliance as a minimum standard.

FIGURES



REV	DESCRIPTION	DATE	BY
Data Sources:			
Photography: Digital Globe, Google Earth			
Topography: QSC 10m Contours, 2019-09-26 (publication)			
Cadastral: QSC, Western Downs LDCB Extract, 2019-07-28 (publication)			
Ecosystem:			
Other:			
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Legend:	
—	Site Boundary
—	Cadastral Boundary
---	Easement Boundary
—	Cadastral Boundary - Watercourse
---	Proposed Haul Road

→	Clean surface water
→	Disturbed surface water
—DB—	Drainage Bund



PROJECT:	Bell Quarry	TITLE:	Figure 1 - Stormwater Management Plan
CLIENT:	Harry Pickering	SCALE:	1:8,000
DATE:	17 May 2021	DRAWN:	MRESCAR
PRINTED:	17 May 2021	CHECKED:	MKIRK
PH: +61 7 3871 0411	WWW.GROUNDWORK.COM.AU	DATUM:	HORIZONTAL / VERTICAL / ZONE
DRAWING NUMBER:	2535.DRG.004	REVISION:	3
MGA /	AHD /	56	

ATTACHMENT 1 – SEDIMENT BASIN DESIGN

Sediment Basin Storage Volume Estimation
(Stormwater Guideline - Environmentally Relevant Activities - DEHP)

Project Name: 2535
Sediment Basin: SB1

$$V_s = A * C_v * R_{(1 \text{ in } 5; 24\text{hr})}$$

$$A = 79,900 \text{ m}^2$$

$$C_v (\text{composite}) = 0.825$$

$$R_{(1 \text{ in } 5; 24\text{hr})} = 100.56 \text{ mm}$$

$$R_{(1 \text{ in } 5; 24\text{hr})} = 0.10056 \text{ m}$$

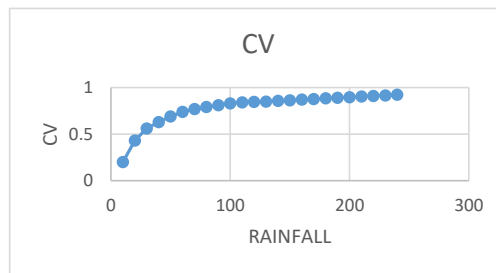
$$V_s = 6,629 \text{ m}^3$$

$$V_s = 6.63 \text{ ML}$$

$$V_{SED} = 0.5 * V_s$$

$$V_{SED} = 3.31 \text{ ML}$$

Sediment Basin Requires a Upper Settling Volume of **6.63 ML**
 Sediment Basin Requires a Sediment Storage Volume of **3.31 ML**
 Total Sediment Basin Storage Volume is **9.94 ML**



Source: (BoM IFD)

Sediment Basin Storage Volume Estimation
(Stormwater Guideline - Environmentally Relevant Activities - DEHP)

Project Name: 2535
Sediment Basin: SB2

$$V_s = A * C_v * R_{(1 \text{ in } 5; 24\text{hr})}$$

$$A = 88,746 \text{ m}^2$$

$$C_v (\text{composite}) = 0.825$$

$$R_{(1 \text{ in } 5; 24\text{hr})} = 100.56 \text{ mm}$$

$$R_{(1 \text{ in } 5; 24\text{hr})} = 0.10056 \text{ m}$$

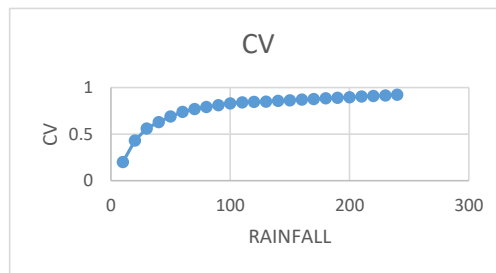
$$V_s = 7,363 \text{ m}^3$$

$$V_s = 7.36 \text{ ML}$$

$$V_{SED} = 0.5 * V_s$$

$$V_{SED} = 3.68 \text{ ML}$$

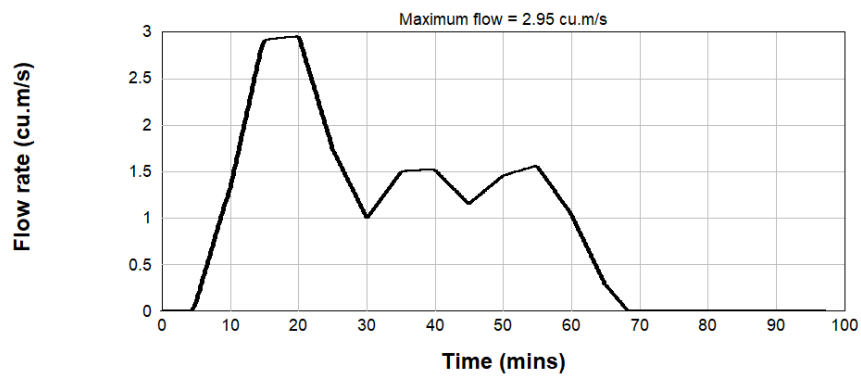
Sediment Basin Requires a Upper Settling Volume of **7.36 ML**
Sediment Basin Requires a Sediment Storage Volume of **3.68 ML**
Total Sediment Basin Storage Volume is **11.04 ML**



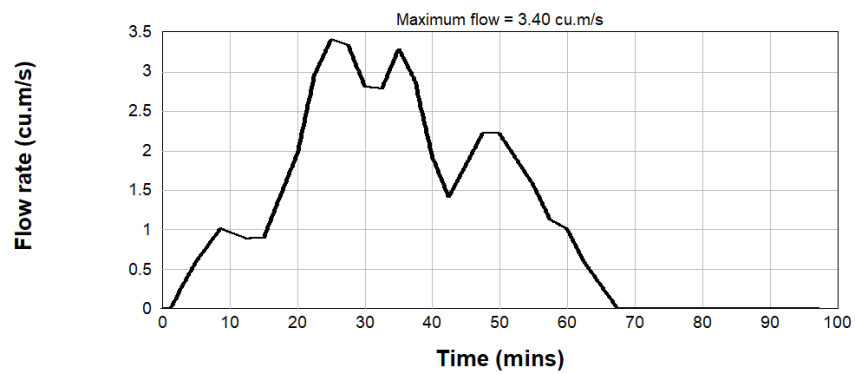
Source: (BoM IFD)

ATTACHMENT 2 – DRAINS MODELLING RESULTS

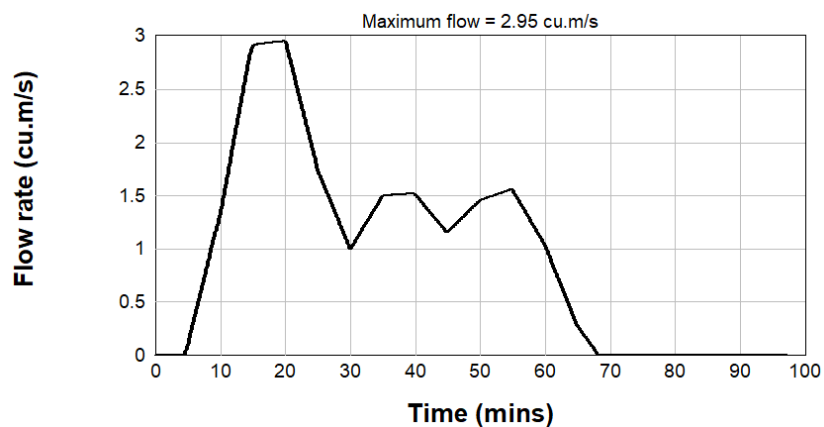
Hydrograph 1 % AEP, 1 Hour Duration, Existing Case Scenario (Release Point RP1)



Hydrograph 1 % AEP, 1 Hour Duration, Developed Case Scenario – Sediment Basin Inflow



Hydrograph 1 % AEP, 1 Hour Duration, Developed Case Scenario – Sediment Basin Outflow (Release Point RP1)



DRAINS results prepared from Version 2020.061									
PIT / NODE DETAILS				Version 8					
Name	Max HGL	Max Pond	Max Surface	Max Pond	Min	Overflow	Constraint		
		HGL	Flow Arrivin	Volume	Freeboard	(cu.m/s)			
			(cu.m/s)	(cu.m)	(m)				
SUB-CATCHMENT DETAILS									
Name	Max	Paved	Grassed	Paved	Grassed	Supp.	Due to Storm		
	Flow Q	Max Q	Max Q	T c	T c	T c			
	(cu.m/s)	(cu.m/s)	(cu.m/s)	(min)	(min)	(min)			
Exist 1	2.947	0	2.947	10	10	0	1% AEP, 1 hour burst, Storm 6		
Q1	3.404	3.404	0	7.5	7.5	0	1% AEP, 1 hour burst, Storm 9		
Q2	3.779	3.779	0	7.5	7.5	0	1% AEP, 1 hour burst, Storm 9		
Exist 2	3.176	0	3.176	12.5	12.5	0	1% AEP, 1 hour burst, Storm 6		
PIPE DETAILS									
Name	Max Q	Max V	Max U/S	Max D/S	Due to Storm				
	(cu.m/s)	(m/s)	HGL (m)	HGL (m)					
CHANNEL DETAILS									
Name	Max Q	Max V				Due to Storm			
	(cu.m/s)	(m/s)							
OVERFLOW ROUTE DETAILS									
Name	Max Q U/S	Max Q D/S	Safe Q	Max D	Max DxV	Max Width	Max V	Due to Storm	
OF1	2.455	2.455	11.042	0.136	0.19	20.14	1.4	1% AEP, 1 hour burst, Storm 6	
OF2	2.498	2.498	11.042	0.136	0.19	20.17	1.41	1% AEP, 1 hour burst, Storm 2	
DETENTION BASIN DETAILS									
Name	Max WL	MaxVol	Max Q	Max Q	Max Q				
			Total	Low Level	High Level				
SB1	24.44	11602.1	2.455	0	2.455				
SB2	23.44	13371.3	2.498	0	2.498				
Run Log for 2535 DRAINS V3.drn run at 08:32:19 on 14/5/2021 using version 2020.061									
Flows were safe in all overflow routes.									

Noise Impact Assessment

5610 Bunya Highway,
Cooranga – ‘Bell Quarry’

CLIENT: KINGAROY QUARRY SUPPLIES

PROJECT NO. J001945
STATUS FINAL_V2
DATE 24/09/2024

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Document Control

Version	Purpose	Lead Author	Reviewer	Approved by	Date
1.	Final Report (original report – J000667)	RJM	LMT	LMT	22/10/2021
2.	Final Report – proposed expansion	MJW	RJM	LMT	23/09/2024
3.	Final Report – planner comments	MJW	RJM	LMT	24/09/2024

Executive Summary

- A noise impact assessment was completed for a proposed quarry expansion (increase in annual throughput) at 5610 Bunya Highway, Cooranga.
- Predicted noise emissions from the proposed expansion were assessed against the requirements of Condition N2 of the site's existing Environmental Authority P-EA-100124846.
- All operational noise sources outlined in this assessment shall be restricted to the daytime period (7:00am to 6:00pm), except in the event of an emergency.
- Predicted noise emissions from the proposed quarry expansion were found to comply with the relevant noise assessment criteria during all scenarios with the full implementation of the recommendations outlined at Section 6.

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1 Introduction

Range Environmental Consultants Pty Ltd (Range Environmental) was engaged by Kingaroy Quarry Supplies to conduct a noise impact assessment for a proposed expansion (increase in annual throughput) of the existing Bell Quarry located at 5610 Bunya Highway, Cooranga (hereafter 'the site') (Figure 1). The site is formally described as Lot 42 SP319216 (previously Lot 42 AG3324).

The existing Bell Quarry currently operates under Environmental Authority (EA) P-EA-100124846 for undertaking the following Environmentally Relevant Activities (ERAs):

- ERA 16 (2)(a) – extracting, other than by dredging, in a year, 5000t to 100,000t of material.
- ERA 16 (3)(a) – screening, in a year, 5000t to 100,000t of material.

Condition G1 of the existing EA stipulates that the amount of material extracted and screened per year must not exceed 100,000 tonnes per annum. Kingaroy Quarry Supplies proposes to increase the production of the existing extractive industry operation to 1,000,000 tonnes per annum to supply materials to upcoming major infrastructure projects (including the Wambo Wind Farm and the Tarong West Wind Farm), whilst still meeting the demands of their existing customers (local government and businesses). The proposed expansion will not include an expansion of the quarrying footprint (i.e., the total extractive activities footprint will be in accordance with Appendix 1 of the existing EA).

This noise impact assessment was undertaken to address Acceptable Outcome (AO) 1.1 of the Extractive Industry Code under the Western Downs Planning Scheme 2017 and to support an EA amendment application.



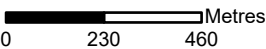
Figure 1 Site locality

Project: Noise Impact
Assessment

Client: Kingaroy
Quarry Supplies

Project No.: J001945

Compiled by: MJW Date: 3/06/2024
Approved by: RJM Date: 3/06/2024



Legend

- Cadastre
- Roads
- Site boundary
- Existing and proposed total extractive activities area
- Haul Road

The content of this document includes third party data. Range Environmental Consultants does not guarantee the accuracy of such data.

Source: Cadastral data sourced from DNRME (2024).



2 Project Description

2.1 Site Description

The site is located at 5610 Bunya Highway, Cooranga and is formally described as Lot 42 SP319216. The site is zoned as Rural under the Western Downs Planning Scheme 2017.

The surrounding land zoning and land uses included:

- North: Rural zoning (cropping land and isolated rural dwellings) and Bunya Highway.
- East: Rural zoning (cropping land and isolated rural dwellings) and Recreation and Open Space Zone zoning which includes the Bunya Mountains National Park.
- South: Rural zoning (cropping land and isolated rural dwellings).
- West: Rural zoning (cropping land and isolated rural dwellings).

The dominant existing noise source in the local area included road traffic noise from the Bunya Highway (north) and operational noise from existing site activities. Wind turbines were visible approximately 2km to the north-west of the site but were not audible during the field survey.

The site is currently utilised by the existing Bell Quarry which operates under EA Permit P-EA-100124846 for undertaking the following ERAs:

- ERA 16 (2)(a) – extracting, other than by dredging, in a year, 5000t to 100,000t of material.
- ERA 16 (3)(a) – screening, in a year, 5000t to 100,000t of material.

The site currently extracts and screens 100,000 tonnes of material per annum.

2.2 Proposed Expansion

Kingaroy Quarry Supplies proposes to increase the production of the existing extractive industry operation at the site to 1,000,000 tonnes per annum to supply materials to upcoming major infrastructure projects (including the Wambo Wind Farm and the Tarong West Wind Farm) whilst still meeting the demands of their existing customers (local government and businesses).

The proposed operational activities at the site will include an increase in drilling, blasting, extracting, and screening works within the existing approved total extractive activities area. Site plans of the quarry are provided at Appendix A.

2.3 Hours of Operation

The proposed hours of operation are outlined below in Table 1. The site will not operate on Sundays or public holidays.

Table 1 Hours of operation

Site Activity	Days and Hours of Operation
Drilling & Blasting (2-3 times per annum for up to 3-4 days at a time).	<ul style="list-style-type: none"> • 9:00am to 3:00pm, Monday to Friday.
Extraction & processing (crushing & screening).	<ul style="list-style-type: none"> • 7:00am to 6:00pm, Monday to Friday. • 8:00am to 2:00pm, Saturdays.
Haulage from site.	<ul style="list-style-type: none"> • 7:00am to 6:00pm, Monday to Friday. • 8:00am to 2:00pm, Saturdays.

Site Maintenance. ¹	<ul style="list-style-type: none"> • 7:00am to 6:00pm, Monday to Friday. • 8:00am to 2:00pm, Saturdays.
--------------------------------	---

2.4 Operational Noise Sources

The key noise sources considered in the assessment are as follows:

- One (1) Mobile Jaw Crusher
- One (1) Mobile Pugmill
- One (1) Mobile Screen
- One (1) Grader
- One (1) Water Truck
- One (1) Fuel Tanker (electric pump)
- One (1) Drill Rig (only for blasting occurrences and shall be undertaken by an external blasting contractor)
- Two (2) Mobile Impact Crushers
- Two (2) Articulated Dump Trucks (40t)
- Two (2) Dozers (8t)
- Three (3) Excavators (35t)
- Five (5) Front End Loaders
- Road Truck Movements
- Light Vehicle Movements

2.5 Noise Sensitive Receptors

The nearest most potentially affected noise sensitive receptors are shown in Figure 2 and are described in Table 2 below.

Table 2 Noise sensitive receptors

Identification	Real Property Description	Street Address	Receptor Type
Receptor 1	Lot 236 AG3274	5494 Bunya Highway, Cooranga	Existing dwelling
Receptor 2	Lot 1661 AG3991	5553 Bunya Highway, Cooranga	Existing dwelling
Receptor 3	Lot 211 AG960	Lot 211 Bunya Highway, Cooranga	Existing dwelling
Receptor 4	Lot 156 AG960	5827 Bunya Highway, Cooranga	Existing dwelling
Receptor 5	Lot 157 SP142329	5822 Bunya Highway, Cooranga	Existing dwelling
Receptor 6	Lot 48 NPW873	57 Bunya Avenue, Dalby	Existing National Park
Receptor 7	Lot 1662 RP898131	5524 Bunya Highway, Cooranga	Existing dwelling

¹ No operations on Sundays or public holidays unless emergency site maintenance works are required (e.g., erosion and sediment control, stormwater management, etc.).

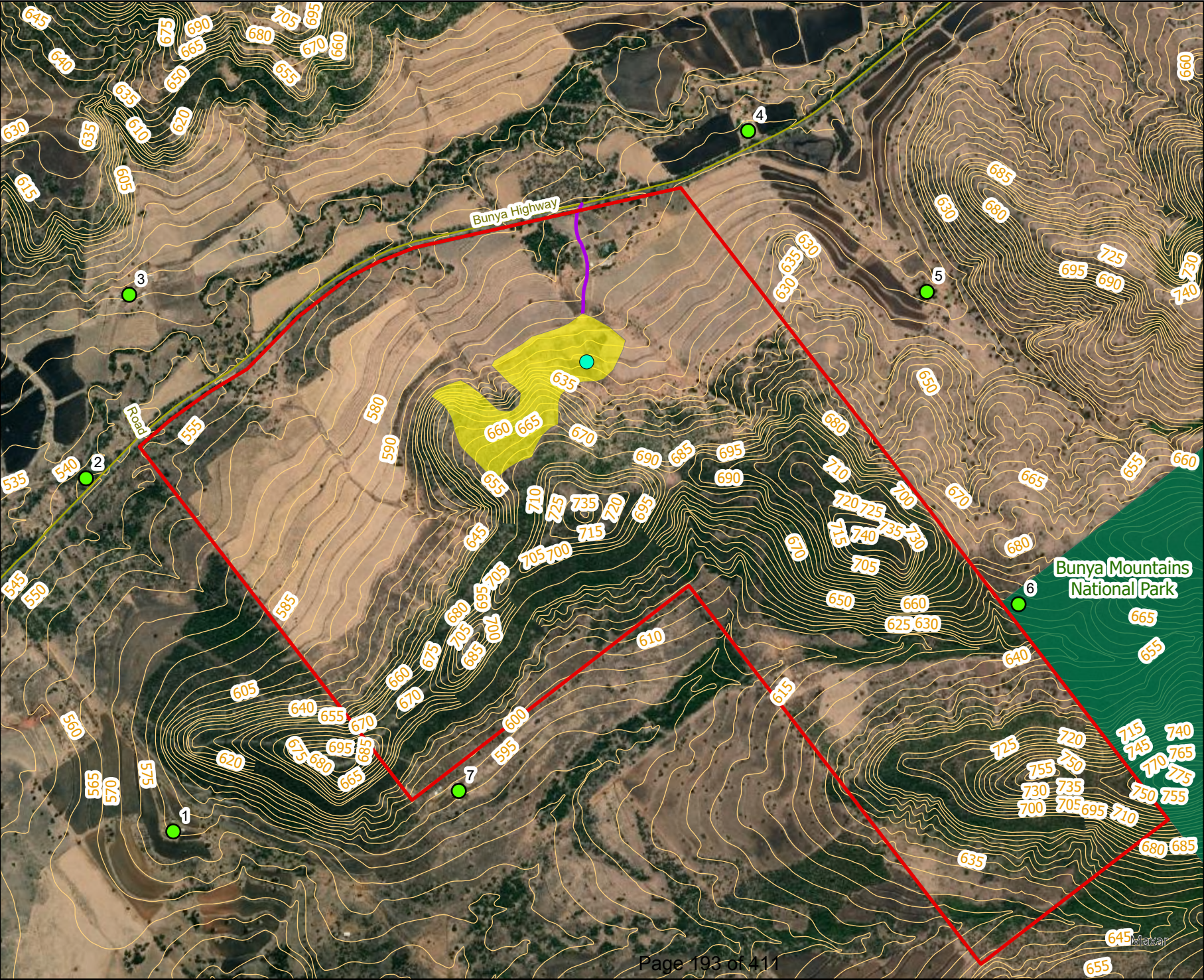


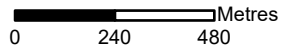
Figure 2 Noise sensitive receptors

Project: Noise Impact Assessment

Client: Kingaroy Quarry Supplies

Project No.: J001945

Compiled by: MJW Date: 20/09/2024
Approved by: RJM Date: 20/09/2024



Legend

- Roads
- Site boundary
- 5m Contours
- Existing and proposed total extractive activities area
- Haul Road
- Noise logger location
- Protected Area
- Sensitive Receptors

The content of this document includes third party data. Range Environmental Consultants does not guarantee the accuracy of such data.
Source: Cadastral data sourced from DNRME (2024).



3 Ambient Noise Measurements

3.1 Noise Measurement Standard

The ambient noise survey was undertaken in accordance with Australian Standard *AS1055:2018 – Acoustics – Description and measurement of environmental noise* and the Department of Environment, Science and Innovation's (DESI) Noise Measurement Manual 2020. Ambient noise levels were recorded from 1 September 2021 to 9 September 2021 to support the original Noise Impact Assessment prepared by Range Environmental (Reference: J000667, dated 22/10/2021). The 2021 Noise Impact Assessment was used to support the initial Material Change of Use and Operational Works Development Approval application and Environmental Authority application for the existing Bell Quarry. The noise measurement method recorded total noise levels from all noise sources.

3.2 Noise Logger

A BSWA 309 sound level meter was used for the ambient noise survey. The instrument was calibrated before and after the logging session and was found to match the reference signal. The instrument and the calibrator hold current calibration certificates from a NATA certified calibration laboratory.

3.3 Noise Logger Location and Siting

The microphone of the noise logger was situated 1.4 m above ground level and in a free field position (Photograph 1). The location of the noise logger in relation to the site boundary, the proposed extractive area and nearby sensitive receptors is shown in Figure 2. The noise logger was sited in this location to represent the ambient noise levels at nearby rural dwellings (dominant sensitive receptor type).



Photograph 1 View to the east of the noise logger in position at the site

3.4 Instrument Settings

The following instrument settings were used for the ambient noise survey:

- 'A' frequency weighting.
- 'Fast' time weighting.
- 15-minute sample integration time.

3.5 Weather Conditions

Weather data was taken from the Dalby Airport (weather station ID: 041522) in the absence of more detailed site-specific weather data for the site or nearby townships. Overall weather conditions during the measurement period were suitable for noise monitoring. This was confirmed by field readings of wind speed and direction at logger deployment and collection.

3.6 Ambient Noise Levels

Ambient noise survey data are presented graphically at Appendix B and the arithmetic average values are summarised in Table 3.

Table 3 Average ambient noise levels

Time of Day	L _{Amax,15 min}	L _{A01,15 min}	L _{A10,15 min}	L _{Aeq,15 min}	L _{A90,15 min}
Day (7am-6pm)	63	51	44	41	31
Evening (6pm-10pm)	55	47	40	38	31
Night (10pm-7am)	58	48	41	39	31

The dominant noise source observed at the logging location included road traffic noise on the Bunya Highway (north).

4 Noise Assessment Criteria

Condition N2 of the site's existing Environmental Authority P-EA-100124846 outlines the following noise assessment criteria presented in Table 4 for the site. The relevant criteria under N2 are highlighted as the site will only operate during the daytime period, Monday to Saturday (Section 2.3).

Table 4 Condition N2 Noise Limits

Descriptor	Monday to Saturday			Sunday and Public Holidays		
	7am-6pm	6pm-10pm	10pm-7am	7am-6pm	6pm-10pm	10pm-7am
	Noise measured at the sensitive place					
L _{Aeq, adj, T}	45	No audible sound	No audible sound	No audible sound	No audible sound	No audible sound
Noise measured at the commercial place						
L _{Aeq, adj, T}	55	55	55	55	55	55

5 Noise Impact Assessment

5.1 Approach

Forecast noise emissions from the proposed quarry expansion were calculated with SoundPlan v8.0, using the prediction methodology from the Concawe Standard.

The predicted noise levels are considered to represent the average propagation under meteorological conditions including wind and temperature inversion.

All prediction models have limits to their accuracy of prediction. This is due to the inherent nature of the calculation algorithms that go into the design of the models, the assumptions made in the implementation of the model, and the availability of good source sound power data. Concawe has an estimated accuracy for broadband noise of ± 3 dB at 1000 metres. Atmospheric and meteorological factors are applicable to the assessment and have been considered, as outlined below:

- Standard meteorological conditions with wind at 0.5 m/s source to the receptor, stability class D.
- Noise-enhancing meteorological conditions with wind at 2 m/s source to the receptor, stability class F.

5.2 Noise Source Levels

Noise source design sound power levels (SWL) of activities considered representative of those at the site were used (Table 5). The SWLs were derived from previous measurements, SoundPlan v8.0/BS5228 and from available online resources. If changes to the extent of the noise attenuation measures outlined in this assessment are proposed, site-specific noise measurements of the operational fixed plant area may be undertaken to support a revised noise impact assessment and a revised extent of the attenuation bunding where applicable.

Table 5 Design noise source power levels

Name	Descriptor	Sound Power Levels in dB(Z) 1/1 Octave SWL								Total in dB(A) L _{eq}	Total in dB(A) L _{max}
		63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz		
Primary Jaw Crusher	L _{eq} and L _{max}	123	117	114	112	110	106	100	89	115	121
Track Mounted Impact Crusher	L _{eq} and L _{max}	121	115	112	110	108	104	98	87	113	119
Pugmill	L _{eq} and L _{max}	110	106	104	104	105	104	99	91	110	116
Screen	L _{eq} and L _{max}	101	97	95	95	96	95	90	82	101	107
Drill Rig	L _{eq} and L _{max}	109	118	113	113	113	112	110	104	118	124
Dump Truck	L _{eq} and L _{max}	109	114	117	112	110	107	101	95	115	121
Front End Loader	L _{eq} and L _{max}	78	102	107	104	106	106	99	89	111	117
Dozer	L _{eq} and L _{max}	102	111	106	102	102	98	95	90	107	113

Excavator	L_{eq} and L_{max}	113	106	105	105	101	99	96	91	107	113
Grader	L_{eq} and L_{max}	115	114	110	106	111	105	101	92	114	120
Road Truck	L_{eq} and L_{max}	102	96	92	90	90	86	82	79	94	100
Fuel Tanker	L_{eq} and L_{max}	82	89	94	99	96	97	98	94	104	110
Water Truck	L_{eq} and L_{max}	82	89	94	99	96	97	98	94	104	110
Light Vehicle	L_{eq} and L_{max}	78	85	79	76	79	80	76	73	85	91
Diesel Tank (Electric Pump)	L_{eq} and L_{max}	107	101	99	103	100	95	87	78	104	110

5.3 Input Parameters

The key noise sources considered in the assessment are as follows:

- One (1) Mobile Jaw Crusher
- One (1) Mobile Pugmill
- One (1) Mobile Screen
- One (1) Grader
- One (1) Water Truck
- One (1) Fuel Tanker
- One (1) Drill Rig (only for blasting occurrences and shall be undertaken by an external blasting contractor)
- Two (2) Mobile Impact Crushers
- Two (2) Articulated Dump Trucks (40t)
- Two (2) Dozers (8t)
- Three (3) Excavators (35t)
- Five (5) Front End Loaders
- Road Truck Movements
- Light Vehicle Movements

Table 6 below shows that the cumulative noise emissions from the variable noise sources at the site were divided into four (4) separate operational groups.

The following operational groups will not occur simultaneously:

- Drilling and Site Maintenance.
- Extraction/Processing and Site Maintenance.

There were no continuous noise sources (e.g., generators) proposed for the site's operations. Noise source locations are presented in Appendix C.

Table 6 Cumulative noise modelling of variable noise sources

Source	Drilling	Extraction and Processing	Site Maintenance	Haulage from Site
Mobile Jaw Crusher	-	Yes	-	-
Mobile Pugmill	-	Yes	-	-
Mobile Screen	-	Yes	-	-
Grader	-	-	Yes	-
Water Truck	-	-	Yes	-
Fuel Tanker	-	Yes	-	-
Mobile Impact Crushers	-	Yes	-	-
Dump Trucks	-	Yes	Yes	-
Dozers	-	Yes	-	-
Excavators	-	Yes	-	-
Front End Loaders	-	Yes	-	-
Road Trucks	-	-	Yes	Yes
Light Vehicles	-	-	Yes	-
Drill Rig	Yes	-	-	-

5.4 Model Assumptions

Table 7 below shows the modelling scenarios used to represent the cumulative noise emissions from the site and Table 8 outlines how the noise sources were applied to the noise model.

5m ground contours sourced from Geoscience Australia were used to represent the site and the surrounding topography.

Table 7 Noise modelling scenarios

Model Scenarios	Description
Scenario 1	<ul style="list-style-type: none"> Drilling. Extraction and Processing. Haulage from Site.
Scenario 2	<ul style="list-style-type: none"> Extraction and Processing. Haulage from Site.
Scenario 3	<ul style="list-style-type: none"> Haulage from Site. Site Maintenance.

Table 8 Noise sources considered in the noise impact assessment

Source	Day	Evening	Night	Variable
Primary Jaw Crusher	100%	-	-	Yes
Track Mounted Impact Crusher	100%	-	-	Yes
Pugmill	100%	-	-	Yes

Screen	100%	-	-	Yes
Drill Rig	100%	-	-	Yes
Dump Truck	2vph @ 20kph	-	-	Yes
Front End Loader	5vph @ 20kph	-	-	Yes
Dozer	100%	-	-	Yes
Excavator	100%	-	-	Yes
Grader	1vph @ 20kph	-	-	Yes
Road Truck	31vph @ 20kph	-	-	Yes
Fuel Tanker	2vph @ 20kph	-	-	Yes
Water Truck	2vph @ 20kph	-	-	Yes
Light Vehicle	10vph @ 20kph	-	-	Yes
Diesel Tank (Electric Pump)	100%	-	-	Yes

Note – L_{max} noise source results were not provided as the site will only operate during the daytime period (7:00am to 6:00pm) and the relevant noise assessment criteria do not assess L_{max} noise sources. For this reason, blasting was not included in the noise modelling as it is a discrete noise source that is best described by the L_{max} descriptor and will only occur up to 20 times per year.

5.5 Noise Attenuation

Extraction and processing plant noise attenuation consisted of a 6 m high earthen or rock bund around the northern end of the fixed crushing plant area as shown in Figure 3 below for Scenarios 1 and 2.

Note – as Scenario 3 does not include the operation of stationary crushing plant, noise attenuation is not applicable and was therefore not included in the model.



Figure 3 Fixed crushing plant area noise attenuation bunding location

5.6 Weather Conditions

Noise modelling has been made using the prediction methodology from the Concawe Standard as follows:

- Standard meteorological conditions with wind at 0.5 m/s source to the receptor, stability class D.
- Noise-enhancing meteorological conditions with wind at 2 m/s source to the receptor, stability class F.

5.7 Predicted Noise Levels at Noise Sensitive Receptors

The predicted noise levels outlined below include the standard and noise-enhancing climatic variations to represent a worst-case scenario at the site.

Predicted noise emissions from the proposed quarry expansion were found to comply with the relevant noise assessment criteria during all scenarios with the full implementation of the recommendations outlined at Section 6.

5.7.1 Standard Meteorological Conditions

A comparison of the predicted cumulative variable noise levels with the daytime noise assessment criteria during standard meteorological conditions is presented in Table 9 below. Noise level contour diagrams are provided at Appendix D.

Table 9 Comparison of predicted cumulative variable noise levels with assessment criteria (day, standard meteorological conditions)

Receptor	Descriptor	Scenario 1 predicted noise level at the receptor (L_{Aeq})	Scenario 2 predicted noise level at the receptor (L_{Aeq})	Scenario 3 predicted noise level at the receptor (L_{Aeq})	Condition N2 noise limit criteria (L_{Aeq})
Receptor 1	$L_{Aeq,1hr}$	9	7	<0	45 (day)
Receptor 2	$L_{Aeq,1hr}$	35	30	21	
Receptor 3	$L_{Aeq,1hr}$	36	31	22	
Receptor 4	$L_{Aeq,1hr}$	37	33	25	
Receptor 5	$L_{Aeq,1hr}$	19	17	5	
Receptor 6	$L_{Aeq,1hr}$	10	8	<0	
Receptor 7	$L_{Aeq,1hr}$	15	13	<0	

5.7.2 Noise-Enhancing Meteorological Conditions

A comparison of the predicted cumulative variable noise levels with the daytime noise assessment criteria during noise-enhancing meteorological conditions is presented in Table 10 below. Noise level contour diagrams are provided at Appendix D.

Table 10 Comparison of predicted cumulative variable noise levels with assessment criteria (day, noise-enhancing meteorological conditions)

Receptor	Descriptor	Scenario 1 predicted noise level at the receptor (L_{Aeq})	Scenario 2 predicted noise level at the receptor (L_{Aeq})	Scenario 3 predicted noise level at the receptor (L_{Aeq})	Condition N2 noise limit criteria (L_{Aeq})
Receptor 1	$L_{Aeq,1hr}$	12	10	<0	45 (day)
Receptor 2	$L_{Aeq,1hr}$	38	33	24	
Receptor 3	$L_{Aeq,1hr}$	39	34	25	
Receptor 4	$L_{Aeq,1hr}$	40	36	28	
Receptor 5	$L_{Aeq,1hr}$	22	20	9	
Receptor 6	$L_{Aeq,1hr}$	13	12	0	
Receptor 7	$L_{Aeq,1hr}$	18	16	0	

6 Recommendations

The following noise attenuation/mitigation measures are recommended for the proposed quarry expansion:

- Stationary extraction and processing plant noise attenuation shall consist of a 6 m high earthen or rock bund around the northern portion of the fixed crushing plant area as shown in Figure 3. The purpose of this bund is to block line-of-sight to noise sensitive receptors to the north, east and west of the extraction and processing plant. If this line-of-sight is broken by the plant being positioned down inside the extraction pit, the bund is not required.
- All operational noise sources outlined in this assessment shall be restricted to the daytime period (7:00am to 6:00pm), except in the event of an emergency.

7 Summary

- A noise impact assessment was completed for a proposed quarry expansion (increase in annual throughput) at 5610 Bunya Highway, Cooranga.
- Predicted noise emissions from the proposed expansion were assessed against the requirements of Condition N2 of the site’s existing Environmental Authority P-EA-100124846.
- All operational noise sources outlined in this assessment shall be restricted to the daytime period (7:00am to 6:00pm), except in the event of an emergency.
- Predicted noise emissions from the proposed quarry expansion were found to comply with the relevant noise assessment criteria during all scenarios with the full implementation of the recommendations outlined at Section 6.

8 References

Australian Standard AS1055:2018 – Acoustics – Description and measurement of environmental noise.

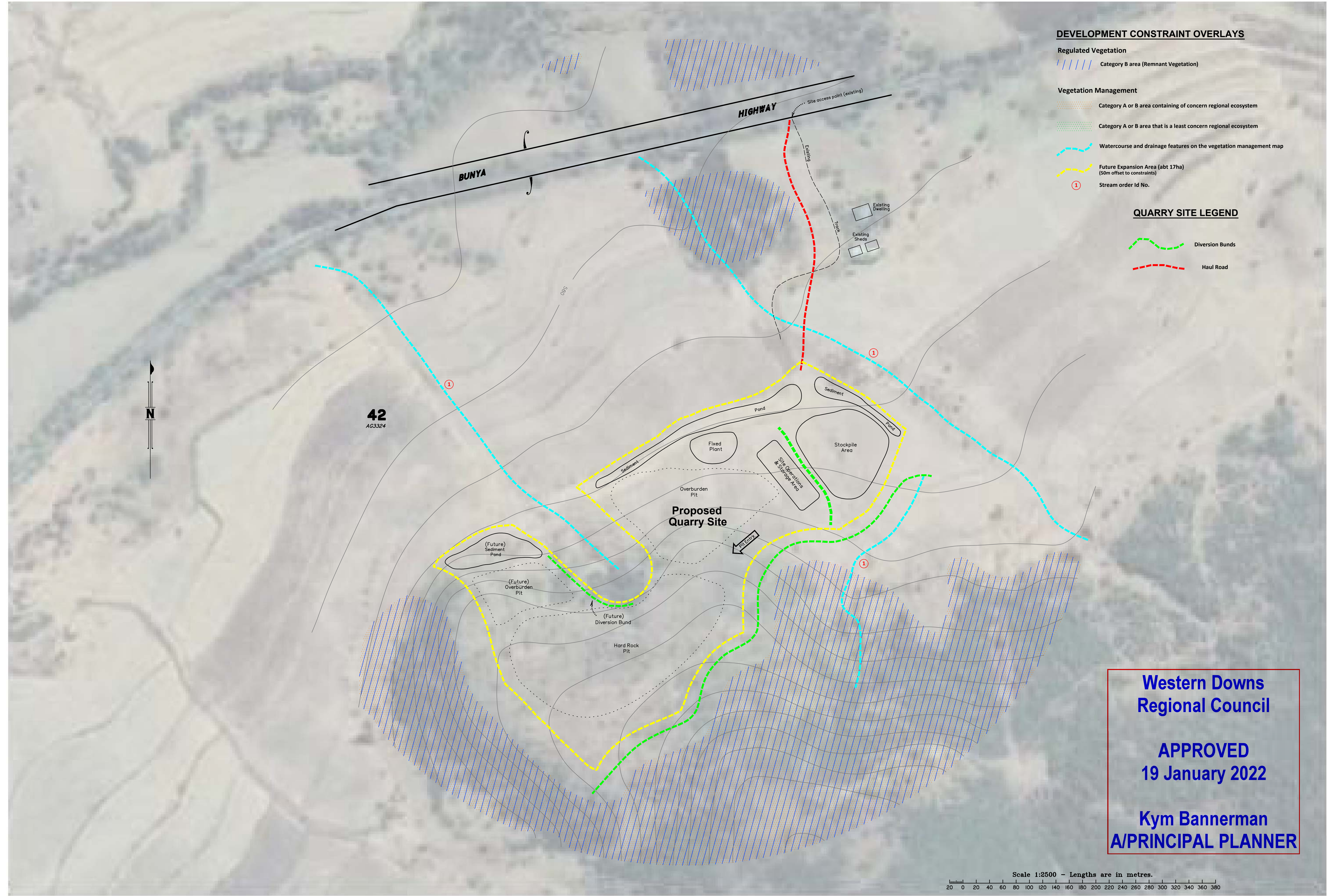
Department of Environment, Science and Innovation. 2020. Noise Measurement Manual.

Traffic & Transport Plus. 2024. Bell Quarry Traffic and Pavement Impact Assessment Report. File Reference: 10849.

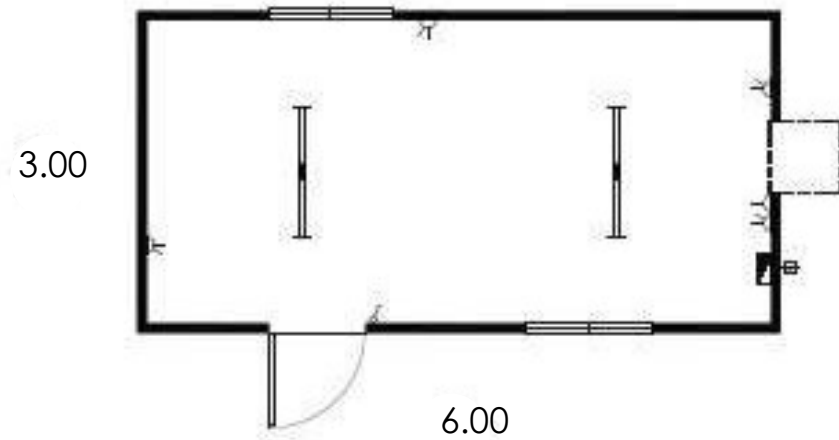
Appendices

Appendix A Approved Development Plans

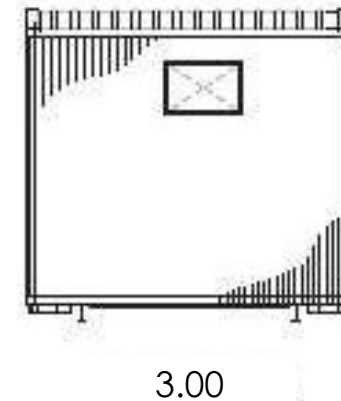
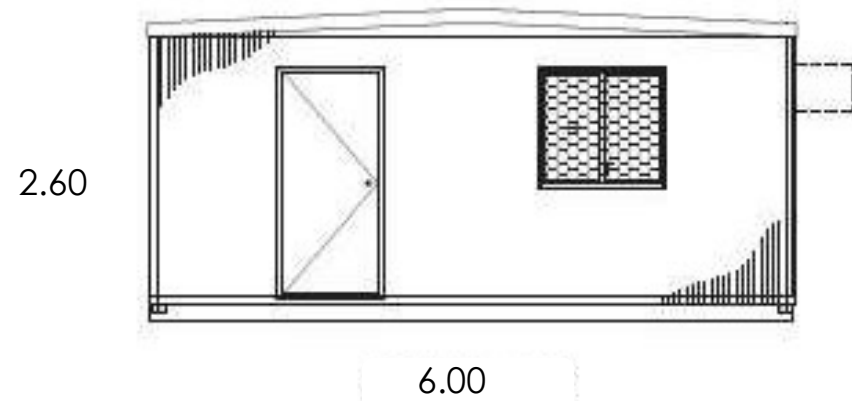




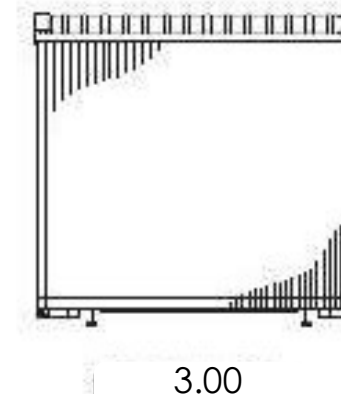
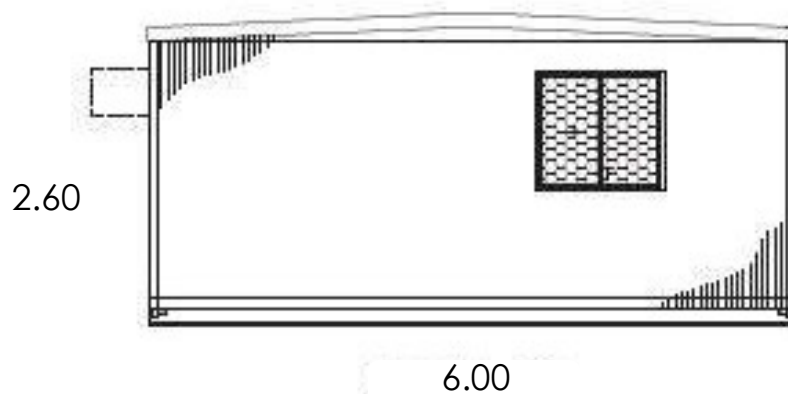
Site Office



Floor Plan



Elevations



Client: Harry Pickering – Bell Quarry	Plan Name: Site Office	Rev: A	Drawn: SVR
Project: MCU of Use and Operational Work Extractive Industry (up to 100,000 tonnes per annum) Bunya Highway, Cooranga – Lot 42 AG3324	Plan No: SO-01	Date: 22/10/2021	Comments: N.T.S

Western Downs
Regional Council

APPROVED
19 January 2022

Kym Bannerman
A/PRINCIPAL PLANNER

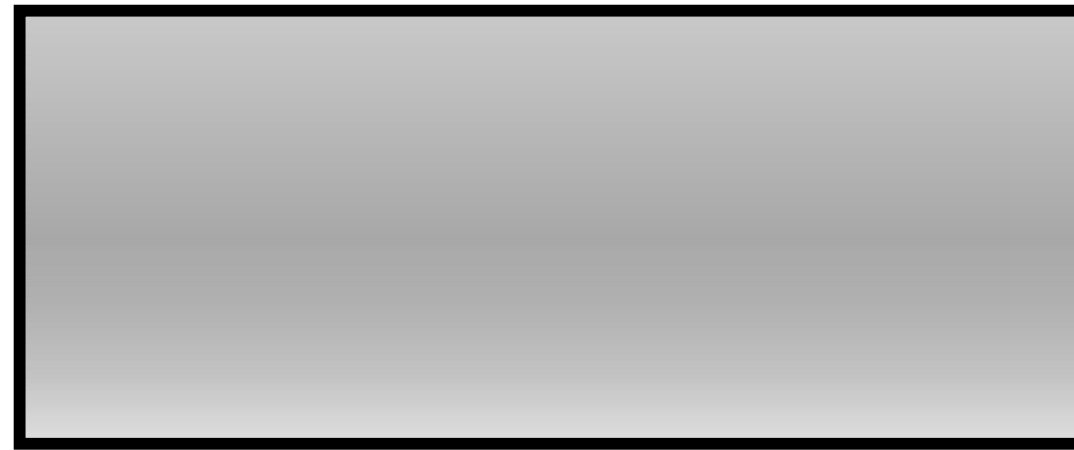
Storage Container

Western Downs
Regional Council

APPROVED
19 January 2022

Kym Bannerman
A/PRINCIPAL PLANNER

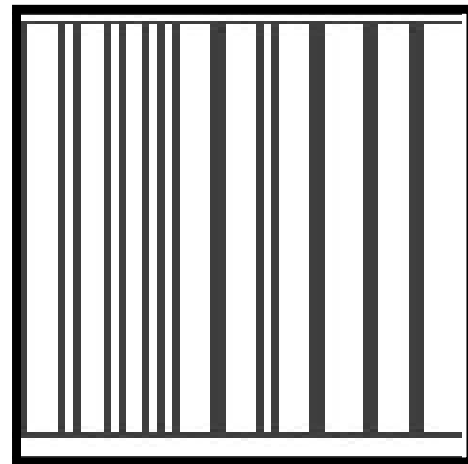
2.45



6.1

Floor Plan

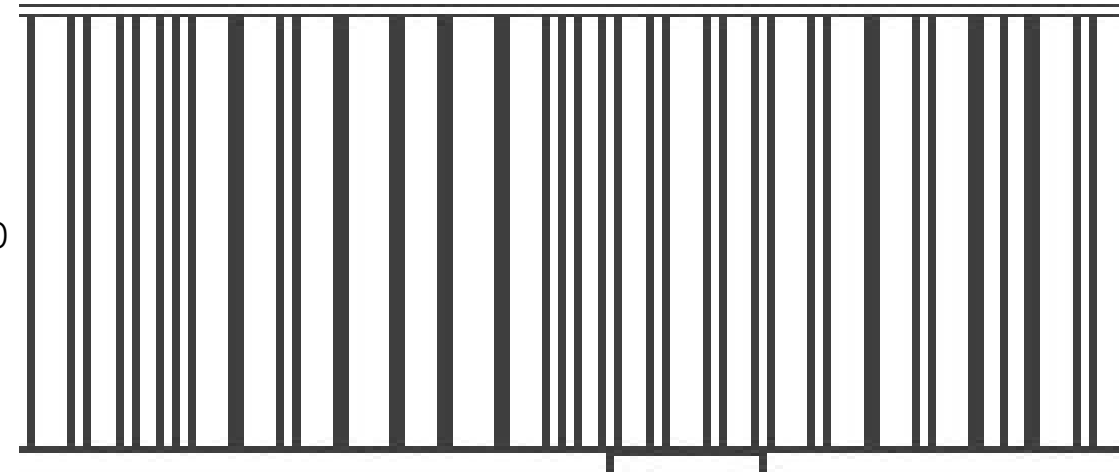
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2.45

End Elevation

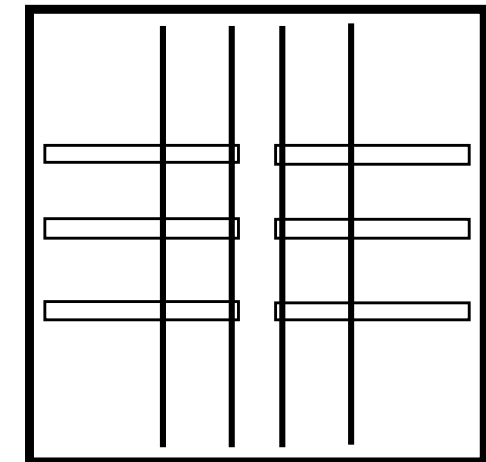
2.60



6.1

Side Elevation

2.60



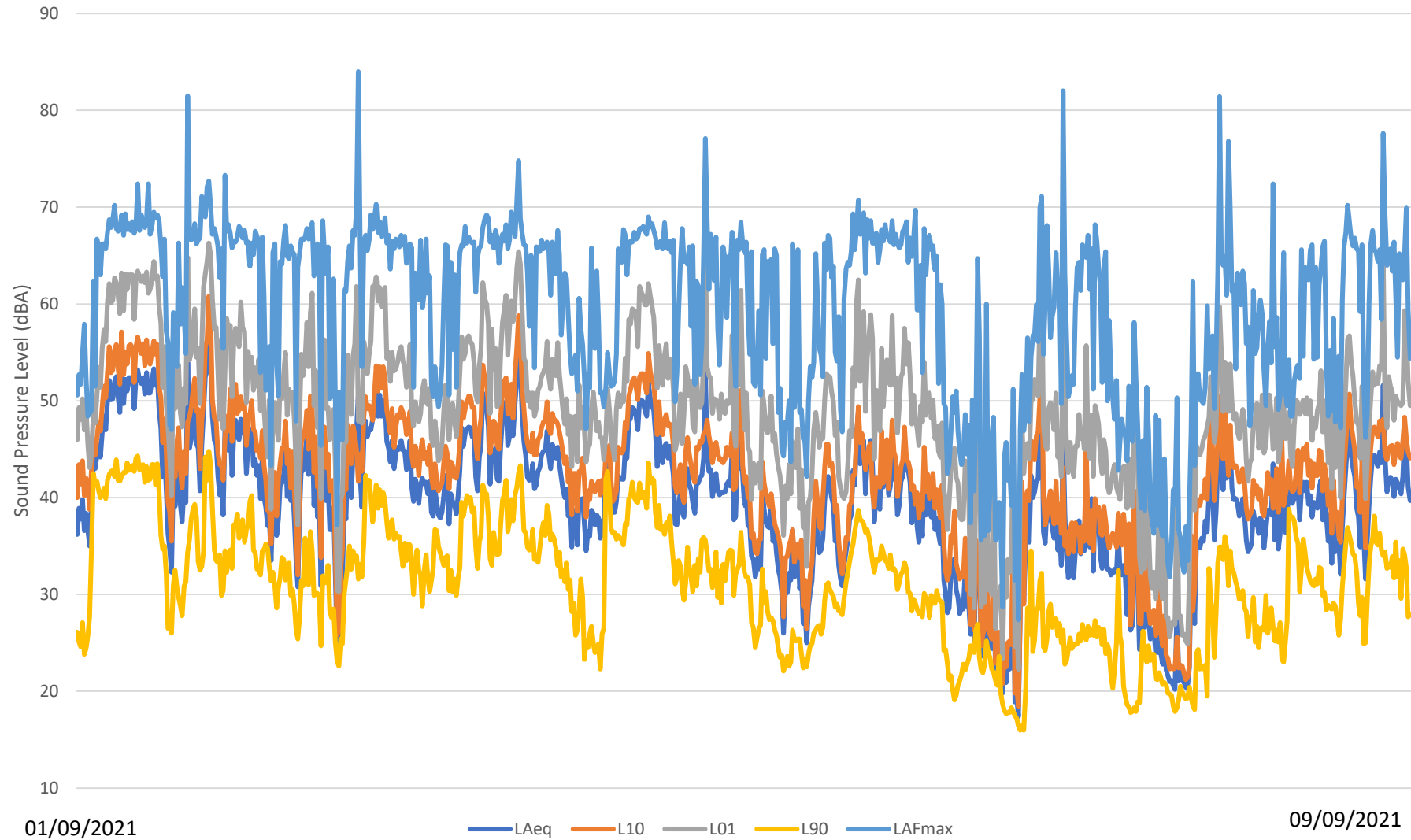
2.45

End Elevation

Client: Harry Pickering – Bell Quarry	Plan Name: Storage Container	Rev: A	Drawn: SVR
Project: MCU of Use and Operational Work Extractive Industry (up to 100,000 tonnes per annum) Bunya Highway, Cooranga – Lot 42 AG3324	Plan No: SC-01	Date: 22/10/2021	Comments: N.T.S

Appendix B Ambient Noise Survey Data

Time Series Data (15 minute data)
5610 Bunya Highway, Cooranga
01/09/2021 - 09/09/2021



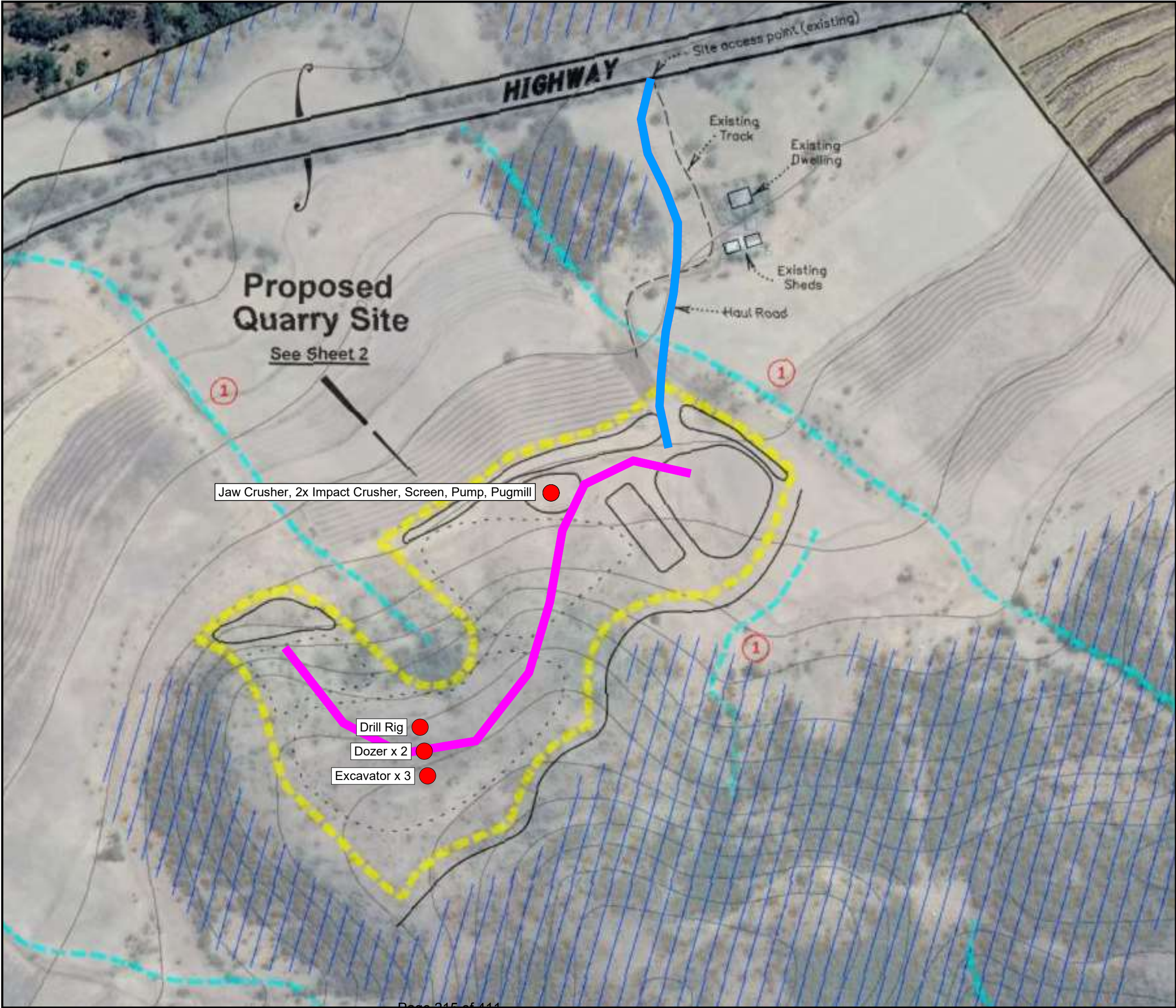
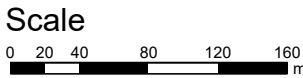
Appendix C Noise Source Locations

Bell Quarry

Noise Source Locations
Scenario 1
SoundPlan v8.0
Standard: Concawe

Signs and symbols

- Point source
- Road Truck Movements
- Front End Loader, Dump Truck, Fuel Tanker Movements

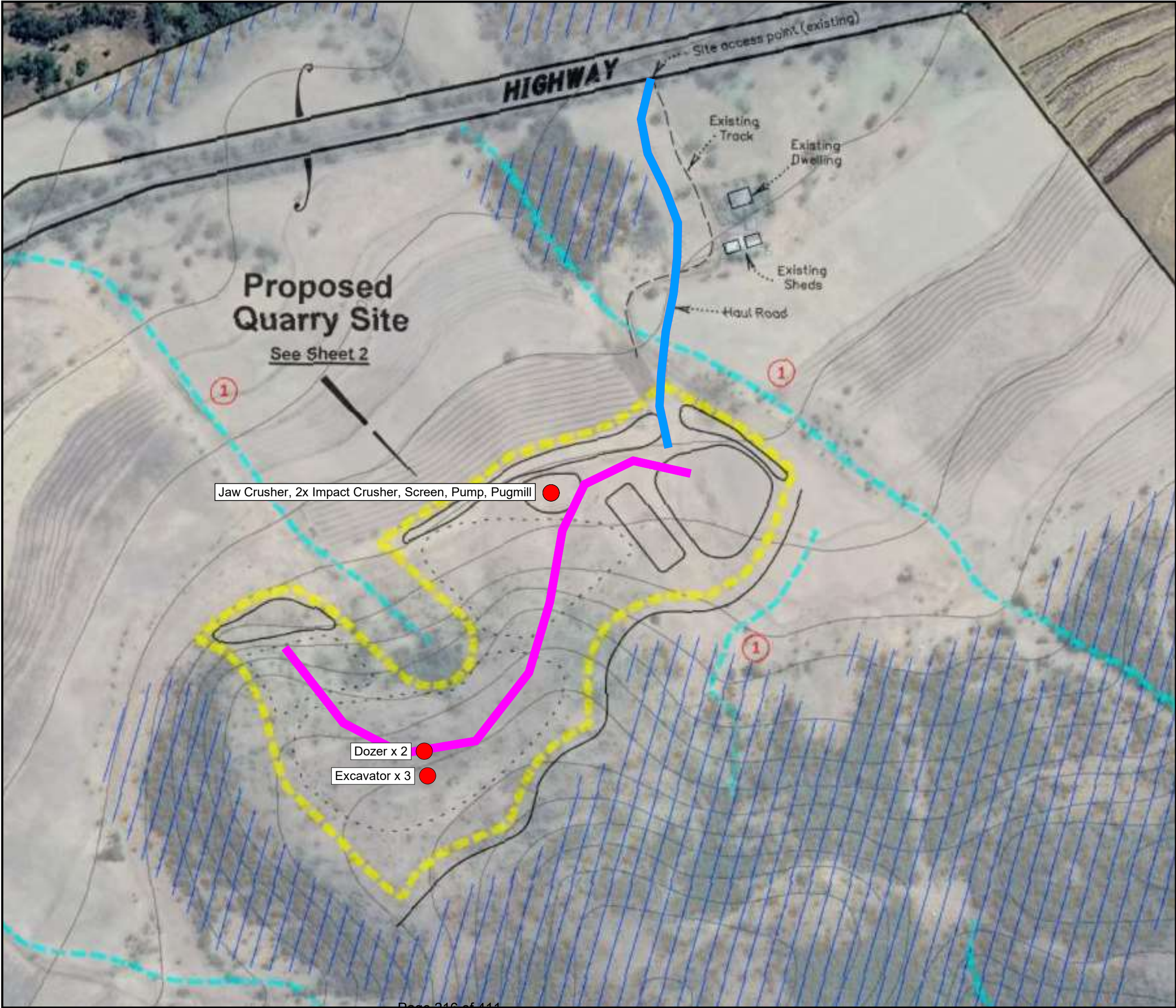
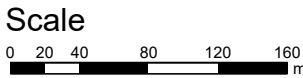


Bell Quarry

Noise Source Locations
Scenario 2
SoundPlan v8.0
Standard: Concawe

Signs and symbols



- Point source
- Road Truck Movements
- Front End Loader, Dump Truck, Fuel Tanker Movements

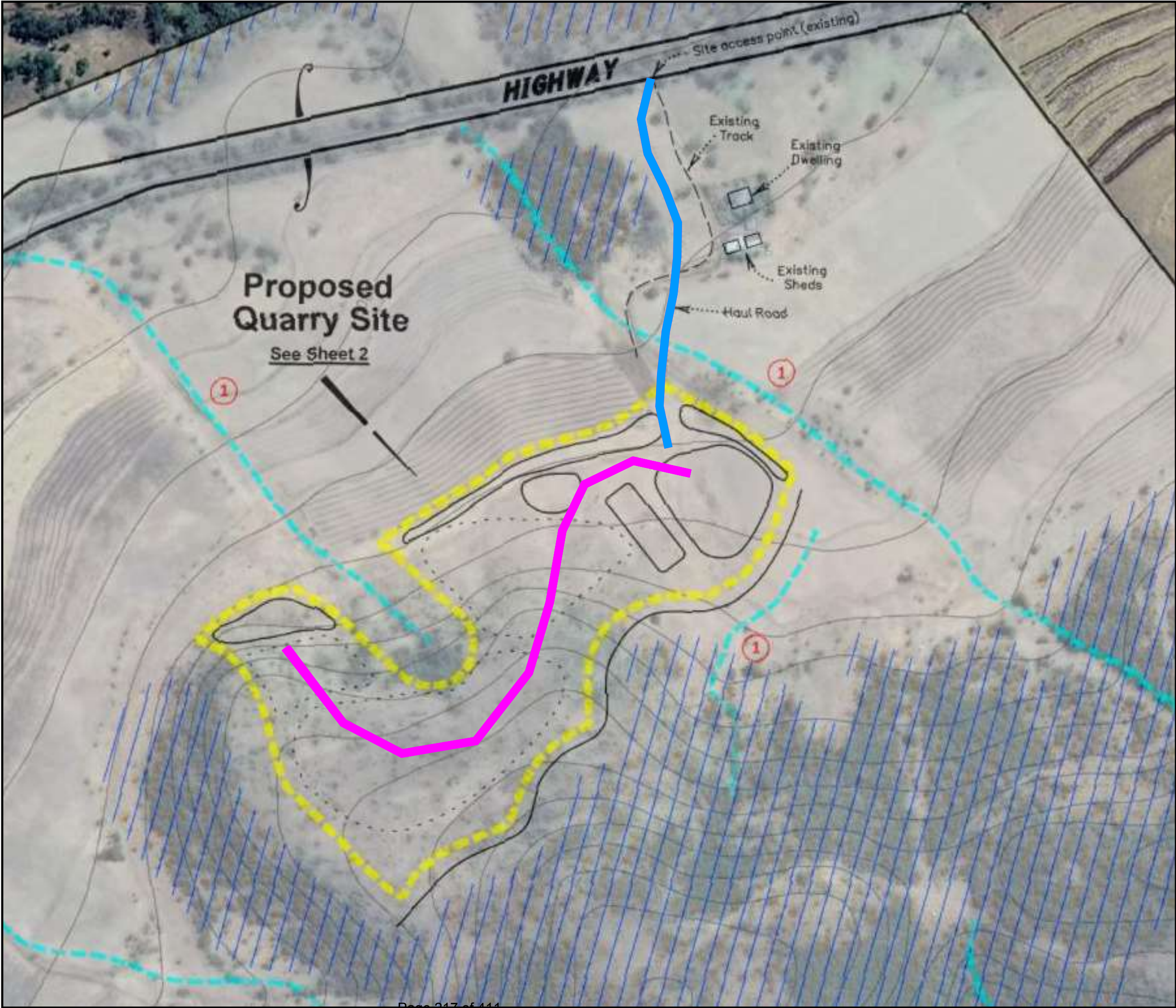
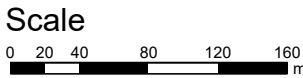


Bell Quarry

Noise Source Locations
Scenario 3
SoundPlan v8.0
Standard: Concawe

Signs and symbols

-  Road Truck Movements
-  Grader, Water Truck, Dump Truck, Light Vehicle Movements



Appendix D Noise Contour Diagrams

Bell Quarry

Noise Contours at 1.8 m

Scenario 1
Standard Meteorology

With 6m Earth Bund

SoundPlan v8.0
Standard: Concawe

Noise level

Leq
in dB(A)

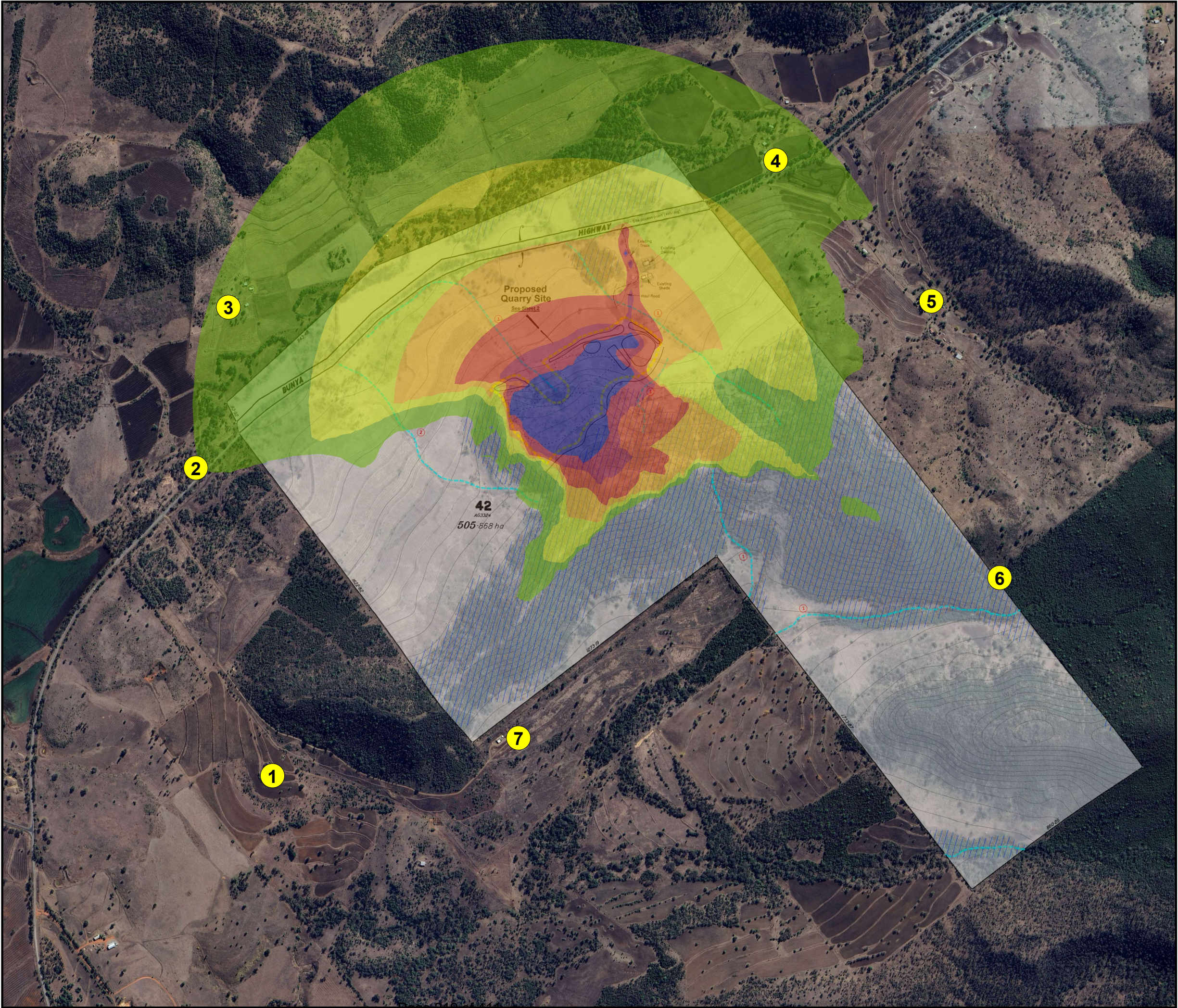
35 <		<= 40
40 <		<= 45
45 <		<= 50
50 <		<= 55
55 <		<= 60
60 <		

Signs and symbols

 Point receiver

Scale

0 100 200 400 600
m



Bell Quarry

Noise Contours at 1.8 m

Scenario 2
Standard Meteorology

With 6m Earth Bund

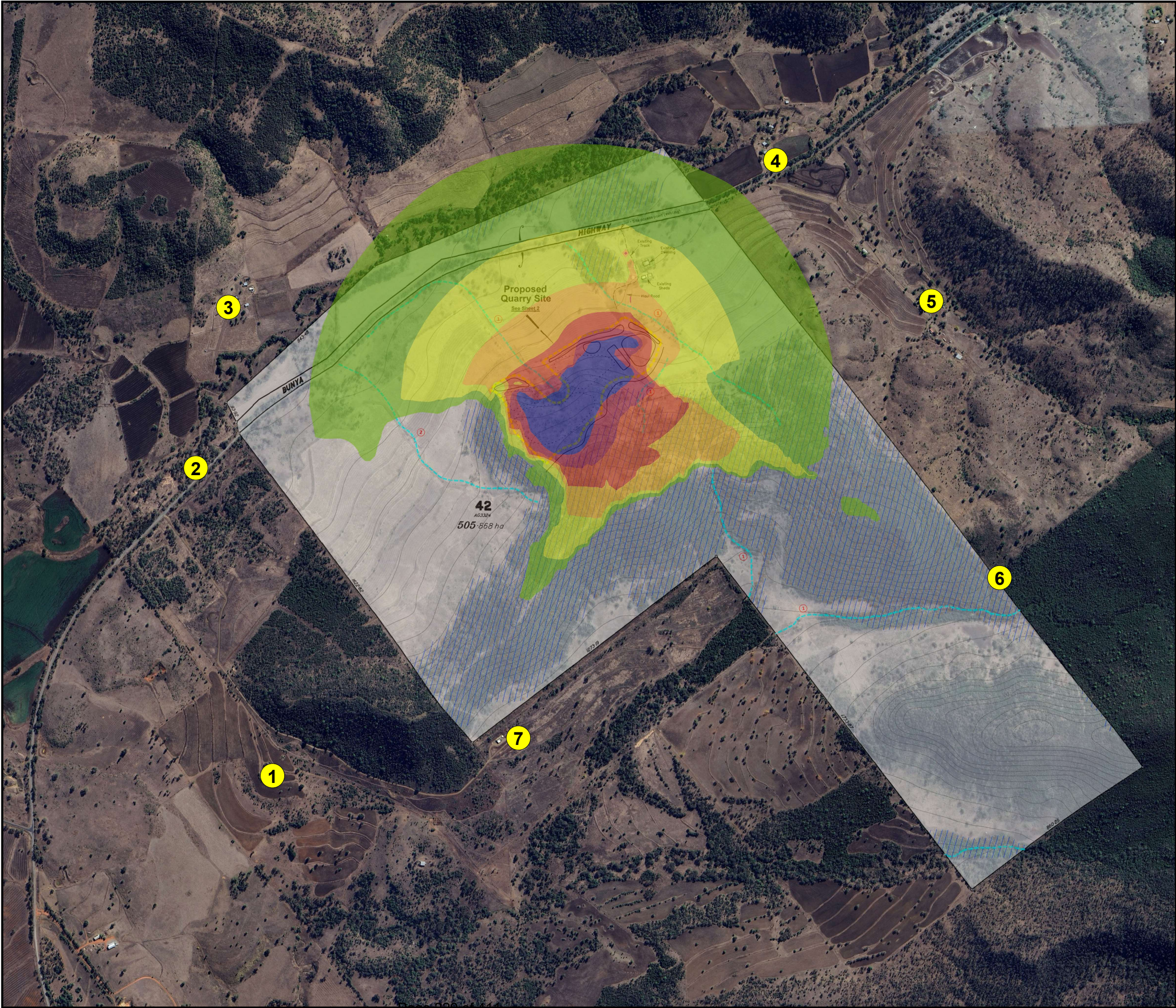
SoundPlan v8.0
Standard: Concawe

Noise level
Leq
in dB(A)

35 <		<=	40
40 <		<=	45
45 <		<=	50
50 <		<=	55
55 <		<=	60
60 <			

Signs and symbols

 Point receiver



Bell Quarry

Noise Contours at 1.8 m

Scenario 3
Standard Meteorology


SoundPlan v8.0
Standard: Concawe

Noise level

Leq
in dB(A)

35 <		<=	40
40 <		<=	45
45 <		<=	50
50 <		<=	55
55 <		<=	60
60 <			

Signs and symbols

 Point receiver



Bell Quarry

Noise Contours at 1.8 m

Scenario 1
Noise-enhancing
Meteorology

With 6m Earth Bund

SoundPlan v8.0
Standard: Concawe

Noise level

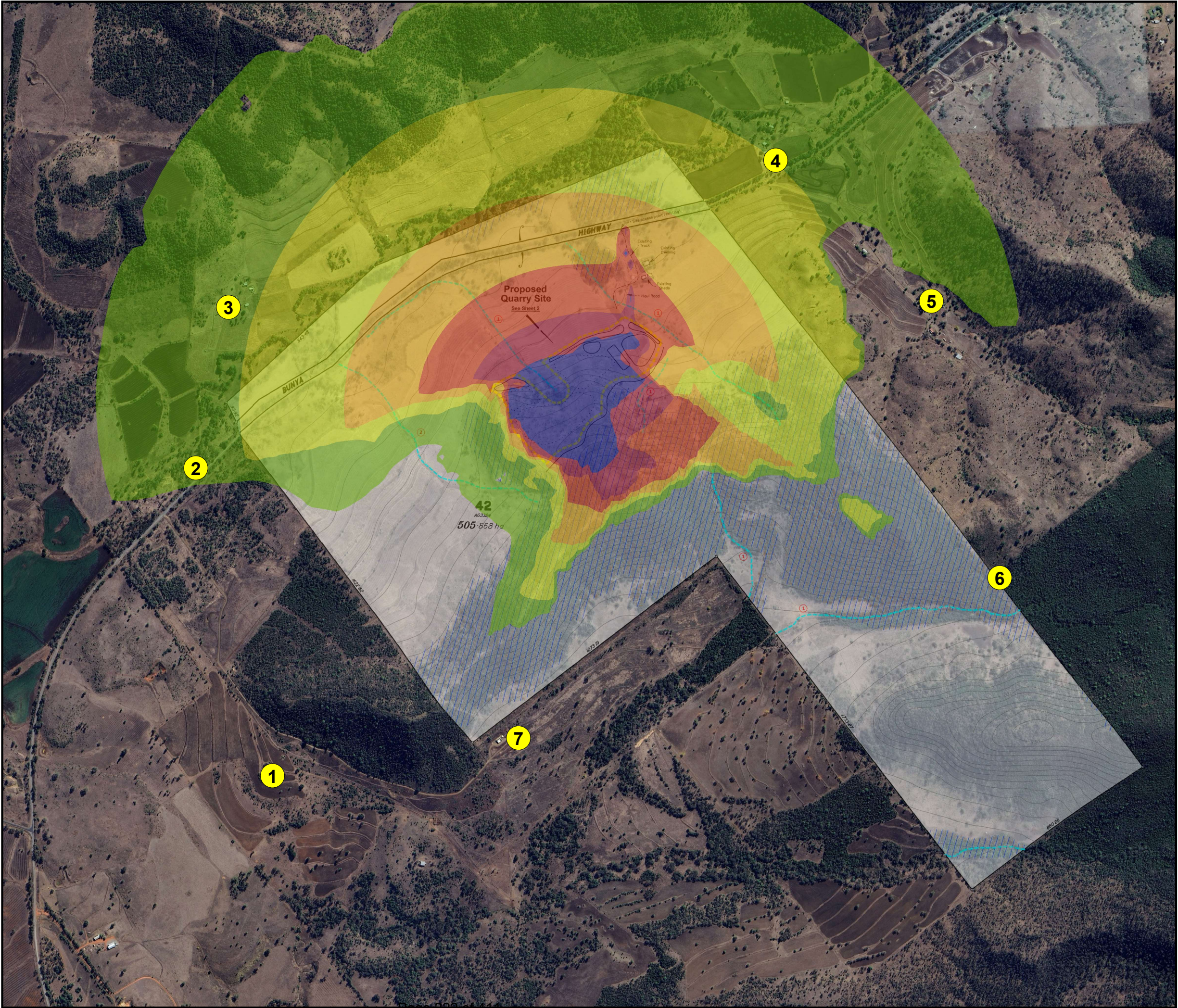
Leq
in dB(A)

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40 <		<= 45
45 <		<= 50
50 <		<= 55
55 <		<= 60
60 <		

Signs and symbols

 Point receiver

Scale



Bell Quarry

Noise Contours at 1.8 m

Scenario 2
Noise-enhancing
Meteorology

With 6m Earth Bund

SoundPlan v8.0
Standard: Concawe

Noise level

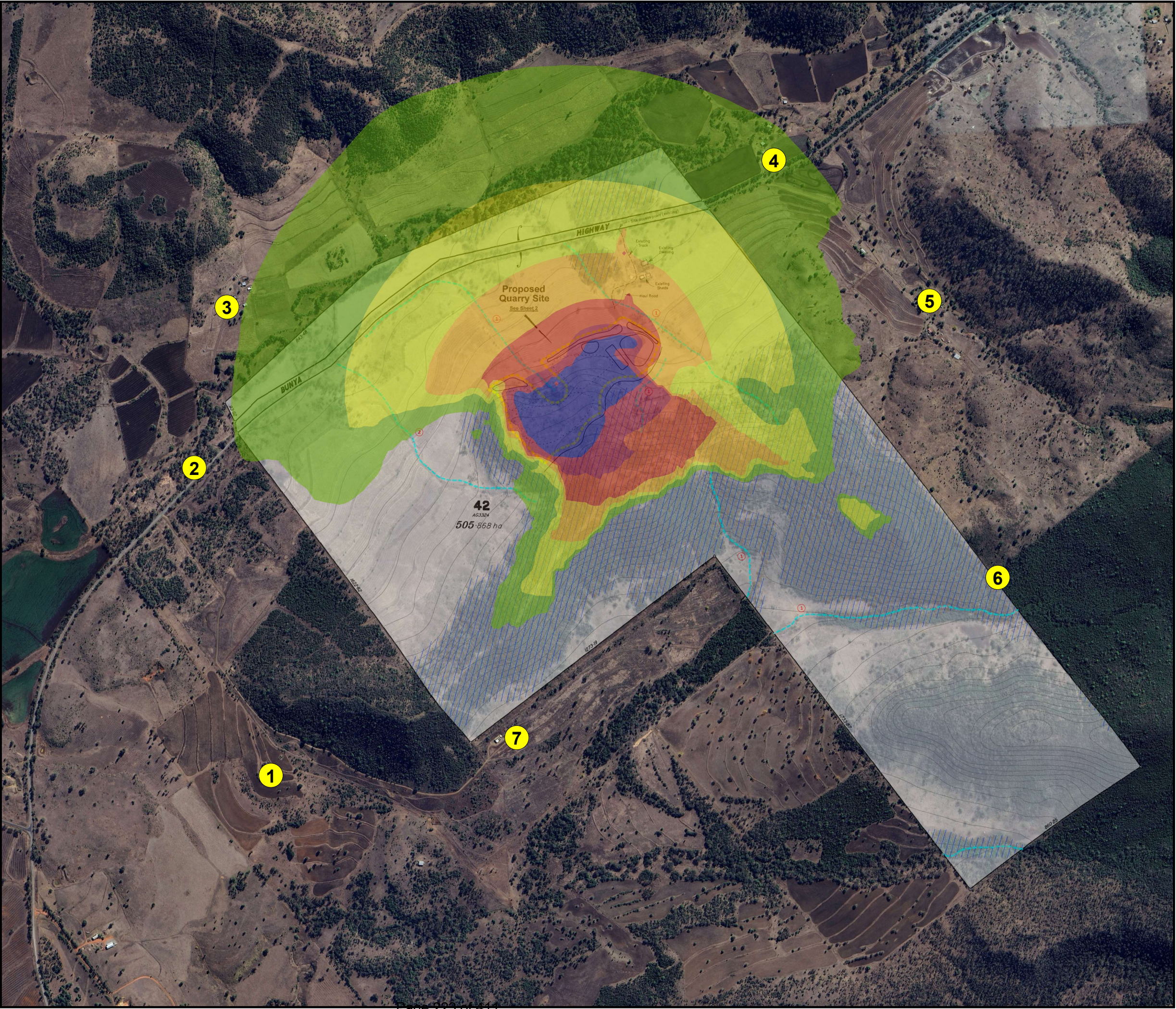
Leq
in dB(A)

35 <		<= 40
40 <		<= 45
45 <		<= 50
50 <		<= 55
55 <		<= 60
60 <		

Signs and symbols

 Point receiver

Scale



Bell Quarry

Noise Contours at 1.8 m

Scenario 3
Noise-enhancing
Meteorology


SoundPlan v8.0
Standard: Concawe

Noise level

Leq
in dB(A)

35 <		<=	40
40 <		<=	45
45 <		<=	50
50 <		<=	55
55 <		<=	60
60 <			

Signs and symbols

 Point receiver





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SARA reference: 2407-41231 SRA
Council reference: 030.2024.357.001
Applicant reference: 2821.DA1

13 November 2024

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

Attention: Jenny Cameron

Dear Ms Cameron

SARA referral agency response—5610 Bunya Highway, Cooranga

(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 (SARA) on 4 July 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	13 November 2024
Conditions:	The conditions in Attachment 1 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 Extractive Industry (up to 1,000,000 tonnes per annum) and Environmentally Relevant Activity 16(2)(b) and 16(3)(b)
SARA role:	Referral agency	

SARA trigger:	<p>Schedule 10, Part 5, Division 4, Table 2, Item 1 (Planning Regulation 2017) – Environmentally relevant activity</p> <p>Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development impacting on state transport infrastructure</p> <p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor</p>
SARA reference:	2407-41231 SRA
Assessment manager:	Western Downs Regional Council
Street address:	5610 Bunya Highway, Cooranga
Real property description:	Lot 42 on SP319216
Applicant name:	Kingaroy Quarry Supplies
Applicant contact details:	<p>C/- Groundworks Plus PO Box 1779 Milton QLD 4064 planning@groundwork.com.au; oedwards@groundwork.com.au</p>
Environmental Authority:	<p>This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> • Approved: 4 November 2024 • Reference: P-EA-100689851 • Effective date: In accordance with Section 200 of the <i>Environmental Protection Act 1994</i> • Prescribed environmentally relevant activity (ERA): ERA 16 2(b) and ERA 16 3(b) <p>If you are seeking further information on the environmental authority, the Department of Environment, Tourism, Science and Innovation website includes a register. This can be found at: www.des.qld.gov.au</p>
State-controlled road access permit:	<p>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:</p> <ul style="list-style-type: none"> • Approved 6 November 2024 • Reference: TMR24-043050 • Date: 6 November 2024 <p>If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at Downs.South.West.IDAS@tmr.qld.gov.au</p>
Human Rights Act 2019 considerations:	<p>Consideration was given to the 23 fundamental human rights under section 58 of the <i>Human Rights Act 2019</i>. It was determined that this decision does not unjustifiably limit these human rights.</p>

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 (section 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Rodney O'Brien, Principal Planning Officer, on 07 4616 7304 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

enc 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 provisions
 Attachment 5 - Documents referenced in conditions

cc Kingaroy Quarry Supplies, planning@groundwork.com.au, oedwards@groundwork.com.au

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 documents referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing																
Material change of use for Extractive Industry (up to 1,000,000 tonnes per annum)																		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development impacting on state transport infrastructure; Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):																		
1.	Any excavation, filling/backfilling/compaction, retaining structures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times																
2.	Heavy vehicles as defined in the <i>Transport Operations (Road Use Management) Act 1995</i> associated with operations of supplying material to the Wambo and Tarong West wind farms are restricted to using the route identified on <i>Figure 2 – Transport Routes</i> (in the Traffic and Pavement Impact Assessment Report prepared by Traffic Transport Plus dated 6 August 2024, reference 10849 (Issue 1)) as the haul route.	At all times																
3.	<p>(a) Pay an annual monetary contribution to the Department of Transport and Main Roads' towards protecting and maintaining the safety and efficiency of the state-controlled road network. The contribution is to be calculated in accordance with Table A and B.</p> <p>The contribution is to be indexed from 13 November 2024 using the Road and Bridge Construction Index, Queensland – Class 3101, published quarterly by the Australian Bureau of Statistics (ABS Cat No. 6427, Series ID A2333727L) to the date of payment.</p> <p>The contribution shown in Table A is to be applied only to volume of material hauled from the site travelling north via the Bunya Highway.</p> <p><i>Table A: Bunya Highway north</i></p> <table><tr><th>Material Hauled (tonnes/year)</th><th>Contribution (cents/tonne)</th></tr><tr><td>0 – 100,000</td><td>0</td></tr><tr><td>100,001 – 200,000</td><td>16.20</td></tr><tr><td>200,001 – 300,000</td><td>16.20</td></tr><tr><td>300,001 – 400,000</td><td>16.20</td></tr><tr><td>400,001 – 500,000</td><td>16.20</td></tr><tr><td>500,001 – 600,000</td><td>16.20</td></tr><tr><td>600,001 -700,000</td><td>16.20</td></tr></table>	Material Hauled (tonnes/year)	Contribution (cents/tonne)	0 – 100,000	0	100,001 – 200,000	16.20	200,001 – 300,000	16.20	300,001 – 400,000	16.20	400,001 – 500,000	16.20	500,001 – 600,000	16.20	600,001 -700,000	16.20	(a) and (b), By the 30 July each year until the transportation of material hauled from the site by road under this approval ceases.
Material Hauled (tonnes/year)	Contribution (cents/tonne)																	
0 – 100,000	0																	
100,001 – 200,000	16.20																	
200,001 – 300,000	16.20																	
300,001 – 400,000	16.20																	
400,001 – 500,000	16.20																	
500,001 – 600,000	16.20																	
600,001 -700,000	16.20																	

	<table><tr><td>700,001 – 800,000</td><td>16.20</td></tr><tr><td>800,001 – 900,000</td><td>16.20</td></tr><tr><td>900,001 – 1,000,000</td><td>16.20</td></tr></table> <p>The contribution shown in Table B is to be applied to material hauled from the site travelling south via the Bunya Highway:</p> <p><i>Table B: Bunya Highway South</i></p> <table><tr><th>Material Hauled (tonnes/year)</th><th>Contribution (cents/tonne)</th></tr><tr><td>0 – 100,000</td><td>0</td></tr><tr><td>100,001 – 120,000</td><td>54.04</td></tr><tr><td>120,001 – 140,000</td><td>54.04</td></tr><tr><td>140,001 – 160,000</td><td>54.46</td></tr><tr><td>160,001 – 180,000</td><td>55.43</td></tr><tr><td>180,001 – 200,000</td><td>55.67</td></tr></table> <p>(b) Maintain records which document the quantity of material hauled on the State-controlled road network in accordance with Tables A and B and submit these records to the Department of Transport and Main Roads.</p>	700,001 – 800,000	16.20	800,001 – 900,000	16.20	900,001 – 1,000,000	16.20	Material Hauled (tonnes/year)	Contribution (cents/tonne)	0 – 100,000	0	100,001 – 120,000	54.04	120,001 – 140,000	54.04	140,001 – 160,000	54.46	160,001 – 180,000	55.43	180,001 – 200,000	55.67	
700,001 – 800,000	16.20																					
800,001 – 900,000	16.20																					
900,001 – 1,000,000	16.20																					
Material Hauled (tonnes/year)	Contribution (cents/tonne)																					
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100,001 – 120,000	54.04																					
120,001 – 140,000	54.04																					
140,001 – 160,000	54.46																					
160,001 – 180,000	55.43																					
180,001 – 200,000	55.67																					
4.	<p>Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none">(i) create any new discharge points for stormwater runoff onto the state-controlled road(ii) concentrate or increase the velocity of flows to the state-controlled road(iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road(iv) surcharge any existing culvert or drain on the state-controlled road(v) reduce the quality of stormwater discharge onto the state-controlled road(vi) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road.	At all times																				

Attachment 2—Advice to the applicant

General 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) (version 3.0). If a word remains undefined it has its ordinary meaning.
Heavy vehicle / road train routes	
2.	<p>The applicant is advised that any oversized or over dimensioned vehicles accessing the site via an unapproved route (i.e. local roads that are not designated road train routes) will require separate approval through the National Heavy Vehicle Regulator (NHVR). Operators can request for assessment of roads that are not currently approved for road train access by applying to the NHVR. Vehicles must not operate on requested roads until they appear on the relevant maps and/or approved road lists.</p> <p>It is recommended that the applicant contact the NHVR for further information regarding this matter.</p>

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

- The development complies with State Code 1: Development in a state-controlled road environment. Specifically, the development does not:
 - o increase the likelihood or frequency of accidents, fatalities, or serious injury for users of a state-controlled road
 - o adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
 - o adversely impact the function efficiency of state-controlled roads or future state-controlled roads.
- The development complies with State code 6: Protection of state transport networks. Specifically, the development does not:
 - o create a safety hazard for users of a state-controlled road
 - o result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network.
 - o compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads
- The development complies with State code 22: Environmentally relevant activities. Specifically, the development for the environmentally relevant activity:
 - o is located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
 - o is designed and located to avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

(page left intentionally blank)

Attachment 5—Documents referenced in conditions

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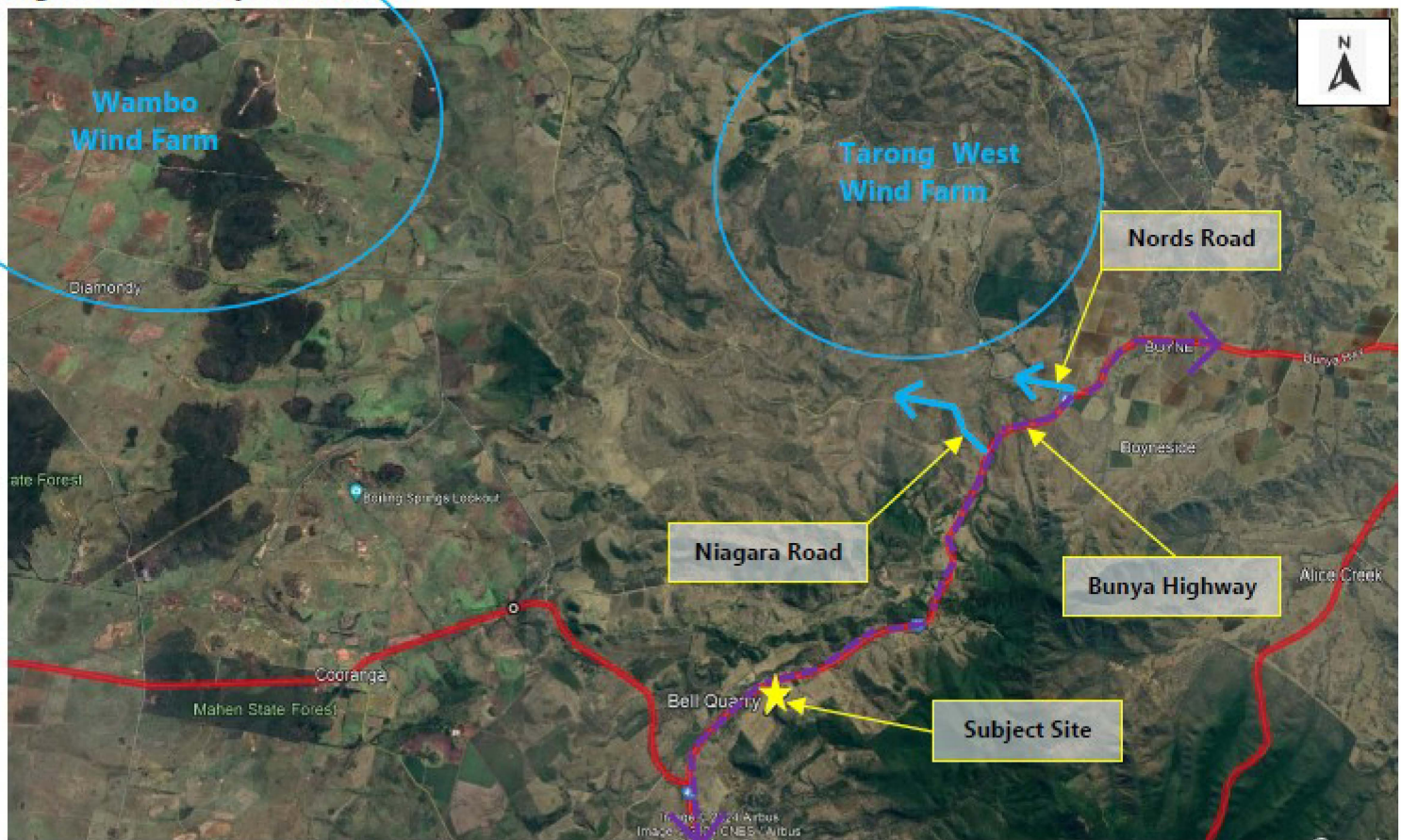
PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2407-41231 SRA

Date: 13 November 2024

Figure 2 – Transport Routes



Legend:

Transport Routes (SCR Component)



Transport Routes (Local Roads to Wind Farm Projects)



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 Rules¹ 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.²
- 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.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² 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.³

³ 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.

Our ref TMR24-043050
Your ref 2821_DA1
Enquiries Scott McDonald



6 November 2024

Department of
Transport and Main Roads

Decision Notice – Permitted Road Access Location (s62(1) *Transport Infrastructure Act 1994*)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number 030.2024.357.001, lodged with Western Downs Regional Council involves constructing or changing a vehicular access between Lot 42SP319216, the land the subject of the application, and the Bunya Highway (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address Kingaroy Quarry Supplies c/- Groundwork Plus
PO Box 1779
Milton QLD 4064

Application Details

Address of Property 5750 Bunya Highway, Cooranga QLD 4408
Real Property Description 42SP319216
Aspect/s of Development Development Permit for Material Change of Use for Extractive Industry (Up to 1,000,000 tonnes per annum) and Environmentally Relevant Activity

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following condition(s):

- The road access to Lot 42 SP319216 is to remain located in accordance with the Overall Site Plan prepared by Downes Group dated 29/04/2021, reference Plan No. ZA00771.P05.

Reasons for the decision

The reasons for this decision are as follows:

- a) To ensure the access location maintains the safety, efficiency and operational capacity of the state-controlled road network.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

¹ Please refer to the further approvals required under the heading 'Further approvals'

Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
 - a) starts to have effect when the development approval has effect; and
 - b) stops having effect if the development approval lapses or is cancelled; and
 - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the department to make an application.

If further information about this approval or any other related query is required, Mr Scott McDonald, Planning Officer should be contacted by email at Scott.A.McDonald@tmr.qld.gov.au or on (07) 4639 0737.

Yours sincerely



Jason McGuire
Senior Town Planner

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions

Attachment A

Decision Evidence and Findings

Evidence or other material on which findings were based:

- Material submitted in support of Western Downs Regional Council Development Application No. 030.2024.357.001
- State Development Assessment Provisions – Assessment Code 1 (Development in a state controlled road environment)
- State Development Assessment Provisions – Assessment Code 6 (Protection of state transport networks)
- Department of Transport and Main Roads' *Road Planning and Design Manual, 2nd Edition*
- *Planning Act (2016)*
- *Planning Regulations (2017)*
- *Transport Infrastructure Act (1997)*

Attachment B

Section 70 of TIA

Transport Infrastructure Act 1994

Chapter 6 Road transport infrastructure

Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
 - (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C
Appeal Provisions

Transport Infrastructure Act 1994
Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and
 - (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

- (5) The court may order—
 - (a) the appeals to be heard together or 1 immediately after the other; or
 - (b) 1 appeal to be stayed until the other is decided.
- (6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.
- (7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.
- (8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

- (a) if the reviewed decision may be reviewed by QCAT—QCAT; or
- (b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

- (a) if a decision notice is given to the person—28 days after the notice was given to the person; or
- (b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

- (a) the decision notice did not state the reasons for the decision; and
- (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

Permit

Environmental Protection Act 1994

Environmental authority P-EA-100689851

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: P-EA-100689851

Environmental authority takes effect on the date that your related development approval 030.2024.357.001 takes effect. This is the take effect date.

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the take effect date.

The anniversary date of this environmental authority is the same day each year as the take effect date. The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
KINGAROY QUARRY SUPPLIES PTY LTD	1304 Wattlegrove Rd Wattlegrove QLD 4610

Environmentally relevant activity and location details

Environmentally relevant activities	Location
ERA 16 - Extraction and Screening - 2(b) - Extracting, other than by dredging, in a year, the following quantity of material - more than 100,000t but not more than 1,000,000t	42/SP319216
ERA 16 - Extraction and Screening - 3(b) - Screening, in a year, the following quantity of material - more than 100,000t but not more than 1,000,000t	

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Mobile and temporary activities

If you operate a mobile and temporary environmentally relevant activity (ERA), other than regulated waste transport, you are required to maintain a work diary. You must:

- use the approved form for a work diary (ESR/2015/1696);
- keep the work diary records for 2 years after the last entry;
- inform the administering authority within 7 days of the work diary being lost or stolen;
- record the information required in the work diary for each location within 1 day of leaving the location.

Contaminated land

It is a requirement of the EP Act that an owner or occupier of land give written notice to the administering authority if they become aware of the following:

- the presence of, or happening of an event involving, a hazardous contaminant on the land that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours); or
- if the land is contaminated land – a change in the condition of the land that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the land (notice must be given within 20 business days).

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority – on the nominated day; or
- b) if the authority states a day or an event for it to take effect – on the stated day or when the stated event happens; or
- c) otherwise – on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 April.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Signature

4 November 2024

Date

Helena Braye
Manager
Department of Environment, Science and Innovation
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Energy and Extractive Resources
GPO Box 2454, BRISBANE QLD 4001
Phone: (07) 3330 5715
Email: EnergyandExtractive@des.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access State controlled roads), the Department of Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.resources.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment, Science and Innovation to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

Ref	Condition
Schedule: General	
G1	<p>Activities under this environmental authority must be conducted in accordance with the following limitations:</p> <ul style="list-style-type: none"> (a) Extraction must only occur within 'Bell Quarry Extent' identified in <i>Appendix 1: Quarry Footprint</i> and bounded by the coordinates listed in <i>Appendix 1: Quarry Footprint</i>; and (b) The amount of material extracted per year must not exceed 1,000,000 tonnes per year; and (c) The amount of material screened per year must not exceed 1,000,000 tonnes per year; and (d) The depth of extraction must not exceed 590m AHD; and (e) Extraction must not intercept groundwater.
G2.0	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused, or likely to be caused, by the activities.
G3.0	<p>Unless specifically authorised by a condition of this environmental authority, this environmental authority does not authorise a relevant act which is:</p> <ul style="list-style-type: none"> (a) an act that causes serious or material environmental harm or an environmental nuisance; or (b) an act that contravenes a noise standard; or (c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG of the <i>Environmental Protection Act 1994</i>.
G4.0	<p>Contravention of conditions</p> <p>Unless specifically authorised by a condition of this environmental authority, details of any contravention of a condition of this environmental authority must:</p> <ul style="list-style-type: none"> (a) be reported to the administering authority within 24 hours of becoming aware of the contravention; and (b) include the nature and circumstances of the contravention and any immediate actions taken.
G4.1	<p>As soon as reasonably practicable but no later than 20 business days of a report made under condition G4.0 (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:</p> <ul style="list-style-type: none"> (a) the potential circumstances and actions that may have contributed to the contravention; and (b) reasonable and practicable measures that will be implemented to address the cause of the contravention to prevent future contraventions of this nature.

Ref	Condition
G4.2	As soon as reasonably practicable but no later than 20 business days of investigating a contravention under condition G4.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.
G4.3	The outcome of the investigation carried out under condition G4.1 and the reasonable and practicable measures implemented under condition G4.2 must be recorded.
G5.0	<p>Complaints</p> <p>The following details must be recorded for all complaints received and provided to the administering authority upon request:</p> <ul style="list-style-type: none"> (a) date and time the complaint was received; and (b) if authorised by the person making the complaint, their name and contact details; and (c) nature and details of the complaint.
G5.1	<p>As soon as reasonably practicable but no later than 5 business days of receiving a complaint (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:</p> <ul style="list-style-type: none"> (a) the potential circumstances and actions on site that may have contributed to the basis of the complaint; and (b) reasonable and practicable measures that will be implemented to address the complaint.
G5.2	As soon as reasonably practicable but no later than 5 business days of investigating a complaint under condition G5.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented.
G5.3	The outcome of the investigation carried out under condition G5.1 and the reasonable and practicable measures implemented under condition G5.2 must be recorded.
G6.0	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate a complaint of environmental nuisance arising from the activity . The monitoring results must be provided within 10 business days to the administering authority upon its request.
G7.0	<p>Environmental risk management procedures</p> <p>Written procedures must be developed and implemented by an appropriately qualified person that ensure:</p> <ul style="list-style-type: none"> a. all potential risks to the environment from the carrying out of the activity are identified and assessed, including: <ul style="list-style-type: none"> i. during routine operations; and

Ref	Condition						
	<ul style="list-style-type: none"> ii. outside routine operations (e.g., maintenance, start up and shut down); and iii. during preparation, rehabilitation, and closure; and iv. in an emergency (e.g., fire, flood or other natural disaster); and b. for each potential risk identified, any necessary measures to prevent or minimise the potential for environmental harm are implemented; and c. staff understand their obligations under this environmental authority and the <i>Environmental Protection Act 1994</i>; and d. environmental risk management procedures are continually reviewed and improved, based on a reasonable risk-management approach. 						
G8.0	Plant and equipment An appropriately qualified person must install, operate, calibrate, and maintain the plant and equipment required to carry out the activity (including monitoring devices) in a proper and effective manner.						
G8.1	Records of installation, calibration and maintenance carried out under condition G8.0 must be kept.						
G9.0	Record keeping Unless otherwise specified by a condition of this environmental authority, records must be: <ul style="list-style-type: none"> a. kept for the period outlined in Table 1– Record keeping requirements; and b. provided to the administering authority upon request and in the format requested. Table 1– Record keeping requirements <table border="1"> <thead> <tr> <th>Description of records</th><th>Retention requirement</th></tr> </thead> <tbody> <tr> <td>Monitoring results</td><td>Retain for 15 years</td></tr> <tr> <td>All other records</td><td>Retain for 5 years</td></tr> </tbody> </table>	Description of records	Retention requirement	Monitoring results	Retain for 15 years	All other records	Retain for 5 years
Description of records	Retention requirement						
Monitoring results	Retain for 15 years						
All other records	Retain for 5 years						
G10.0	Chemical storage Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.						
G11.0	Monitoring and sampling All monitoring and sampling required by the conditions of this environmental authority must be carried out, interpreted, and recorded by an appropriately qualified person.						
G11.1	Unless otherwise authorised in writing by the administering authority, all laboratory analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) accreditation for such analyses. The only exception to this condition is for <i>in situ</i> monitoring of pH and electronic conductivity.						

Ref	Condition
Schedule: Air	
A1.0	Other than as permitted within this environmental authority, odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place.
A2.0	<p>Dust and particulate matter emissions from the activity must not exceed the following concentrations at a sensitive place or a commercial place:</p> <ul style="list-style-type: none"> (a) dust deposition of 120 milligrams per square metre per day, averaged over 30 days, when monitored in accordance with the latest edition of Australian Standard AS/NZS 3580.10.1 <i>Methods for sampling and analysis of ambient air, Method 10.1: Determination of particulate matter – Deposited matter – Gravimetric method</i>; or (b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, when monitored in accordance with the most current edition of the relevant Australian Standards.
A3.0	<p>Air quality monitoring, including for dust and point source emissions from the activity, must be undertaken in accordance with the latest edition of:</p> <ul style="list-style-type: none"> (a) the relevant Australian Standards; or (b) a method approved by any other Australian, European or North American jurisdiction/EPAs (if monitoring requirements are not described in the Australian Standards).
Schedule: Land	
L1.0	Other than as permitted within this environmental authority, contaminants must not be released to land.
L2.0	<p>Erosion and sediment control measures must:</p> <ul style="list-style-type: none"> 1. minimise erosion and the release of sediment within areas disturbed by the activity; and 2. prevent releases from the activity causing erosion outside of areas disturbed by the activity; and 3. prevent the release of sediment from areas disturbed by the activity to land or waters; and 4. be implemented and maintained at all times.
L2.1	<p>An erosion and sediment control plan must:</p> <ul style="list-style-type: none"> 1. be developed: <ul style="list-style-type: none"> 1. prior to the commencement of the activity; 2. by a certified professional in erosion and sediment control (CPESC) or a Registered Professional Engineer of Queensland (RPEQ) certified in erosion and sediment control (ESC); and

Ref	Condition
	<ol style="list-style-type: none"> 3. prior to the commencement of any ground disturbance associated with the activity; and 4. to ensure compliance with condition L2.0; 2. be revised as necessary to ensure that all times the plan covers all areas disturbed by the activity; and 3. be implemented at all times.
L3.0	<p>Disturbance to areas as a result of carrying out activities conducted under this environmental authority must be rehabilitated so that:</p> <ol style="list-style-type: none"> 1. the potential for erosion and sedimentation is minimised; and 2. the potential for environmental nuisance caused by dust is prevented; and 3. land and water do not contain contaminants capable of causing environmental harm; and 4. the landform is in a stable condition; and 5. the top layer of the soil profile is re-instated consistent with surrounding soils; and 6. the land is re-profiled to reflect the final land use and is consistent with surrounding landforms and established drainage lines; and 7. the land is vegetated with ground cover that is established, actively growing, self-sustaining and is not a declared pest species.
L3.1	Rehabilitation works of disturbed areas required under condition L3.0, must be substantially commenced within 12 months of the area becoming no longer required for the activities conducted under this environmental authority.
L3.2	<p>A rehabilitation plan must:</p> <ol style="list-style-type: none"> 1. be developed: <ol style="list-style-type: none"> a) by an appropriately qualified person; b) to ensure compliance with conditions L3.0 and L3.1; and 2. include final land use plans, as well as plans for any planned stages; and 3. plan for topsoil that is extracted as part of the activity to be preserved and reused during rehabilitation; and 4. include all areas disturbed by the activity; and 5. be implemented at all times.
L4.0	A 50m buffer must be maintained between significant disturbance and regulated vegetation.
L4.1	Significant residual impacts to prescribed environmental matters are not authorised under this environmental authority or Environmental Offsets Act 2014.

Ref	Condition																																								
L4.2	Records demonstrating that each impact to a prescribed environmental matter did not, or is not likely to, result in a significant residual impact to a matter that must be: (a) completed by an appropriately qualified person, and (b) be kept for the life of the environmental authority.																																								
Schedule: Waste																																									
W1.0	All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.																																								
Schedule: Noise																																									
N1.0	Other than as permitted within this environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.																																								
N1.1	Noise from the activity must not include substantial low frequency noise components and must not exceed the levels identified in <i>Table – Noise limits</i> at any sensitive place or commercial place. Table – Noise limits <table><tr><th rowspan="3">Noise level measured in dB(A)</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sunday and Public Holidays</th></tr><tr><th>7am–6pm</th><th>6pm–10pm</th><th>10pm–7am</th><th>9am–6pm</th><th>6pm–10pm</th><th>10pm–9am</th></tr><tr><th colspan="6">Noise measured a sensitive place*</th></tr><tr><td>L_{Aeq} adj, T</td><td>45</td><td>No audible sound</td><td>No audible sound</td><td>No audible sound</td><td>No audible sound</td><td>No audible sound</td></tr><tr><th colspan="7">Noise measured at a commercial place</th></tr><tr><td>L_{Aeq} adj, T</td><td>55</td><td>55</td><td>55</td><td>55</td><td>55</td><td>55</td></tr></table> *A residential dwelling at the location is not considered to be a sensitive place, so long as a contractual arrangement exists between you and the owner of the dwelling	Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays			7am–6pm	6pm–10pm	10pm–7am	9am–6pm	6pm–10pm	10pm–9am	Noise measured a sensitive place*						L _{Aeq} adj, T	45	No audible sound	No audible sound	No audible sound	No audible sound	No audible sound	Noise measured at a commercial place							L _{Aeq} adj, T	55	55	55	55	55	55
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N2.0	All monitoring of noise emissions from the activity must be undertaken when the activity is in operation.																																								
N2.1	The following must be recorded when undertaking monitoring of noise emissions from the activity: (a) All equipment in operation at the time of the noise measurement; and (b) The mode of operation at the time of the noise measurement.																																								
N2.2	Noise measurements must be taken using a class 1 sound level meter as classified under AS IEC 61672.																																								
N2.3	All monitoring of noise emissions from the activity must be undertaken in accordance with the																																								

Ref	Condition						
	latest edition of the <i>'Noise measurement manual'</i> (available on the Queensland government website), the relevant Australian Standard and the <i>Environmental Protection Regulation 2019</i> (Chapter 5, Part 4).						
N3.0	<p>Blasting must not exceed the limits for peak particle velocity and air blast overpressure in <i>Table – Blasting noise limits</i> when measured at any sensitive place or commercial place.</p> <p>Table – Blasting noise limits</p> <table> <tr> <th>Blasting criteria</th><th>Blasting limits</th></tr> <tr> <td>Airblast overpressure</td><td>115 dB (Linear) Peak for 19 out of 20 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time.</td></tr> <tr> <td>Ground vibration peak particle velocity</td><td>5 mm/s peak particle velocity for 19 out of 20 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.</td></tr> </table>	Blasting criteria	Blasting limits	Airblast overpressure	115 dB (Linear) Peak for 19 out of 20 consecutive blasts initiated and not greater than 120 dB (Linear) Peak at any time.	Ground vibration peak particle velocity	5 mm/s peak particle velocity for 19 out of 20 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.
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Ground vibration peak particle velocity	5 mm/s peak particle velocity for 19 out of 20 consecutive blasts and not greater than 10 mm/s peak particle velocity at any time.						
N3.1	Blasting must be carried out in accordance with the most current edition of the Queensland Government's <i>'Noise and vibration from blasting guideline'</i> (ESR/2016/2169) and with <i>Australian Standard 2187</i> .						
N3.2	<p>Blasting is:</p> <ul style="list-style-type: none"> (a) only permitted during the hours of 9am to 3pm Monday to Friday, and from 9am to 1pm on Saturdays; and (b) not permitted at any time on Sundays or public holidays. 						
N3.3	When required by the administering authority, a blast monitoring program must be developed and implemented to monitor compliance with <i>Table – Blasting noise limits</i> at any sensitive place or commercial place.						
N3.4	All monitoring of airblast overpressure and ground vibration peak particle velocity must be undertaken in accordance with the Queensland Government's <i>'Noise and vibration from blasting guideline'</i> (ESR/2016/2169).						
Schedule: Water							
WT1.0	<p>Point source releases</p> <p>Contaminants must not be released to waters unless the contaminants being released:</p> <ul style="list-style-type: none"> (a) are only released from the release points specified in <i>Table – Surface water release limits</i> and as depicted in <i>Appendix 2 – Release points and monitoring points</i> attached to this environmental authority; and (b) comply with the release limits (limit and type) for each quality characteristic and receiving water flow criteria specified in <i>Table – Surface water release limits</i>; and (c) are monitored at the minimum monitoring frequency for each quality characteristic specified in <i>Table – Surface water release limits</i>; and (d) are monitored at the following monitoring locations: 						

Ref	Condition																																												
	<div><div>(i) The release points identified in <i>Table – Surface water release limits</i>; and</div><div>(ii) as depicted in <i>Appendix 2 – Release points and monitoring points</i> attached to this environmental authority.</div></div> <div>Table – Surface water release limits</div> <table><tr><th rowspan="2">Release Points (GDA2020 decimal degrees) * Latitude Longitude</th><th rowspan="2">Monitoring Point (GDA2020 decimal degrees) * Latitude Longitude</th><th rowspan="2">Quality characteristic (units)</th><th colspan="2">Release limit</th><th rowspan="2">Minimum monitoring frequency</th></tr><tr><th>limit</th><th>type</th></tr><tr><td rowspan="5">RP1: 347004.42 7035915.716</td><td rowspan="5">MP1: 346959.392 7035861.358</td><td>Total Suspended Solids (mg/L)</td><td>25</td><td>Maximum</td><td rowspan="5">Prior to release at MP1</td></tr><tr><td>Turbidity (NTU)</td><td>25</td><td>Maximum</td></tr><tr><td>Dissolved Oxygen (% sat.)</td><td>60-110</td><td>Range</td></tr><tr><td>pH (pH units)</td><td>7.4-8.3</td><td>Range</td></tr><tr><td>Electrical Conductivity (µS/cm)</td><td>890</td><td>Maximum</td></tr><tr><td rowspan="5">RP2: 347333.949 7036202.86</td><td rowspan="5">MP2: 347278.754 7036049.734</td><td>Total Suspended Solids (mg/L)</td><td>25</td><td>Maximum</td><td rowspan="5">Prior to release at MP2</td></tr><tr><td>Turbidity (NTU)</td><td>25</td><td>Maximum</td></tr><tr><td>Dissolved Oxygen (% sat.)</td><td>60-110</td><td>Range</td></tr><tr><td>pH (pH units)</td><td>7.4-8.3</td><td>Range</td></tr><tr><td>Electrical Conductivity (µS/cm)</td><td>890</td><td>Maximum</td></tr></table> <div>Note: analysis, results and monitoring reports are records that must be kept in accordance with condition G9.0.</div>	Release Points (GDA2020 decimal degrees) * Latitude Longitude	Monitoring Point (GDA2020 decimal degrees) * Latitude Longitude	Quality characteristic (units)	Release limit		Minimum monitoring frequency	limit	type	RP1: 347004.42 7035915.716	MP1: 346959.392 7035861.358	Total Suspended Solids (mg/L)	25	Maximum	Prior to release at MP1	Turbidity (NTU)	25	Maximum	Dissolved Oxygen (% sat.)	60-110	Range	pH (pH units)	7.4-8.3	Range	Electrical Conductivity (µS/cm)	890	Maximum	RP2: 347333.949 7036202.86	MP2: 347278.754 7036049.734	Total Suspended Solids (mg/L)	25	Maximum	Prior to release at MP2	Turbidity (NTU)	25	Maximum	Dissolved Oxygen (% sat.)	60-110	Range	pH (pH units)	7.4-8.3	Range	Electrical Conductivity (µS/cm)	890	Maximum
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WT2.0	<div>Monitoring</div> <div>Water monitoring and sampling must be carried out in accordance with the requirements of the</div>																																												

Ref	Condition
	latest edition of the <i>Monitoring and sampling manual</i> (available on the Queensland government website) unless otherwise approved by the administering authority.
WT2.1	<p>The following information must be recorded in relation to all water monitoring required under the conditions of this environmental authority:</p> <ul style="list-style-type: none"> (a) the date on which the sample was taken; and (b) the time at which the sample was taken; and (c) the monitoring point at which the sample was taken; and (d) the measured or estimated daily quantity of water released from each release point; and (e) the release flow rate at the time of sampling for each release point; and (f) the results of all monitoring and details of any exceedances of the conditions of this environmental authority.
WT3.0	The release to waters permitted under conditions WT1.0 must not contain any other contaminants at a concentration capable of causing environmental harm.
WT3.1	<p>Releases to waters must not cause:</p> <ul style="list-style-type: none"> (a) erosion of the bed and banks of the receiving waters; and/or (b) disturbance to vegetation; and/or (c) a build-up of sediment.
WT3.2	Releases to waters must not produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other visually objectionable matter.
WT4.0	<p>Stormwater</p> <p>Stormwater must be managed to:</p> <ul style="list-style-type: none"> (a) prevent stormwater from being contaminated by the activity; or (b) direct stormwater that is contaminated by the activity to stormwater treatment and retention measures.
WT4.1	Stormwater treatment and retention measures must have capacity to retain stormwater runoff from disturbed areas generated by a rainfall event up to and including a 24-hour rainfall event with an Annual Recurrence Interval (ARI) of 1-in-5 years (equal to 0.2 Exceedance per Year).
WT4.2	The capacity of stormwater treatment and retention measures in condition WT4.1 must be reinstated as soon as reasonable and practicable, but no later than 5 days following a significant rainfall event
WT4.3	Freeboard markers must be installed in all stormwater treatment and retention measures to indicate the freeboard level required to maintain compliance with WT4.1.
WT4.4	All ponds, dams or similar stormwater treatment and retention measures must be fitted with a

Ref	Condition
	bypass mechanism that diverts stormwater from entering the measure once the capacity of the measure has been reached.
WT4.5	<p>Stormwater may only be released to waters:</p> <ol style="list-style-type: none">1. in accordance with condition WT4.4 once the capacity of the measure has been reached; or2. where:<ol style="list-style-type: none">1. beneficial reuse of contained stormwater runoff on site is not viable; and2. the release is required to maintain stormwater retention capacity required by condition WT4.1; and3. the release is in accordance with condition WT4.0.

Definitions

Where a word or phrase in this document is defined in this Schedule, it has its corresponding meaning. Where a word or phrase in this document is not defined in this Schedule, it has the meaning given to it in (in order of priority):

- the *Environmental Protection Act 1994* (EP Act), its regulations or its environmental protection policies;
- the *Acts Interpretation Act 1954*;
- the Macquarie Dictionary (taking account of the context in which the word or phrase is used in this document).

For example, environmental value, environmental harm, environmental nuisance, material environmental harm, serious environmental harm and relevant act are defined in the EP Act and groundwater is defined in the Environmental Protection Regulation 2019.

Defined words or phrases in the singular include the plural and vice versa.

24 hour storm event with an Average Recurrence Interval (ARI) of 1 in 5 years (equal to 0.2 Exceedance per year) means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 5 years, or a 0.2 Exceedance per year).

The Design Rainfall Depth (mm) for an ARI or Exceedance per Year over a 24-hour duration can be calculated for your location using the Intensity–Frequency–Duration (IFD) Design Rainfall Data System on the Bureau of Meteorology website.

AHD means the Australian height datum adopted by the National Mapping Council of Australia for referencing a level or height back to a standard base level.

Airblast overpressure as defined in the Guideline: Noise and vibration from blasting (ESR/2016/2169) available on the DES website.

Annual exceedance probability (AEP) means the probability that a given rainfall total accumulated over a given duration will be exceeded in any one year.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods or literature.

Blasting is the use of explosives to fracture:

- (a) rock, coal and other minerals for later recovery; or
- (b) structural components or other items to facilitate removal from a site or for reuse.

Commercial place means a place, or part of a place, used as a workplace, an office or for business or commercial purposes.

Disturbed areas means areas disturbed by the carrying out of the activity including areas:

- (a) that are susceptible to erosion; and/or
- (b) that are contaminated by the activity; and/or
- (c) upon which stockpiles of soil or other materials are located.

Environmental offset as defined in section 7 of the Environmental Offsets Act 2014.

GDA means Geocentric Datum of Australia.

LAeq, adj, T means the adjusted A weighted equivalent continuous sound pressure level measured on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no

less than 15 minutes when the activity is causing a steady state noise, and no shorter than one hour when the approved activity is causing an intermittent noise.

Land has the meaning in the meaning in the Macquarie Dictionary and does not include air or waters.

Monitoring results includes analysis results (laboratory and in situ) and monitoring reports.

Prescribed environmental matters has the meaning in section 10 of the Environmental Offsets Act 2014, limited to the matters of State environmental significant listed in schedule 2 of the Environmental Offsets Regulation 2014.

Relevant act as defined in section 493A of the EP Act.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system.

Sensitive place is any part of the following:

- (a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- (b) a motel, hotel or hostel; or
- (c) a kindergarten, school, university or other educational institution; or
- (d) a medical centre or hospital; or
- (e) a protected area under the Nature Conservation Act 1992, the Marine Parks Act 2004 or a World Heritage Area; or
- (f) a public park or garden; or
- (g) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

Significant residual impact as defined in section 8 of the Environmental Offsets Act 2014.

Significant rainfall event means a rainfall event of 20mm or more over a 24-hour period, as measured at the Bureau of Meteorology's Kingaroy Airport (station number 040922).

<https://reg.bom.gov.au/climate/data/index.shtml?bookmark=136#textoption>

Stormwater treatment and retention measures includes stormwater dams/ponds and sediment dams/ponds.

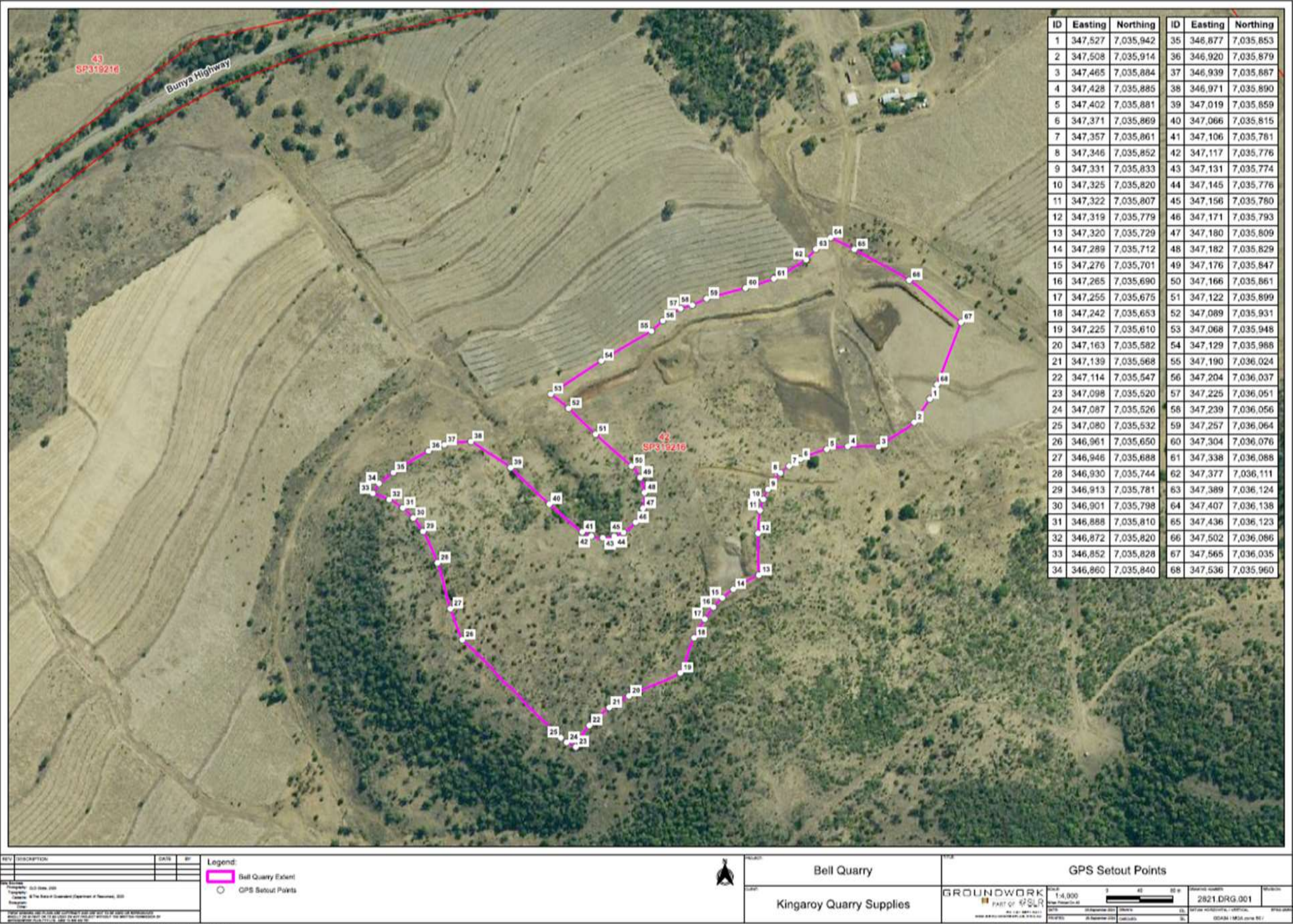
Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

Vibration is the oscillating or periodic motion of a particle, group of particles, or solid object about its equilibrium position.

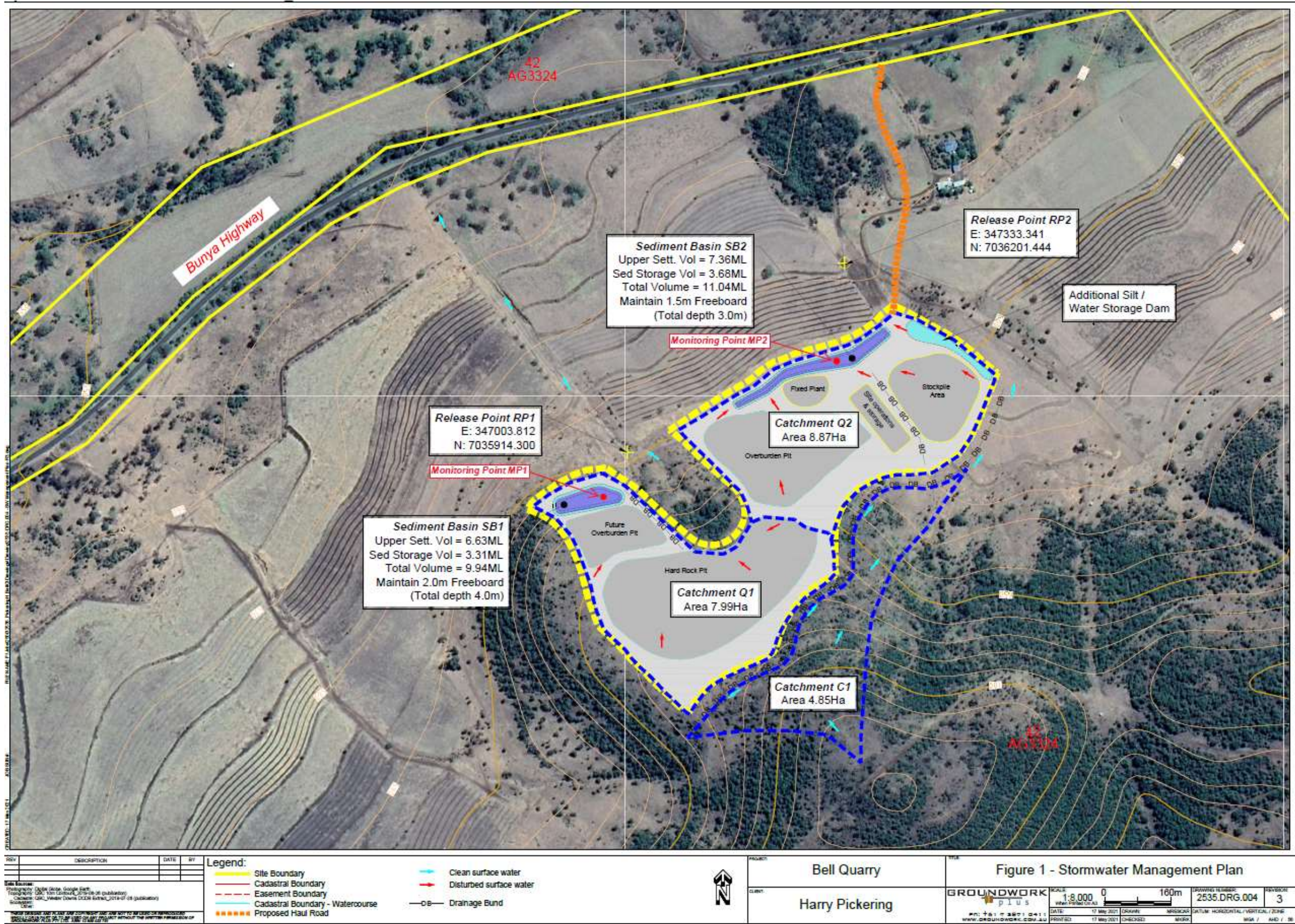
Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

You means the holder of this environmental authority.

Appendix 1: Quarry Footprint



Appendix 2: Release points



END OF ENVIRONMENTAL AUTHORITY

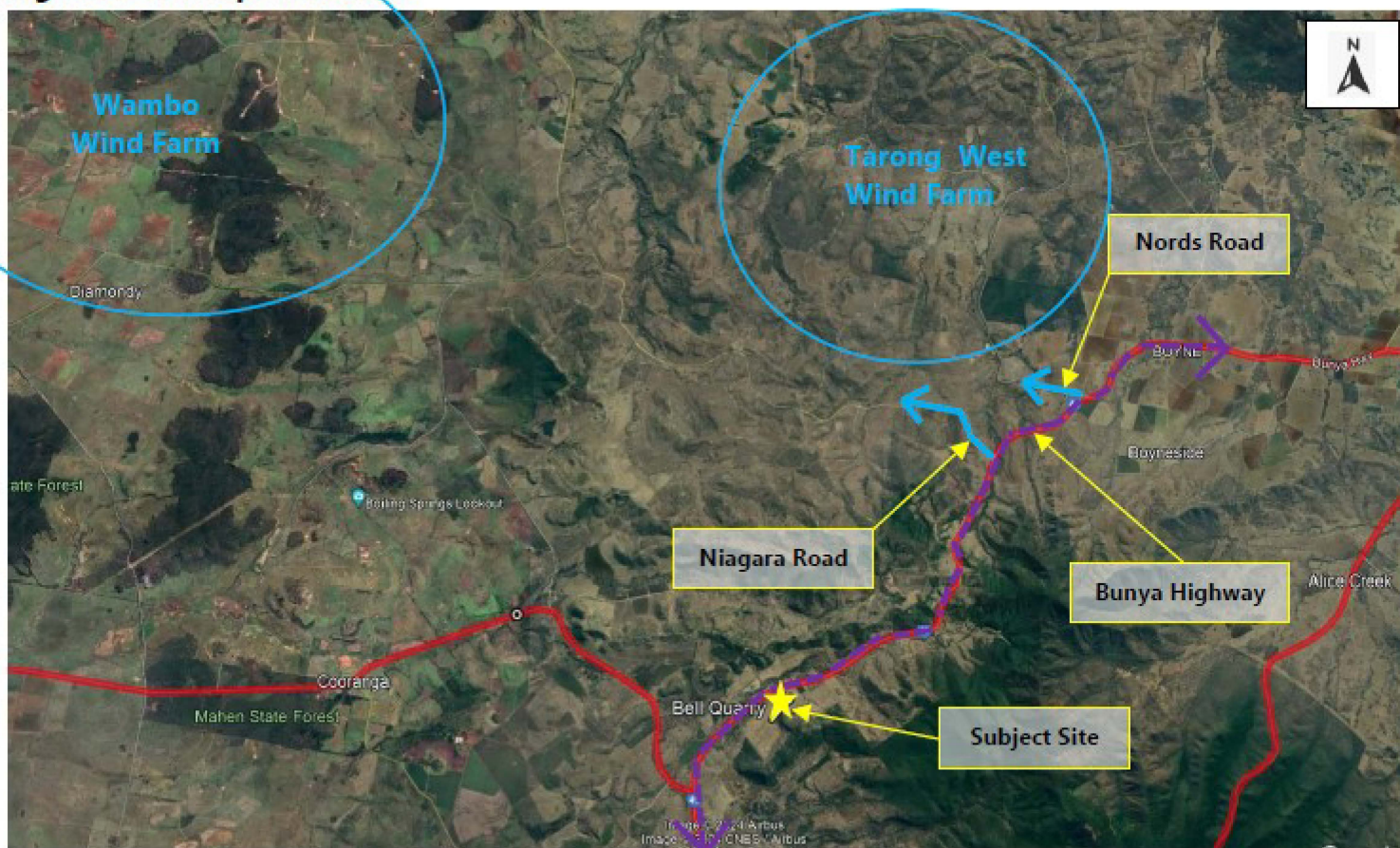
PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2407-41231 SRA

Date: 13 November 2024

Figure 2 – Transport Routes



Legend:

Transport Routes (SCR Component)



Transport Routes (Local Roads to Wind Farm Projects)



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 Rules¹ 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.²
- 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.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² 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.³

³ 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.



SARA reference: 2407-41231 SRA
Council reference: 030.2024.357.001
Applicant reference: 2821.DA1

13 November 2024

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

Attention: Jenny Cameron

Dear Ms Cameron

SARA referral agency response—5610 Bunya Highway, Cooranga

(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 (SARA) on 4 July 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	13 November 2024
Conditions:	The conditions in Attachment 1 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 Extractive Industry (up to 1,000,000 tonnes per annum) and Environmentally Relevant Activity 16(2)(b) and 16(3)(b)
SARA role:	Referral agency	

SARA trigger:	<p>Schedule 10, Part 5, Division 4, Table 2, Item 1 (Planning Regulation 2017) – Environmentally relevant activity</p> <p>Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development impacting on state transport infrastructure</p> <p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor</p>
SARA reference:	2407-41231 SRA
Assessment manager:	Western Downs Regional Council
Street address:	5610 Bunya Highway, Cooranga
Real property description:	Lot 42 on SP319216
Applicant name:	Kingaroy Quarry Supplies
Applicant contact details:	<p>C/- Groundworks Plus PO Box 1779 Milton QLD 4064 planning@groundwork.com.au; oedwards@groundwork.com.au</p>
Environmental Authority:	<p>This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> • Approved: 4 November 2024 • Reference: P-EA-100689851 • Effective date: In accordance with Section 200 of the <i>Environmental Protection Act 1994</i> • Prescribed environmentally relevant activity (ERA): ERA 16 2(b) and ERA 16 3(b) <p>If you are seeking further information on the environmental authority, the Department of Environment, Tourism, Science and Innovation website includes a register. This can be found at: www.des.qld.gov.au</p>
State-controlled road access permit:	<p>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:</p> <ul style="list-style-type: none"> • Approved 6 November 2024 • Reference: TMR24-043050 • Date: 6 November 2024 <p>If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at Downs.South.West.IDAS@tmr.qld.gov.au</p>
<i>Human Rights Act 2019</i> considerations:	<p>Consideration was given to the 23 fundamental human rights under section 58 of the <i>Human Rights Act 2019</i>. It was determined that this decision does not unjustifiably limit these human rights.</p>

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 (section 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Rodney O'Brien, Principal Planning Officer, on 07 4616 7304 or via email ToowoombaSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

enc 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 provisions
 Attachment 5 - Documents referenced in conditions

cc Kingaroy Quarry Supplies, planning@groundwork.com.au, oedwards@groundwork.com.au

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 documents referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing																
Material change of use for Extractive Industry (up to 1,000,000 tonnes per annum)																		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) – Development impacting on state transport infrastructure; Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) – Development near a state transport corridor or that is a future state transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):																		
1.	Any excavation, filling/backfilling/compaction, retaining structures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	At all times																
2.	Heavy vehicles as defined in the <i>Transport Operations (Road Use Management) Act 1995</i> associated with operations of supplying material to the Wambo and Tarong West wind farms are restricted to using the route identified on <i>Figure 2 – Transport Routes</i> (in the Traffic and Pavement Impact Assessment Report prepared by Traffic Transport Plus dated 6 August 2024, reference 10849 (Issue 1)) as the haul route.	At all times																
3.	<p>(a) Pay an annual monetary contribution to the Department of Transport and Main Roads' towards protecting and maintaining the safety and efficiency of the state-controlled road network. The contribution is to be calculated in accordance with Table A and B.</p> <p>The contribution is to be indexed from 13 November 2024 using the Road and Bridge Construction Index, Queensland – Class 3101, published quarterly by the Australian Bureau of Statistics (ABS Cat No. 6427, Series ID A2333727L) to the date of payment.</p> <p>The contribution shown in Table A is to be applied only to volume of material hauled from the site travelling north via the Bunya Highway.</p> <p><i>Table A: Bunya Highway north</i></p> <table><tr><th>Material Hauled (tonnes/year)</th><th>Contribution (cents/tonne)</th></tr><tr><td>0 – 100,000</td><td>0</td></tr><tr><td>100,001 – 200,000</td><td>16.20</td></tr><tr><td>200,001 – 300,000</td><td>16.20</td></tr><tr><td>300,001 – 400,000</td><td>16.20</td></tr><tr><td>400,001 – 500,000</td><td>16.20</td></tr><tr><td>500,001 – 600,000</td><td>16.20</td></tr><tr><td>600,001 -700,000</td><td>16.20</td></tr></table>	Material Hauled (tonnes/year)	Contribution (cents/tonne)	0 – 100,000	0	100,001 – 200,000	16.20	200,001 – 300,000	16.20	300,001 – 400,000	16.20	400,001 – 500,000	16.20	500,001 – 600,000	16.20	600,001 -700,000	16.20	(a) and (b), By the 30 July each year until the transportation of material hauled from the site by road under this approval ceases.
Material Hauled (tonnes/year)	Contribution (cents/tonne)																	
0 – 100,000	0																	
100,001 – 200,000	16.20																	
200,001 – 300,000	16.20																	
300,001 – 400,000	16.20																	
400,001 – 500,000	16.20																	
500,001 – 600,000	16.20																	
600,001 -700,000	16.20																	

	<table><tr><td>700,001 – 800,000</td><td>16.20</td></tr><tr><td>800,001 – 900,000</td><td>16.20</td></tr><tr><td>900,001 – 1,000,000</td><td>16.20</td></tr></table> <p>The contribution shown in Table B is to be applied to material hauled from the site travelling south via the Bunya Highway:</p> <p><i>Table B: Bunya Highway South</i></p> <table><tr><td>Material Hauled (tonnes/year)</td><td>Contribution (cents/tonne)</td></tr><tr><td>0 – 100,000</td><td>0</td></tr><tr><td>100,001 – 120,000</td><td>54.04</td></tr><tr><td>120,001 – 140,000</td><td>54.04</td></tr><tr><td>140,001 – 160,000</td><td>54.46</td></tr><tr><td>160,001 – 180,000</td><td>55.43</td></tr><tr><td>180,001 – 200,000</td><td>55.67</td></tr></table> <p>(b) Maintain records which document the quantity of material hauled on the State-controlled road network in accordance with Tables A and B and submit these records to the Department of Transport and Main Roads.</p>	700,001 – 800,000	16.20	800,001 – 900,000	16.20	900,001 – 1,000,000	16.20	Material Hauled (tonnes/year)	Contribution (cents/tonne)	0 – 100,000	0	100,001 – 120,000	54.04	120,001 – 140,000	54.04	140,001 – 160,000	54.46	160,001 – 180,000	55.43	180,001 – 200,000	55.67	
700,001 – 800,000	16.20																					
800,001 – 900,000	16.20																					
900,001 – 1,000,000	16.20																					
Material Hauled (tonnes/year)	Contribution (cents/tonne)																					
0 – 100,000	0																					
100,001 – 120,000	54.04																					
120,001 – 140,000	54.04																					
140,001 – 160,000	54.46																					
160,001 – 180,000	55.43																					
180,001 – 200,000	55.67																					
4.	<p>Stormwater management of the development must not cause worsening to the operating performance of the state-controlled road, such that any works on the land must not:</p> <ul style="list-style-type: none">(i) create any new discharge points for stormwater runoff onto the state-controlled road(ii) concentrate or increase the velocity of flows to the state-controlled road(iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road(iv) surcharge any existing culvert or drain on the state-controlled road(v) reduce the quality of stormwater discharge onto the state-controlled road(vi) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road.	At all times																				

Attachment 2—Advice to the applicant

General 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) (version 3.0). If a word remains undefined it has its ordinary meaning.
Heavy vehicle / road train routes	
2.	<p>The applicant is advised that any oversized or over dimensioned vehicles accessing the site via an unapproved route (i.e. local roads that are not designated road train routes) will require separate approval through the National Heavy Vehicle Regulator (NHVR). Operators can request for assessment of roads that are not currently approved for road train access by applying to the NHVR. Vehicles must not operate on requested roads until they appear on the relevant maps and/or approved road lists.</p> <p>It is recommended that the applicant contact the NHVR for further information regarding this matter.</p>

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

- The development complies with State Code 1: Development in a state-controlled road environment. Specifically, the development does not:
 - o increase the likelihood or frequency of accidents, fatalities, or serious injury for users of a state-controlled road
 - o adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
 - o adversely impact the function efficiency of state-controlled roads or future state-controlled roads.
- The development complies with State code 6: Protection of state transport networks. Specifically, the development does not:
 - o create a safety hazard for users of a state-controlled road
 - o result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network.
 - o compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads
- The development complies with State code 22: Environmentally relevant activities. Specifically, the development for the environmentally relevant activity:
 - o is located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
 - o is designed and located to avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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Attachment 5—Documents referenced in conditions

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Attachment 5 - Table of Submissions

Submitters' Concerns	Submission Exert	Applicant's Response to Submission	Planning Officer's Comments
<p>Damage to surrounding roads</p>	<p><i>"Page 9 of the Traffic and Pavement Impact Assessment Report quotes the Multi Combination Routes in Queensland which identifies the Bunya Highway as suitable for vehicles up to 25 and 26 metres. Appendix E details all results of the Pavement Contribution Assessment. In both places only the Bunya Highway is considered. The Kingaroy-Jandowae Road and Niagara Road are excluded from the discussion. These roads are already sustaining damage. They are single lane, winding country roads that are not conducive to an excessive amount of b-doubles, many travelling in convoy."</i></p> <p><i>"The amount of b-doubles, truck and dog combination and single trailers which are hauling this product on our roads at present is excessive and the pavement is already being damaged."</i></p>	<p><i>"A detailed Traffic and Pavement Impact Assessment ('TPIA') was prepared by Traffic and Transport Plus (Reference: 10849) (included as Attachment 4 of the Response to the Information Request) which assessed and confirmed the suitability of the proposed transport routes. The TPIA adopted the Guide to Traffic Impact Assessments, which has been developed by the Department of Transport and Main Roads and is widely adopted by Local Governments. This TPIA considered the haulage routes relevant to the temporary increase in production to supply the Wambo and Tarong West Wind Farm projects (being Bunya Highway and Nords Road). An assessment of Kingaroy-Jandowae Road intersection with the Bunya Highway was included in the assessment confirming the configuration is appropriate."</i></p> <p><i>The proposed haul routes have been approved for use as part of the Tarong West and Wambo Wind Farms. These routes have been assessed and confirmed as suitable for haulage of construction materials to the Wind Farm projects. The proposed use of the Bell Quarry to supply construction materials to the Wind Farm projects will therefore not generate any vehicle movements on roads that have not been considered and approved as part of the Wind Farms."</i></p> <p><i>The TPIA prepared to support the temporary increase has provided a suggested pavement contribution that would be paid by Bell Quarry to both Council and the Department of Transport and Main Roads. The pavement contributions will be calculated annually based on actual sales production rates irrespective of the road network used for deliveries."</i></p>	<p>Conditions have been imposed by the State Assessment and Referral Agency (SARA) to manage impacts on the road network.</p> <p>Condition 2 has imposed specific haul routes for trucks transporting material from the Quarry to the Wambo and Tarong West Wind Farms, requiring trucks to use Niagara Road and Nords Road for access to the Wind Farm sites. Usage of Kingaroy-Jandowae Road by trucks enroute to the Wind Farms is not allowed under the conditions. Assessment of the condition of Niagara Road has been undertaken as part of the development approval associated with the Wambo Wind Farm.</p> <p>Condition 3 requires a monetary contribution towards the upkeep of the Bunya Highway. The size of this contribution is proportional to the quantity of material hauled from the Quarry in a given calendar year and will assist in maintaining the condition of the road.</p> <p>SARA has imposed relevant conditions to ensure the appropriate upkeep of the surrounding State-controlled network and to limit impacts upon the wider road network.</p>

Submitters' Concerns	Submission Exert	Applicant's Response to Submission	Planning Officer's Comments
Truck driver behaviour on surrounding road	<p><i>"Several local residents have had near crashes with the trucks who drive too quickly, and in the middle of the road."</i></p> <p><i>"The Bunya Highway entrance to the Quarry is not ideally situated for large trucks to be turning off and on. It is a narrow road with little to no shoulder. As the trucks leave the Quarry and approach the right turn onto the Kingaroy-Jandowae Road, they often do not slow down sufficiently. In October there was a truck roll over witnessed by the school children waiting for the bus only metres away."</i></p>	<p><i>"As provided above, a TPIA was prepared for the Bell Quarry which confirms the suitability of proposed transport routes and includes consideration of intersection performance, road construction and other users of the road. The TPIA confirms that the current road network would continue to operate within the design capacity at the proposed maximum production rates at the Bell Quarry."</i></p> <p><i>The TPIA includes a road safety assessment which considers aspects of the road network such as sight distances, turn lane warrants, crash data and any other relevant safety features. Based on the available information, there was no evidence of systematic safety issues near Bell Quarry that required consideration."</i></p> <p><i>All truck drivers associated with the Bell Quarry will continue to be required to comply with all road rules and drive in a safe and professional manner, showing respect and courtesy to other road users. To further ensure driver etiquette and safety of other road users, a Drivers Code of Conduct has been developed and must be strictly adhered to by all drivers associated with the Bell Quarry (refer Attachment 1 – Driver Code of Conduct)."</i></p>	<p>Driver behaviour is not a planning matter and cannot be considered as part of the assessment of the application. However, the applicant has introduced a Drivers' Code of Conduct Policy in response to the submissions regarding truck driver behaviour, to be enforced by the Site Manager, that regulates the drivers both on and off the Quarry site.</p>
Groundwater usage	<p><i>"Numerous members of Cooranga North rural community have reported diminishing water supplies in bores. The water required for dust control and the pugging of gravel are of great concern."</i></p>	<p><i>"The Bell Quarry does not and will not intersect or interfere with groundwater resources. The surface hydrological regime is largely unaffected by redirection of flows around the Quarry to watercourses and the treatment of water captured from disturbed areas within the Quarry. Water usage by the Quarry is limited to the overland flow captured within the Quarry footprint where it is either re-used on-site for dust suppression, or treated and released from the site once the water quality objectives of the Environmental Authority are met. Groundwater is not proposed to be used for site operations and will not be intersected by the Bell Quarry operations."</i></p>	<p>The development does not and will not utilise bore water.</p> <p>Water used on-site consists of captured overland flow. All stormwater on the site is appropriately managed through conditions, to be dealt with in accordance with the approved Stormwater Management Plan prepared by Groundwork Plus, Issue 3, dated May 2021.</p>

Submitters' Concerns	Submission Exert	Applicant's Response to Submission	Planning Officer's Comments
Dust emissions from the site	<p><i>"Dust plume can be seen from kilometres away and will impact vegetation growth. It will be definitely affecting the nearby Bunya Mountains National Park."</i></p> <p><i>"There is no mention in the documents provided with this application of the dust suppression measures that are in place."</i></p>	<p>Note that the applicant considered concerns regarding dust emissions, land use and operating hours as part of a single combined response.</p> <p><i>"Bell Quarry was approved in 2022, having been subject to an impact assessment process. The Bell Quarry was assessed against the Western Downs Planning Scheme and was approved in full, with conditions. The Quarry is currently operational under this existing development approval and associated Environmental Authority. No change in land use is proposed and therefore, the proposal remains consistent with the approved intent of the land as assessed against the Planning Scheme. No change to the hours of operation are proposed."</i></p>	<p>The development is conditioned to comply with the Environmental Management Plan, dated May 2024, and the <i>Environmental Protection (Air) Policy 2019</i>.</p> <p>These conditions will enforce the appropriate management of dust emissions from the site in relation to both local sensitive receptors and the nearby Bunya Mountains National Park.</p> <p>Components of the Management Plan include limiting high dust generating activities to periods of favourable weather conditions, dampening work areas, stockpiles, access roads and other hardstand areas when visual surveillance indicates excessive dust generation and weekly sweeping of all hardstand areas.</p>
Land Use	<p><i>"As per Western Downs Planning Scheme Zoning Map ZM-076 the site is located on land Zoned RURAL and as such, not compatible for large scale commercial use."</i></p> <p><i>The proposed use is not consistent with the intent for the area."</i></p>	<p><i>Environmental impacts, including management of dust, are regulated by the Environmental Authority ('EA') for ERA 16 (Extraction and Screening Activities up to 100,000 tonnes per year) (Reference: P-EA-100124846), which is administered by the Department of Environment, Tourism, Science and Innovation ('DETSI').</i></p> <p><i>As a result of the proposed development, the site operations will be regulated by a new Development Permit – Material Change of Use for Extractive Industry and EA for ERA16 (Extraction and Screening Activities up to 1,000,000 tonnes per year). It is anticipated that Council and DETSI will impose similar conditions within these new authorities. We note that the purpose of this application is to seek an increase in the sales production from Bell Quarry. Despite the increase in production, it is not proposed to modify the already accepted criteria imposed on the operation in relation to, but not limited to noise, dust, water management or blasting limits, other than to modernise these to the current best practice outcomes."</i></p>	<p>The development is for the extension of an existing Extractive Industry use within the Rural Zone and is located 280m from the nearest sensitive land use (a Dwelling on the same site). The Quarry is located approximately 870m from the next closest sensitive use.</p> <p>The development proposes an increase in the number of blasts allowed per year, from 3 to 20 blasts. As per the Environmental Management Plan, drilling and blasting activities will only occur between 9am and 3pm, Monday to Friday, with no drilling or blasting activities on public holidays or weekends.</p> <p>Extractive Industry uses represent consistent development within the Rural Zone. As no changes to the approved extraction footprint are proposed and the operation will not encroach any closer to sensitive receptors, it is considered that the proposed development is compatible with the Rural zoning of the site.</p>
Operating Hours	<p><i>"As mentioned on Page 9 of the Noise Impact Assessment document, the hours of operation including haulage from the site are 7am-6pm Monday to Friday and 8am-2pm on Saturdays."</i></p>	<p><i>in relation to, but not limited to noise, dust, water management or blasting limits, other than to modernise these to the current best practice outcomes."</i></p>	<p>The Bunya Highway is a heavily trafficked route.</p>

Submitters' Concerns	Submission Exert	Applicant's Response to Submission	Planning Officer's Comments
	<p><i>In our experience living on the Kingaroy-Jandowae Road, the trucks begin from 5:30am in the morning and the noise is very disruptive. We have small children who are woken up daily from the very loud trucks that go past at these early hours."</i></p> <p><i>"The recommendations on Page 21 of the Noise Impact Assessment also note that 'All operational noise sources outlined in this assessment shall be restricted to the daytime period 7am to 6pm except in the event of an emergency'. This is not being adhered to."</i></p>	<p><i>For reference, the Environmental Management Plan (Reference: 2821.610.001) submitted as a part of the development application material (Attachment of the Planning Assessment Report) includes air quality performance targets that align with the requirements of the existing EA and provides management strategies for achieving the performance targets."</i></p>	<p>However, Council acknowledges that any trucks transporting material from the Quarry outside the conditioned operating hours, are in non-compliance with the conditions of approval, and any such actions should be reported to Council.</p>

Title (035.2024.487.001) Community and Liveability Report Development Application Reconfiguring a Lot (Boundary Realignment - 2 Lots into 2 Lots) of Lot 2 on SP327973 and Lot 45 on SP251981 171 Sandalwood Avenue East and 70 Dalby-Cecil Plains Road Dalby Kucks

Date 18 November 2024

Responsible Manager T. Summerville, PLANNING AND ENVIRONMENT MANAGER

Summary

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) on land described as Lot 2 on SP327973 and Lot 45 on SP251981 and situated at 171 Sandalwood Avenue East and 70 Dalby-Cecil Plains Road, Dalby.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We aggressively attract business and investment opportunities.
- Our region is a recognised leader in agribusiness, energy, and manufacturing.
- We deliver water security to enable future economic growth.
- We proactively advance our region as a tourism destination.
- Our business and industry actively live and buy local.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that:

1. The application for Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) of land described as Lot 2 on SP327973 and Lot 45 on SP251981 and situated at 171 Sandalwood Avenue East and 70 Dalby-Cecil Plains Road, 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:

Plan No., Revision	Title and Details	Dated
24/166PP01, Revision A	Proposal Plan - Site Dimensions, prepared by Byrne Surveyors, as amended in red by Council on 18/11/2024	29-08-24

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 (Boundary Realignment - 2 lots into 2 lots) as shown on the Approved Plan.

COMPLIANCE, TIMING AND COSTS

4. All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18B) and whilst the use continues, unless otherwise noted within these conditions.
5. All costs associated with compliance with these conditions shall be the responsibility of the developer.
6. The Plan of Survey (Form 18B) 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 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 times 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.

ENGINEERING WORKS

12. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan (Form 18B) unless stated otherwise.
13. Be responsible for any alteration necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

14. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted during construction of the development.
15. 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 works associated with the development.

STORMWATER MANAGEMENT

16. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
17. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

VEHICLE ACCESS

18. Ensure that the existing vehicular access points from Sandalwood Avenue East (Lot 2) and Dalby-Cecil Plains Road (Lot 45) are maintained.

RESTRICTED ACCESS

19. No vehicular access is permitted to Armstrong Street East as a result of the boundary realignment to existing Lot 45 on SP251981.

SERVICES

20. Ensure that all services provided to each lot are wholly located within the lot it serves.

ELECTRICITY

21. Provide electricity supply to all lots within the development to comply with Ergon Energy's requirements.

EROSION AND SEDIMENT CONTROL - GENERAL

22. 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.

ENVIRONMENTAL HEALTH

23. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
 - 23.1 do 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;
 - 23.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
 - 23.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).
- Timing:** During construction and on-maintenance period and the establishment period of landscaping or areas disturbed during construction.
- 23.4 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:
 - 23.5 uncontaminated overland stormwater flow; and
 - 23.6 uncontaminated stormwater to the stormwater system.

Timing: Prior to commencement of any works on-site, during works on-site and maintained for the period of the use of the development site.

ADVISORY NOTES

NOTE 1 - Currency 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 reconfiguring a lot —if a plan for the reconfiguration, that under the Land Title Act, is required to be given to a local government for approval is not given to the local government within —*

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

(ii) *if no period is stated— **4 years** after the approval starts to have effect."*

NOTE 2 - 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 3 - 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 4 - 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 5 - 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 6 - 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.

APPEAL RIGHTS

"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."

Background Information

The relevant background information of this application is as follows:

Application No: 035.2024.487.001	Assessment No: A60204 & A7577	Subject File Refs: AD6.6.2 & LG7.9.1
Assessing Officer:	Kym Bannerman PLANNING OFFICER DEVELOPMENT ASSESSMENT	
PART 1: APPLICATION		
Applicant:	Chester G and Brett C Kucks	
Owner:	Lot 2 on SP327973: Chester & Brett Carl Kucks	

	Lot 45 on SP251981: Caseint Pty Ltd atf Blackwood Unit Trust.	
Site Address:	171 Sandalwood Avenue East and 70 Dalby-Cecil Plains Road, Dalby	
Site Area:	Lot 2 on SP327973: 25.940ha Lot 45 on SP251981: 1.801ha Total: 27.741ha	
Real Property Description:	Lot 2 on SP327973 and Lot 45 on SP251981	
Proposed Development:	Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots)	
Level of Assessment:	Impact	
Type of Application:	Reconfiguring a Lot	
Relevant Planning Scheme:	Western Downs Planning Scheme 2017 incorporating Amendment 1	
Zone:	Rural Residential	
Precinct:	Rural Residential 4000	
Overlays:	<ul style="list-style-type: none"> • Airport Environs • Flood Hazard • Infrastructure • Extractive Industry • Agricultural Land Classification • Stock Routes • Stormwater Overland Flow • Road Hierarchy <ul style="list-style-type: none"> - OLS Conical Limitation - Low, Medium, High & Extreme - Gas Pipeline Buffer - Petroleum Lease (PL198) - Class A - Stock Route (50m Buffer) - Minor and Major Flow Paths - Feeder - (Sandalwood Avenue East) - State Controlled Arterial - Dalby-Cecil Plains Road 	
Pre-lodgement Meeting:	No	
Application Lodgement Date:	19/08/2024	
Properly Made Application:	Yes	Date: 05/09/2024
Action Notice Issued:	Yes	Date: 30/08/2024
Required Action Taken:	Yes	Date: 02/09/2024 & 05/09/2024
Confirmation Notice Issued:	Yes	Date: 09/09/2024
PART 4: PUBLIC NOTIFICATION		
Start Date:	Yes	Date: 10/10/2024
Notice of Compliance Received:	Yes	Date: 12/11/2024
Submissions:	Nil	
PART 5: DECISION PERIOD		
Date Commenced:	13/11/2024	
Decision Due Date:	08/01/2025	

Report

1. Site

The subject site comprises two allotments described as Lot 2 on SP327973 and Lot 45 on SP251981 located at 171 Sandalwood Avenue East and 70 Dalby-Cecil Plains Road, Dalby and has a total area of 27.741ha. The property has road frontages to Dalby-Cecil Plains Road, Armstrong Street East (unconstructed) and Sandalwood Avenue East. The Airport Environs, Flood Hazard, Infrastructure, Natural Resources, Regional Infrastructure and Stormwater Overland Flow Path Overlay Codes impact the land.

Lot 2 is currently improved by an existing Dwelling House and associated outbuildings. The Dwelling House currently gains access via a constructed gravelled driveway to Sandalwood Avenue East. Lot 45 is currently improved by an existing industrial business (Black Truck & Ag Dalby) with the site containing two sheds and outdoor storage and display areas.

Sandalwood Avenue East borders the southern side of the subject site and is a bitumen road constructed to an Urban Feeder standard. Dalby-Cecil Plains Road adjoins the site to the east and is a State-controlled Road constructed to a bitumen standard. Armstrong Street East borders the northern side of the subject site and is currently unconstructed.

Both existing allotments forming the subject site are not currently serviced by Council's reticulated water or sewer networks and are outside the Defined Service Areas for these networks. The existing lots are serviced by on-site wastewater treatment systems.

2. Proposal

The applicant seeks to realign the existing property boundaries to create two regular shaped allotments, being proposed Lots 2 and 45. No change to existing site access locations is proposed.

Proposed Lot 2 will have an area of 25.08ha and will include the existing Dwelling and associated Domestic Outbuildings. The proposed boundary realignment will not impact the existing access for Lot 2 via the access handle to Sandalwood Avenue East.

Proposed Lot 45 will have an area of 2.65ha and will include the existing industrial use (Black Truck & Ag) and associated buildings and outdoor display and storage areas. Proposed Lot 45 will continue to gain access to the Warrego Highway via the existing access location on Dalby-Cecil Plains Road.

The existing and proposed areas are as follows:

Lot	Existing Area	Proposed Area
2	25.940ha	25.08ha
45	1.801ha	2.65ha

As Proposed Lot 2 contains areas of High and Extreme Flood Hazard, the application is Impact Assessable.

3. Assessment

The following are the Assessment Benchmarks applying to this development:

ASSESSMENT MATTERS		
Assessment Benchmarks	<p>The development was assessed against the following Assessment Benchmarks:</p> <ul style="list-style-type: none"> ▪ Western Downs Planning Scheme 2017 incorporating Amendment 1 <ul style="list-style-type: none"> • Strategic Plan • Rural Residential Zone Code • Reconfiguring a Lot Code • Airport Environs Overlay Code • Flood Hazard Overlay Code • Infrastructure Overlay Code • Natural Resources Overlay Code • Regional Infrastructure Corridor - Stock Routes Overlay Code • Stormwater Overland Flow Path Overlay Code • Transport, Access and Parking Code 	
Reasons for Decision	<p>The development was assessed against all of the Assessment Benchmarks listed above and complies with all of these with the exceptions listed below:</p>	
	Assessment Benchmark	Response
	Reconfiguring a Lot Code	
	AO1.2 No rear lots or battle-axe allotments are	Alternative Solution

	created.	<p>Proposed Lot 2 will maintain the existing battle-axe configuration allowing for the continued use of the existing residential access to Sandalwood Avenue East.</p> <p>The proposed development is considered to comply with the Performance Outcome, as the vehicle access arrangement is existing and is therefore considered to be legible in the locality.</p> <p>The proposed development is therefore considered to be consistent with the Performance Outcome.</p>
	<p>Where within an Urban Zone or Rural Residential Zone (Rural Residential 4000 Precinct, Rural Residential 8000 Precinct)</p> <p>AO7.1</p> <p>Each lot is connected to Council's reticulated water supply system in accordance with SC6.2 – Planning Scheme Policy 1 – Design and Construction Standards</p>	<p>Alternative Solution</p> <p>Neither of the existing allotments are currently serviced by the reticulated water network. Further, the site is located outside Council's Defined Water Service Area. As a result, no conditions will be applied requiring connection to the reticulated network.</p> <p>The existing Dwelling on Proposed Lot 2 and industrial use on Proposed Lot 45 currently utilise on-site potable water solutions and no changes are proposed as a result of the development. The proposed development is for a Boundary Realignment only which will not result in the creation of any additional allotments. Noting that the lots are located outside the water service area, maintaining existing arrangements for water supply is considered suitable.</p> <p>The proposed development is considered to comply with the Performance Outcome.</p>

3.1 Assessment against the Western Downs Planning Scheme 2017 incorporating Amendment 1

3.1.1 Strategic Plan

The proposed development is considered to comply with the Outcomes sought in the Strategic Plan as outlined below:

"Strategic Outcome 3.3.1 Liveable Communities and Housing

- (5) *Rural residential development provides an alternative style of living that meets the diverse lifestyle needs of the region's residents. Rural Residential development has good access to necessary infrastructure and services and contained to limit the further fragmentation of productive rural land. Rural residential development is also located in nodes to avoid long-term constraints to the expansion of Urban areas."*

Complies

The proposed development contains Rural Residential development within suitably zoned land. Further, the site has access to suitable levels of existing infrastructure servicing the rural residential estate, as well as having access to the broader social infrastructure provided within the Dalby township.

The proposed reconfiguration maintains a suitable urban form with the lots being made available within existing Rural Residential Zoned land, preventing fragmentation of productive rural land.

The proposed development is consistent with the purpose and intent of the Rural Residential Zone and is therefore considered to be acceptable.

"3.7 - Safety and Resilience to Hazards

3.7.2 Element - Natural Hazards

- (1) *The Western Downs is a vast region that is vulnerable to a range of natural hazards including flood and bushfire. It is expected that the extreme weather events that drive these natural hazards will be more prevalent in the future due to the predicted impacts of climate change. To ensure the safety of residents and infrastructure, it is important that development avoids establishing in areas known to be subject to natural hazards that pose a potential threat to people and property."*

Complies

The proposed development will not increase the number of lots subject to flood hazard. Proposed Lot 2 currently contains areas of Low, Medium, High and Extreme Flood Hazards. These areas are clear of the existing Dwelling. The proposed development is for a Boundary Realignment only and will not result in the creation of any additional allotments. The proposed development therefore will not increase the number of people or amount of property at risk during a flood event.

3.1.2 Rural Residential Zone Code

The proposed development is considered to comply with the relevant Overall, Performance and Acceptable Outcomes of the Rural Residential Zone Code. The proposed development will not result in the creation of any additional allotments.

As the proposed development is not proposing any additional buildings or structures, the design requirements of the Rural Zone Code including the building height, site coverage and residential density are not relevant to the assessment of this application. The existing buildings and structures on the reconfigured allotments will continue to comply with the setback and site coverage requirements of the Rural Residential Zone Code.

The proposed development is consistent with the Acceptable Outcomes of the Rural Zone Code.

3.1.3 Overlay Codes

Airport Environs Overlay Code

The proposed development is for Reconfiguring a Lot, therefore the Airport Environs Overlay Code is not applicable. No further assessment has been undertaken.

Flood Hazard Overlay Code

The northern portion of Proposed Lot 2 is subject to Low, Medium, High and Extreme Flood Hazard Areas. The existing Dwelling House and Domestic Outbuildings are built on part of the site subject to Low or No Flood Hazard.

Proposed Lot 45 will incorporate areas mapped as being subject to Low and Medium Flood Hazards. The proposed realignment of the boundaries will not impact the

hydrological function of the premises and as no new lots are proposed, and the development will not increase the number of people to be at risk of flooding.

Any future development on either lot will be assessed against the Overlay Code to ensure no adverse impacts to flooding occur.

The proposed development is considered to comply with the relevant Performance Outcomes of the Flood Hazard Overlay Code.

Infrastructure Overlay Code

The northern boundary of the subject site is mapped as being within a gas pipeline buffer.

Existing development on the site is located outside the buffer area. No further development is proposed within the pipeline buffer as part of the current Reconfiguring a Lot application. Any future development on either lot will be assessed against the Overlay Code to ensure appropriate measures are taken in relation to the pipeline buffer area.

The proposed development is considered to comply with the Infrastructure Overlay Code.

Natural Resources Overlay Code

The subject site is not located in a Rural Zone and therefore, the Natural Resources Overlay Code is not applicable. No further assessment has been undertaken.

Regional Infrastructure Corridor - Stock Routes Overlay Code

The subject site is not located in a Rural Zone and therefore, the Regional Infrastructure Corridor Code is not applicable. No further assessment has been undertaken.

Stormwater Overland Flow Path Overlay Code

The subject site is mapped as containing a Major Stormwater Overland Flow Path along the northern boundary of Lots 2 and 45 and Minor Overland Flow Paths throughout the site.

The proposed development is for a Boundary Realignment only and therefore is not considered to affect the hydraulic capacity of the flow path. Any future development on either lot will be assessed against the Overlay Code to ensure no adverse impacts on the flow path occur.

The proposed development is considered to comply with the Stormwater Overland Flow Path Overlay Code.

Reconfiguring a Lot Code

The reconfigured allotments will comply with the minimum lot size and frontage requirements for Reconfiguring a Lot in the Rural Residential 4000 Precinct of the Rural Residential Zone.

Proposed Lot 2 will maintain the existing battle-axe configuration in order to maintain the rural residential access arrangements along Sandalwood Avenue East. All lots have access to a constructed road and will be connected to available reticulated urban services.

The subject site is not currently connected to Council's reticulated water network, and no changes are proposed to the existing on-site potable water supply for the existing Dwelling and industrial business located on the site.

The subject site is located outside the Defined Water Service Area. There is adequate area on both lots to contain suitable on-site wastewater treatment systems.

It is considered that the proposed development is consistent with the Reconfiguring a Lot Code despite the non-compliance with the Acceptable Outcomes addressed above.

Transport Access and Parking Code

Proposed Lot 2 has an existing driveway crossover to Sandalwood Avenue East and proposed Lot 45 has an existing driveway crossover to Dalby-Cecil Plains Road. No change to either of the existing site accesses are proposed as part of the boundary realignment.

It is considered that the proposed development achieves the Outcomes of the Transport, Access and Parking Code.

4. Other Matters

4.1 Public Notification

The application is for Reconfiguring a Lot on land which is mapped as containing areas of High or Extreme Flood Hazards and is therefore Impact Assessable in the Western Downs Planning Scheme 2017 incorporating Amendment 1.

Public Notification was undertaken in accordance with the requirements of the *Planning Act 2016* and Development Assessment Rules.

The applicant:

- published a notice in the Western Downs Town and Country on 10 October 2024;
- placed notices on the frontages of the land on 10 October 2024; and
- notified the adjoining land owners on 8 October 2024.

No submissions were received in relation to the proposed development.

4.2 Referrals

The application did not require referral to a Referral Agency under Schedule 10 of the *Planning Regulation 2017*. Although the site has frontage to a State-controlled Road (Dalby-Cecil Plains Road) referral was not triggered to the Department of Transport and Main Roads as Technical Agency, as the number of lots is not increasing; the number of lots adjacent to the State-controlled Road is not increasing; and there is no changed access between the site and the State-controlled Road.

4.3 Infrastructure Charges

Infrastructure charges are levied in accordance with Council's Infrastructure Charges Resolution (No 7.1) 2017. The subject site is located within Charge Area A.

The development seeks to realign boundaries between existing allotments and will not result in the creation of any additional lots. Therefore, no infrastructure charges are applicable.

Consultation (Internal/External)

Internal

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

Council's Principal Planner and Planning and Environment Manager have 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 considered that the proposed development is consistent with the intent of the Western Downs Planning Scheme 2017 incorporating Amendment 1, and therefore is recommended for approval, subject to conditions.

Attachments

1. Locality Plans
2. Proposal Plan

Authored by: K Bannerman, PLANNING OFFICER DEVELOPMENT ASSESSMENT

Attachment 1 - Locality Plans

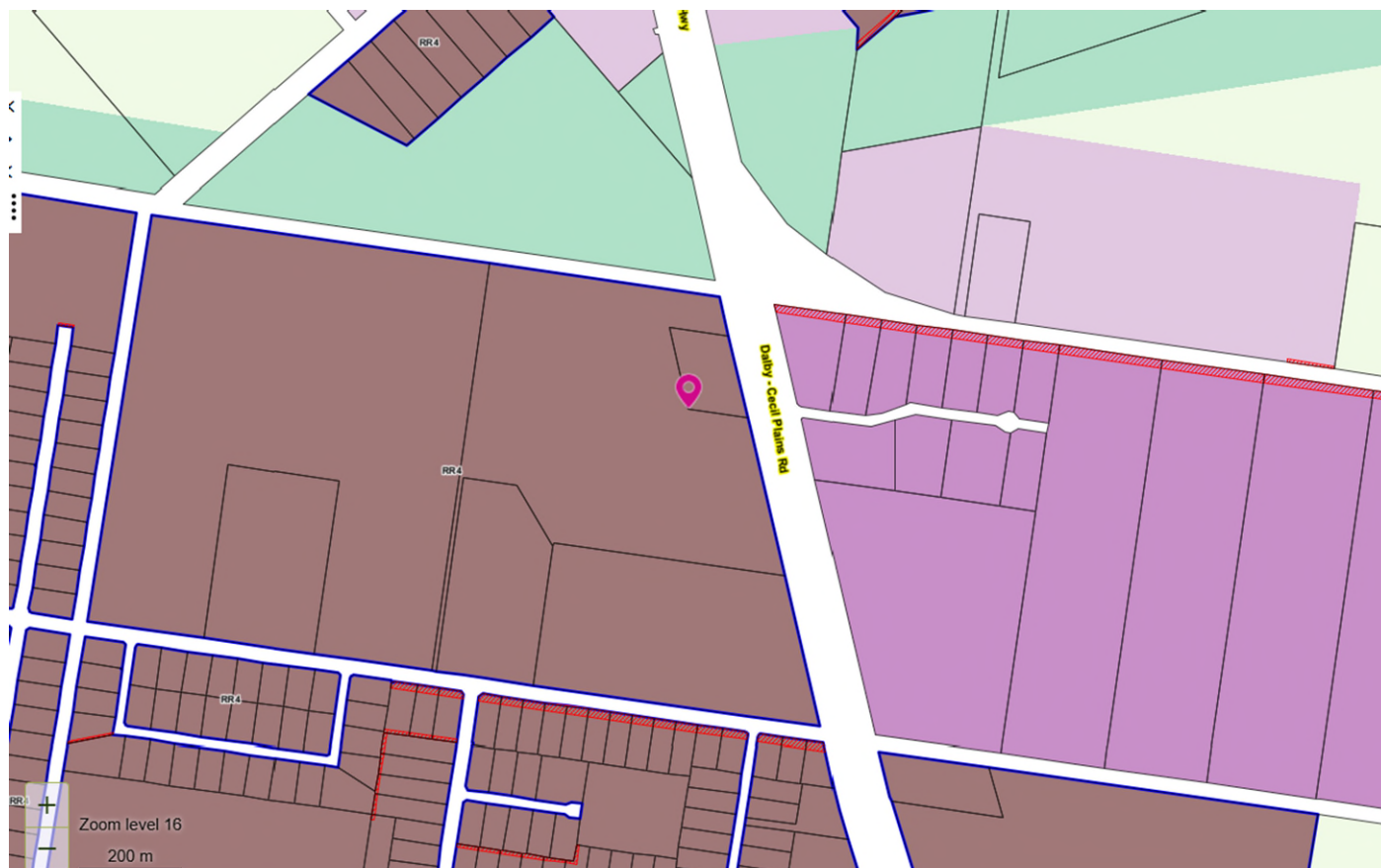
Lot and Plan



Aerial Map



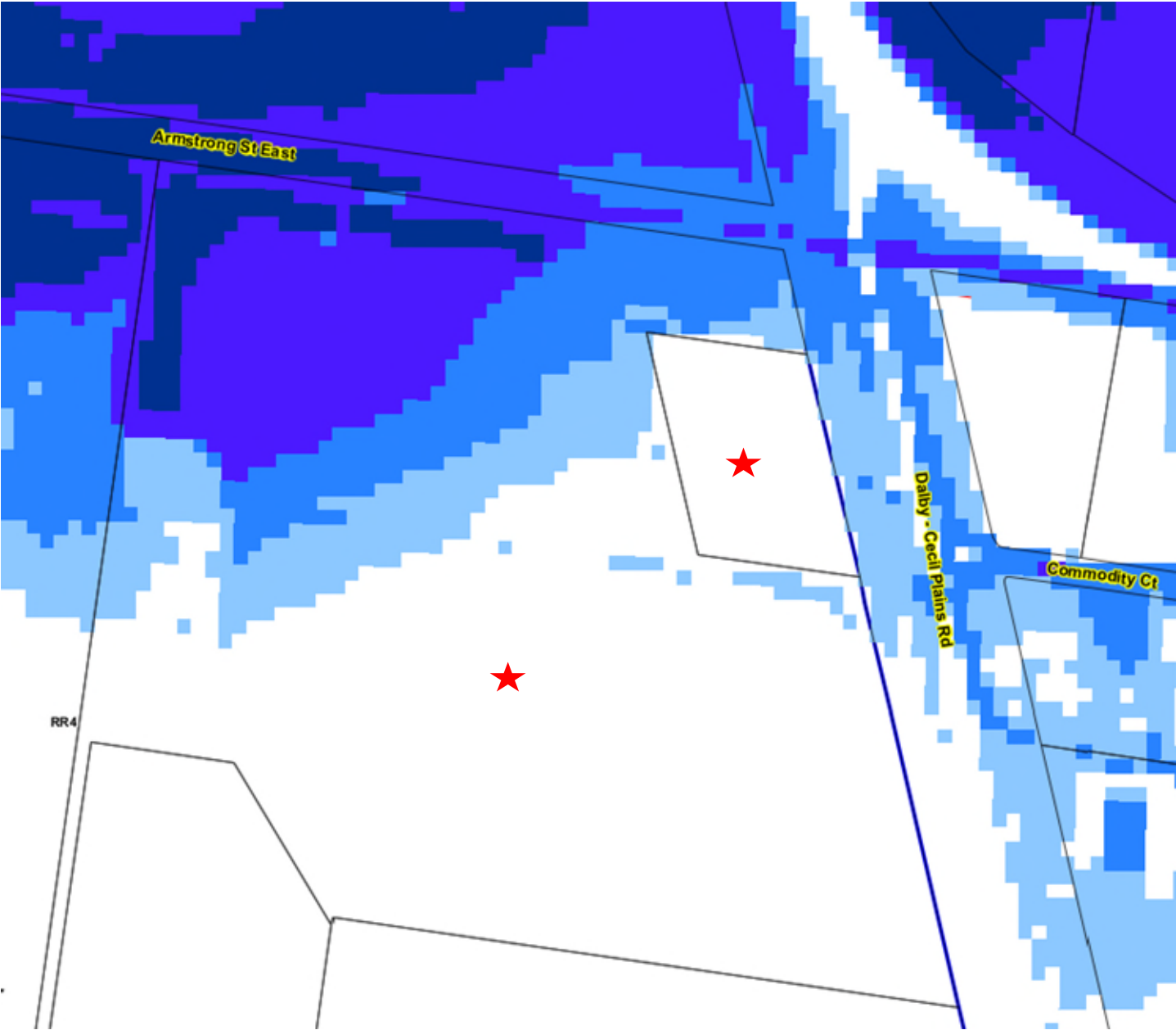
Zone Map



LEGEND

- Community Facilities Zone
- Local Centre Zone
- District Centre Zone
- Major Centre Zone
- Low Density Residential Zone
- Medium Density Residential Zone
- Low Impact Industry Zone
- Medium Impact Industry Zone
- High Impact Industry Zone
- Recreation and Open Space Zone
- Rural Residential Zone / Rural Residential 20000
- Rural Residential Zone / Rural Residential 4000
- Rural Residential Zone / Rural Residential 8000
- Rural Zone
- Rural Zone / Rural 10 Precinct
- Rural Zone / Rural 100 Precinct
- Township Zone
- Township Zone / Mowbullian - Bunya Mountains

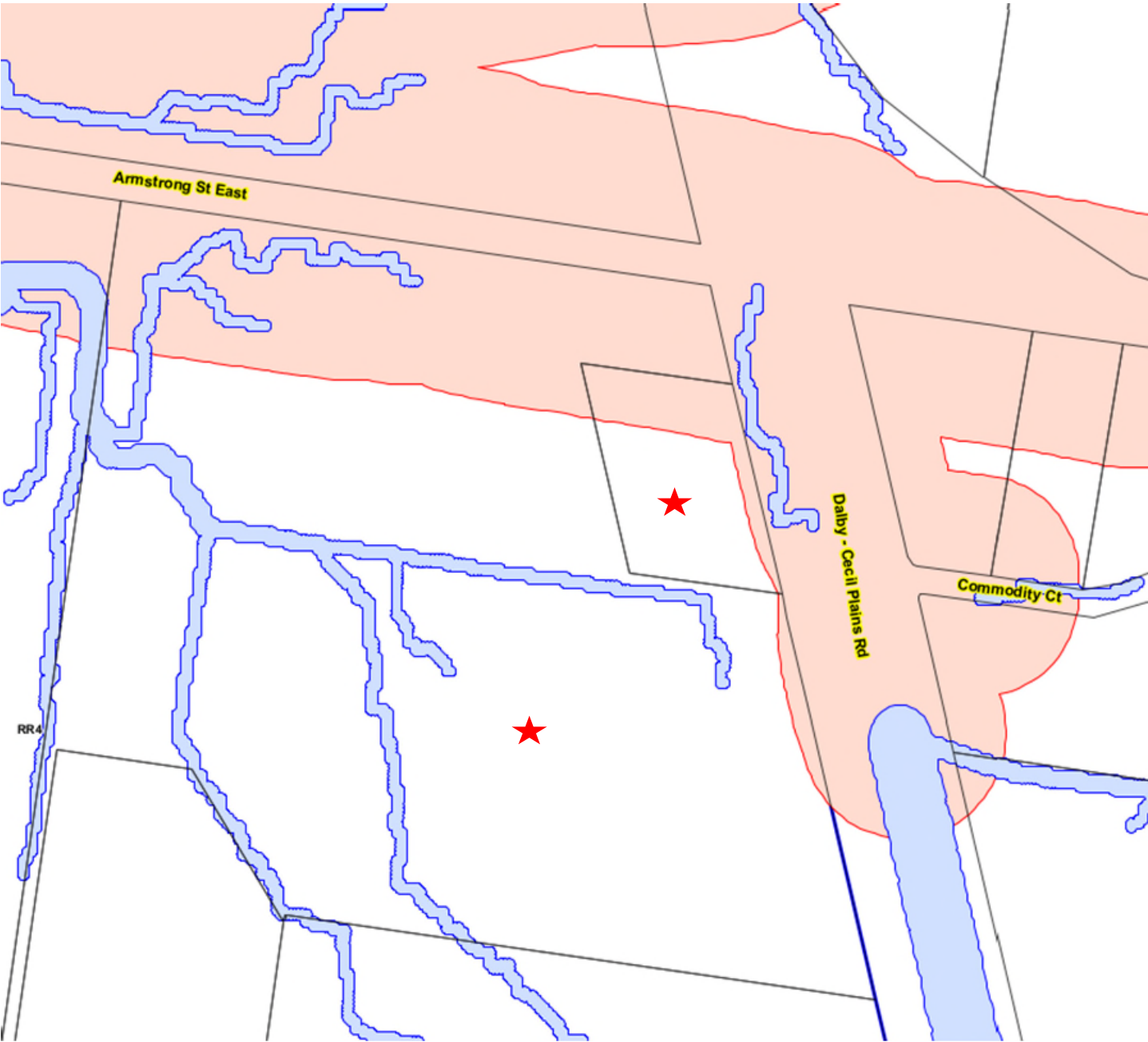
Flood Hazard Overlay Mapping



Flood Hazard

- Low
- Medium
- High
- Extreme

Stormwater Overland Flow Overlay Mapping



Stormwater Overland Flow

- Minor Flow Path
- Major Flow Path

NOTE

Dimensions and areas subject to council approval and final field survey.

This plan was prepared for the purpose and exclusive use of Brett Kucks to accompany an application to the Western Downs Regional Council for a Boundary Re-alignment described in the plan and is not to be used for any other purpose or by any other person or corporation. Byrne Surveyors accept no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this note. This note is an integral part of this plan.

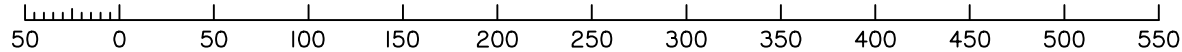


Existing access to be maintained for Proposed Lot 2

Existing access to be maintained for Proposed Lot 45

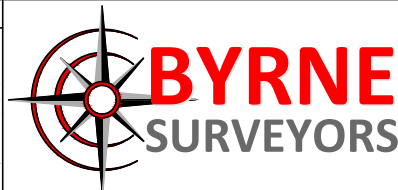
Plan amended in Red by Council on 18/11/2024

Scale 1:4000 - Lengths are in Metres.



LOTS 2 & 45
Cancelling Lot 2 on SP327973
& Lot 45 on SP251981

				COPYRIGHT		Date 29 AUGUST 2024		Scale 1:4000 @ A3 SIZE		Client BRETT KUCKS	
				Conditions of Use.		Drawn LWJ		Project Leader GTC		Application BOUNDARY REALIGNMENT	
				This document may only be used by Byrne Surveyor's client, (and any other person who Byrne Surveyors has agreed can use this document) for the purpose for which it was intended and must not be used by any other person or for any other purpose. Intellectual rights remain with BYRNE SURVEYORS PTY LTD.		Check GTC		Survey Data AUTOCAD		Site Address 70 & 171 DALBY CECIL PLAINS ROAD	
A Lot Layout for Application				LWJ GTC		Original Size A3		Locality DALBY		Local Authority Western Downs Regional	
Revision				Drawn Checked		Date		Title PROPOSAL PLAN - SITE DIMENSIONS		Drawing No 24/166PP01	
										Revision A	



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Title **Executive Services Chief Executive Officer Report November 2024**

Date 26 November 2024

Responsible Manager J. Taylor, CHIEF EXECUTIVE OFFICER

Summary

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Chief Executive Officer during the month of November 2024.

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.

Background Information

Nil

Report

The below lists the meetings, delegations and forums attended by the Chief Executive Officer during the month of November 2024.

Date	Who/Where	Details
6 November 2024	<ul style="list-style-type: none"> • Local Government Association Queensland Roundtable 'Closing the Loop' • Development Assessment Meeting 	Teams Meeting Dalby
7 November 2024	<ul style="list-style-type: none"> • Councillor Information Sessions 	Dalby
8 November 2024	<ul style="list-style-type: none"> • Meeting with Department of Housing, Local Government, Planning and Public Works 	Dalby
11 November 2024	<ul style="list-style-type: none"> • Annual Councillor Strategy Session 	Bunya Mountains
12 November 2024	<ul style="list-style-type: none"> • Annual Councillor Strategy Session 	Bunya Mountains
13 November 2024	<ul style="list-style-type: none"> • Annual Councillor Strategy Session 	Bunya Mountains

Consultation (Internal/External)

14 November 2024	<ul style="list-style-type: none"> Meeting with Local Government Association Queensland Disaster Recovery Funding Arrangements for Queensland Councils Meeting with TechnologyOne 	Teams Meeting Teams Meeting
15 November 2024	<ul style="list-style-type: none"> Powerlink Queensland Transmission Network Forum 	Brisbane
16 November 2024	<ul style="list-style-type: none"> Meeting with Telstra 	Teams Meeting
19 November 2024	<ul style="list-style-type: none"> Planning & Pre-Agenda Meeting Councillor Information Session 	Dalby Dalby
20 November 2024	<ul style="list-style-type: none"> Meeting with Member of Public 	Dalby
21 November 2024	<ul style="list-style-type: none"> Ordinary Meeting of Council Councillor Information Session 	Tara Tara
22 November 2024	<ul style="list-style-type: none"> Toowoomba Surat Basin Enterprise Platinum Christmas Party 	Toowoomba
24 November 2024	<ul style="list-style-type: none"> Senex Atlas Project Gas Field Expansion Grand Opening 	Wandoan
26 November 2024	<ul style="list-style-type: none"> The Executive Connection 	Brisbane
27 November 2024	<ul style="list-style-type: none"> Meeting with Coexistence Queensland Meeting with CS Energy Meeting with Queensland Law Reform Commission 	Brisbane Brisbane Brisbane
28 November 2024	<ul style="list-style-type: none"> Central Queensland Regional Water Assessment Stakeholder Advisory Group Meeting 	Gladstone

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 November 2024.

Attachments

Nil.

Authored by: A. Lyell, EXECUTIVE SERVICES ADMINISTRATION OFFICER

Title **Executive Services Report Outstanding Actions November 2024**

Date 28 November 2024

Responsible Manager J. Taylor, 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 21 November 2024.

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.

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 21 November 2024

1. Outstanding Council Meeting Action List (As at 21 November 2024)

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
13/04/2022	Corporate Services Confidential Report Dalby Aerodrome Proposed Lease to Helismart	AD6.6.2	That this report be received, and Council resolves to; 1. Apply the exceptions contained within section 236(1)(c)(iii) of the <i>Local Government Regulation 2012</i> (Qld) to the proposed lease; 2. Offer Helismart Pty Ltd a ten-year lease over a portion of land at the Dalby Aerodrome, as depicted in the proposed lease sketch in this Report, on the terms as set out in this Report; and	Executive Services

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
			<p>3. Delegate authority to the CEO to negotiate and sign all documents necessary to:</p> <ul style="list-style-type: none"> a) Effect the surrender of the agricultural leased area known as Lease K, and the boundary realignment and resurvey of the agricultural leased area known as Lease H, at the Dalby Aerodrome; b) Survey the area known as Lease K to accommodate Helismart Pty Ltd's proposed leased area and to allow for future leased areas; and c) Provide a lease for a new surveyed area with Helismart Pty Ltd for approval by council. <p style="text-align: right;">CARRIED</p>	
19/07/2023	(035.2022.737.001) Community and Liveability Report Development Application for Reconfiguring a Lot (1 Lot into 10 Lots and Road Reserve) of Lot 20 on SP156284 Cemetery Road Chinchilla WA & SG Daniells Pty Ltd C/- Sweb Consulting	AD6.6.2	<p>That council investigates an amendment to the Planning Scheme to address the perceived requirements for rural residential development in the Chinchilla area.</p> <p style="text-align: right;">CARRIED</p>	Community & Liveability
18/04/2024	Infrastructure Services Confidential Evaluation Report Tender No MM25-23-24 - Dalby Recycled Water Scheme (Disposal) - Closed Tender	AD6.6.2	<p>That this Report be received, and that Council;</p> <ul style="list-style-type: none"> 1. Enter into a recycled water agreement with Liquid Power Co Pty Ltd (ABN 38 665 703 766) for the supply of Class A recycled water for a minimum period of 5 years, proposed to commence 1 January 2025 and the agreement includes; <ul style="list-style-type: none"> a. a fixed access charge for 5 years for a total of \$421,250.00 ex GST and; b. a volumetric charge of \$2.81 ex GST per kilolitre and; c. a total of \$1,641,040.00 ex GST "take or pay" for the final 2 years 2. Authorise the Chief Executive Officer under Section 257 of the Local Government Act 2009 (QLD) to make, amend or discharge an agreement with acceptable conditions 	Infrastructure Services

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
			associated with MM25-23-24 Dalby Recycled Water (Disposal). CARRIED	
20/06/2024	Executive Services Confidential Report Acquisition of Easement for Water Supply Purposes	AD6.6.2	<p>It is recommended that this report be received and that Council:</p> <ol style="list-style-type: none"> 1. Issues a notice of intention to resume from Lot 315 Crown Plan A342795 an easement for water supply infrastructure/reticulation purposes pursuant to the provisions of the <i>Acquisition of Land Act</i>, 1967. 2. Delegates to the Chief Executive Officer to receive and hear any objection to taking of the easement that may be made by the owner of the subject land and may in turn delegate that role to an appropriate employee of Council. 3. Will consider any report of any objection raised by the owner of the land prior to making any decision whether to compulsorily acquire the easement. <p>CARRIED</p>	Executive Services
20/06/2024	Executive Services Report: Road Closure Application - Bell Park Lot 121 D924	AD6.6.2	<p>That this report be received and that the Council resolves as follows:</p> <ol style="list-style-type: none"> 1. That, subject to receiving the required approval from the Department of Resources, Council approves the permanent closure of Unnamed Road 07. 2. Council delegates to and requests that the Chief Executive Officer advise the Department of Resources that it has no objections to the permanent road closure of Unnamed Road 07 and its amalgamation into lot 121 D924. 3. Council approves the amalgamation of the closed road into Joshua Bell Park. 4. The Chief Executive Officer causes such actions to be taken as are necessary to finalise that amalgamation. <p>CARRIED</p>	Executive Services
19/09/2024	Executive Services Confidential Report Proposed Disposal of Two Properties: 1 & 2 RP5565137 Day Street,	AD6.6.2	<p>That this report be received, and that Council resolve to:</p> <ol style="list-style-type: none"> a. offer 1 & 2 RP5565137 Day Street, Tara and Lot 6 RP184124 Retreat 	Executive Services

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
	Tara and Lot 6 RP184124 Retreat Road, Kowguran		Road, Kowguran, for sale by auction; and b. delegate authority to the Chief Executive Officer to finalise and sign all necessary documents to affect the aforementioned disposal by auction. CARRIED	
19/09/2024	Executive Services Confidential Report Proposed Lease for EV Charging Station in Bell Park - Tesla	AD6.6.2	That this Report be received and Council resolves: That the exception in section 236(1)(c)(v) of the Local Government Regulation 2012 (Qld) applies to the proposed lease of Lot 121D924, such that disposal by tender or auction is not required in the public interest. That Council further resolves to: a. offer to enter into a lease to Tesla Corporation or its relevant entity (Tesla) for the defined area of Joshua Bell Park (currently described as Lot 121 D924) for 15 years, on terms materially consistent with those identified in the report presented to Council, subject also to the following specific conditions: for the purpose of the construction and conduct of super chargers for electric vehicles and associated infrastructure; the establishment of the facility, including the lease documentation and registration, shall be at no cost to Council; the rent payable shall be the assessed market rent of \$800 per annum plus GST to be increased annually according to the Consumer Price Index and to be revalued at the expiration of each 5 year period of the lease; Tesla must ensure that upon termination or cessation of the lease, all infrastructure associated with the facility is removed and the leased area left in a safe and clean condition. b. approve a lease term of greater than 10 years pursuant to section 65(3A)(b) of the Land Title Act 1994 (Qld); and c. delegate to the CEO the negotiation, execution and registration of the lease with Tesla on the terms described in paragraph 2 of this resolution. CARRIED	Executive Services
17/10/2024	Executive Services Confidential Report Disposal of Land Parcels Lots 7-10 RP75401 and part of Lot 2 RP186292 Myall Street, Dalby	AD6.6.2	1. That Council resolves to accept the tender of Campervan and Motorhome Club of Australia Limited (CMCA) pursuant to section 228(10) of the Local Government Regulation, subject to the following: a.) delegating to the Chief Executive Officer the power to negotiate and execute an agreement for lease with CMCA on terms	Executive Services

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
			<p>substantially in accordance with the attached draft agreement; and</p> <p>b.) fulfilment of the conditions contained in the agreement for lease, delegate to the Chief Executive Officer the negotiation, execution, and registration of a lease including the following conditions:</p> <p>i. an annual rent of \$3,000 (plus goods and services tax), which reflects the range of the market rent assessment received by Council;</p> <p>ii. annual increase of rent in accordance with the terms of the lease;</p> <p>iii. a term of ten (10) years; and</p> <p>iv. otherwise substantially in accordance with the attached draft lease.</p> <p>c.) updating landholders in the vicinity of the subject land of this decision and informing them of the expected timing of any actions to be taken pursuant to Council's decision.</p> <p style="text-align: right;">CARRIED</p>	
21/11/2024	Executive Services Report Proposed Disposal of Lot 27 SP159192 Windeyer Road, Wandoan	AD6.6.2	<p>That Council resolves to:</p> <p>a. offer Lot 27 SP159192 Windeyer Road, Wandoan for sale by auction; and</p> <p>b. delegate authority to the Chief Executive Officer to finalise and sign all necessary documents to affect the aforementioned disposal by auction.</p> <p style="text-align: right;">CARRIED</p>	Executive Services
21/11/2024	Corporate Services Report Bell Showgrounds Renaming Consideration	AD6.6.2	<p>That Council resolves to:</p> <p>1. rename the 'Bell Showgrounds' to the 'Bell Recreation Reserve', to accurately reflect the reserve's intended use; and</p> <p>2. dispense with the usual requirements of the <i>Naming Public Assets – Council Policy</i>, specifically the seeking of nominations of names from the community, in view of the unique circumstances which apply to this situation, which include, inter alia:</p> <p>a. the absence of any identifying signage on the venue;</p> <p>b. the reserve is already referred to, albeit colloquially, as the Bell Recreation Reserve;</p> <p>c. the request has come from the reserve's management committee, which includes representatives of the various user groups (including the Bell Show);</p> <p>d. the desire of the reserve's management committee to incorporate as the Bell Recreation Reserve;</p> <p>e. the inclusive nature of the proposed name; and</p>	Corporate Services

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
			f. the name is generic in nature and thus not emphasising one particular entity or person, which can occasionally generate community sentiment. CARRIED	
21/11/2024	Executive Services Confidential Report Disposal of Part Lot 220 SP209293, Haddock Place, Tara	AD6.6.2	That Council resolves: (a) that the exception provided in s236(1)(b) of the <i>Local Government Regulation</i> 2012 applies to the disposal of a valuable non-current asset of Council and accordingly, disposal by way of tender or auction is not required; (b) to reconfigure and dispose of part of Lot 220 SP209293 (having an approximate area of 6000 square metres) to the St Vincent de Paul Society for housing purposes; (c) to delegate to the Chief Executive Officer the power to enter into a contract with the St Vincent de Paul Society at a cost of \$1.00 and to negotiate such terms as are necessary to achieve delivery of the housing project in accordance with an approved business plan prior to transfer and subject to the project being fully developed and operational within five years of this resolution CARRIED	Executive Services
21/11/2024	Executive Services Confidential Report - Proposed Request for Expressions of Interest for Lot 1 and part of Lot 2 on SP173901 Dalby-Apunyal Road for High Impact Industry Development	AD6.6.2	That Council resolves that it is in the public interest, pursuant to section 228(3)(a) and (b) of the <i>Local Government Regulation</i> 2012 (Qld) to invite Expressions of Interest ('EOI') to dispose of Lot 1 on SP173901 and part of Lot 2 on SP173901 Dalby-Apunyal Road, Dalby, for High Impact Industry development for the following reasons: 1. disposing of the land is expected to result in the Land reaching its full potential by offering land to obtain further development opportunities and employment to the region; 2. it will allow all interested parties to submit detailed proposals stating their interest in acquiring the Land. Council will then assess the best proposed use of the Land for the benefit of the community and assess the suitability of the applicant; 3. it will allow Council to invite tenders from a smaller class of submissions that are considered to be in the best interests of the community and to filter out proposals that are not considered to be appropriate; and 4. it will require vendors to provide Returnable Schedules which align to Council's <i>Economic Development Strategy 2023-2028</i> and <i>Communities Partnering Framework</i> . The returnable schedule requires vendors to provide measurable outcomes of the project. CARRIED	Executive Services

Deputations (as at 21 November 2024)

Meeting date	Name	Council Resolution/Task	Comments	Responsible Division
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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: A. Lyell, Executive Services Administration Officer

Title	Corporate Services Report Renewal of Lease Dalby PCYC Lot 3 on CP850442
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Date	19 November 2024
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Responsible Manager	E. Tierney, A/FACILITIES MANAGER
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Summary

The purpose of this Report is to seek Council's endorsement for the proposed lease over the building known as Dalby PCYC.

Link to Corporate Plan

Strategic Priority: Active Vibrant Community

- *We are a happy, inclusive community, proud of where we live.*
- *Our people of diverse backgrounds and ages are united by social, cultural, and sporting activities.*
- *Our parks, open spaces, and community facilities are alive with activities and connect our communities.*
- *We empower communities to develop local initiatives and events.*

Strategic Priority: Quality Lifestyle

- *Our residents are provided with modern infrastructure and quality essential services across our region.*
- *Our recreational spaces and community facilities are attractive, safe, and accessible.*

The Dalby PCYC facility provides youth and community programmes, services, and facilities to Dalby and the broader region. It provides the community with access to modern recreational facilities and spaces and provides an opportunity for community interaction through sport and other leisure activities.

Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with the new lease.

Officer's Recommendation

That Council resolves:

- (1) that the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to the proposed lease of Lot 3 on CP850442, being 56 Cooper Street, Dalby, to the Dalby Police Citizens Youth Club (Dalby PCYC);
- (2) to offer the Dalby Police Citizens Youth Club (Dalby PCYC) a five (5) year lease from 30 June 2024, at \$2.00 (inclusive of goods and services tax) per annum, over land described as Lot 3 on CP850442, being 56 Cooper Street, Dalby; and
- (3) to delegate to the Chief Executive Officer the power to finalise and execute the proposed lease and ancillary documents.

Background Information

The PCYC, ABN 58 009 666 193 (a registered not-for-profit), was established as a branch in Dalby in 1989. In partnership with the Western Downs Regional Council and the Dalby community, it provides affordable and accessible sport and recreation activities for all ages. The original lease was formalised on 1 July 1994 for term of twenty (20) years, that expired on 30 June 2014.

Following the conclusion of the original twenty (20) year lease the finalisation of the second lease was delayed due to several factors, including difficulties in agreeing on the lease terms, the need to update the site survey

to reflect new developments, and the transition to a new lease template. As a result, the revised lease was not approved until November 2017. At that time, Council recommended a ten (10) year lease term, starting from the expiration of the previous lease and ending on 30 June 2024.

On 7 March 2024, the Dalby Netball Association (DNA) formally expressed interest in establishing a direct agreement with Council for the outdoor netball courts and to coordinate the Dalby Netball competition. This prompted a series of meetings involving the Dalby Netball Association, PCYC, and Council's Community Liaison team to discuss the logistics of shared use facilities. After considering various options, it was agreed that managing a competitive netball competition was outside the core business of the PCYC and the PCYC was amenable to transfer the management responsibility to Dalby Netball Association. Co-ordination also took place with the Dalby Touch Association Incorporated and Football Dalby Incorporated to ensure shared access to the outdoor facilities at the site. Following the conclusion of the 2024 outdoor netball season on 8 September 2024, Dalby Netball Association assumed responsibility for the outdoor netball courts. Due to the timing of the netball season, it was agreed between all parties that Dalby PCYC would complete the management of the 2024 outdoor netball season, therefore leasing changes were delayed from 30 June 2024 until now. Dalby Netball Association will enter into a separate permit-to-occupy agreement with Council, to be executed after the adoption of the Community Tenure Strategy. A new site survey has been conducted to exclude the outdoor netball courts from PCYC's lease area.

The decision to move from a ten (10) year to a five year lease reflects a strategic re-evaluation of the lease terms and an opportunity to better respond to evolving circumstances. This new lease aligns with the Community Tenure Strategy, thus, a five year term offers a more practical timeframe to review and adjust items that may not be effective, compared to a longer ten (10) year commitment. The term provides the flexibility to make necessary changes sooner and ensure that Council's approach remains responsive and effective in an ever-evolving community setting. In addition, PCYC has stated that a five year term is in line with other leases it holds in other local government areas.

Traditionally, PCYC has been charged rates totalling \$25,907 per financial year and currently receive a fifty (50) per cent concession on this figure. Rates represents one of the organisation's largest financial burdens and as a result PCYC has requested council to reconsider the inclusion of rates charges in the new lease term. The recent review of community organisations responsibilities across the region highlighted inequitable practices that are currently occurring. In order to better support the region's community organisation, it has been recommended that as part of the Community Tenure Strategy Council assume the responsibility of rates across all Council owned or controlled facilities. The request from PCYC aligns with the recommendation within the Community Tenure Strategy.

Report

Lot 3 on CP850442 (56 Cooper Street) also known as 'Dalby PCYC' is a reserve for sport and recreation with Council holding the trusteeship of the site. The building 'PCYC' is owned by Council. PCYC Queensland is a leading not-for-profit organisation providing youth and community programmes, services, and facilities. A new draft lease has been developed in consultation with the PCYC under similar terms and conditions as the previous lease, subject to Council final approval.

The key changes from the previous lease include:

- (1) exclusion of the outdoor netball courts;
- (2) rates charges; and
- (3) term of five years.

The key terms are:

- (1) commencement date of 30 June 2024;
- (2) expiry date of 30 June 2029;
- (3) term of five years;
- (4) no options;
- (5) rent will be \$2.00 (inclusive of goods and services tax) per annum;
- (6) rates charges will be paid by Council; and

(7) electricity and water charges will be paid by Dalby PCYC.

It is recommended that the draft lease as attached be accepted with a term of five (5) years from the date of expiry of the previous lease (the new lease will expire on 30 June 2029).

Consultation (Internal/External)

Advice was sought from Council's Facilities Manager and Council's Senior Legal Advisor. Consultation with PCYC management and the organisation's legal counsel has been undertaken to ensure that the lease is agreeable to the user.

Legal/Policy Implications (Justification if applicable)

Section 224(7)(a) of the *Local Government Regulation 2012* classifies land as a valuable non-current asset. Leases are considered a disposal of a valuable non-current asset (land) under the *Local Government Regulation 2012*. In order to dispose of land other than by following the prescribed tendering/auction process, an exception under section 236 of the *Local Government Regulation* will need to apply to the disposal. In this instance, an exception can be applied as the disposal of land is for a community organisation, being PCYC. Consequently, in accordance with the *Local Government Regulation*, it is not necessary to undergo a tender or auction process.

Similarly, whilst the *Local Government Regulation* requires to be disposed of (which includes leasing) at market value, an exception can be applied when the disposal is to a community organisation. The proposed rental amount of \$2.00 (including goods and services tax) per annum has been carried over from the current lease and is acceptable to PCYC.

Budget/Financial Implications

The management of lease is accommodated within operational budgets. The cost associated with registering the lease on the Title will be paid by PCYC.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) 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

PCYC is a long-standing community organisation within Dalby which has always cared for the property in a professional manner. It is recommended that Council renew the lease of the building to PCYC for a further term of five years to enable it to continue with the provision of community support activities.

Attachments

1. Draft Lease - Dalby PCYC - LOT 3 ON CP850442

Authored by: Breanna Tanks, Community Liaison & Agreements Officer

Dealing Number



OFFICE USE ONLY

Privacy Statement

Collection of information from this form is authorised by legislation and is used to maintain publicly searchable records. For more information see the Department's website.

1. Lessor	Lodger (Name, address, E-mail & phone number)	Lodger Code
WESTERN DOWNS REGIONAL COUNCIL	Western Downs Regional Council PO Box 551 DALBY QLD 4405 Email: info@wdrc.qld.gov.au (07) 4679 4000	TA905

2. Lot on Plan Description	Title Reference
LOT 3 ON CROWN PLAN 850442	49010311

3. Lessee	Given names	Surname/Company name and number	(include tenancy if more than one)
		QUEENSLAND POLICE CITIZENS' YOUTH WELFARE ASSOCIATION (CP0120)	

4. Interest being leased
RESERVE

5. Description of premises being leased
THAT PART OF THE LAND SHOWN AS LEASE D ON THE SURVEY PLAN ATTACHED

6. Term of lease	7. Rental/Consideration
Commencement date/event: 30 / 06 / 2024	As set out in the Schedule.
Expiry date: 30 / 06 / 2029 and/or Event:	
#Options: Nil	

8. Grant/Execution

The Lessor leases the premises described in item 5 to the Lessee for the term stated in item 6 subject to the covenants and conditions contained in the attached schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

Executed for and on behalf of Western Downs Regional Council by its duly authorised officer

signature

full name

qualification

/ /

Jodie Kaye Taylor

Chief Executive Officer

Witnessing Officer

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 e.g. Legal Practitioner, JP, C Dec)

Execution Date

Lessor's Signature

9. Acceptance

The Lessee accepts the lease and acknowledges the amount payable or other considerations for the lease.

QUEENSLAND POLICE CITIZENS YOUTH WELFARE ASSOCIATION
ABN 58 009 666 193

signature

full name

qualification

/ /

Name and Role of Authorised Officer

Title Reference 49010311

This is the Schedule referred to in Lease dated the day of 20

THE LESSEE HEREBY COVENANTS WITH THE LESSOR AS FOLLOWS:

1 Interpretation

1.1 Definitions

In this Lease, unless the context or subject matter otherwise indicates or requires:

Act means the *Lands Title 1994* (Qld), as amended from time to time and if that Act is repealed, any Act which replaces that Act.

Actions includes litigation, suits, demands, claims and proceedings.

Assign includes to transfer, to mortgage, to sublet, the Premises.

Awnings include blinds, buntings, shade sails and other like fixtures, fittings and apparatus.

Authority includes:

- (a) a governmental, semi-governmental, or statutory authority;
- (b) a non-governmental or non-statutory authority;
- (c) the Council; and
- (d) another local government.

Bank Guarantee means an irrevocable undertaking by a bank approved by the Lessor to pay the Security Amount to the Lessor upon demand, without recourse to the Lessee, and containing such terms as the Lessor acting reasonably may think fit.

Building means the building or buildings which (at the commencement of the Lease or subsequently) includes, constitutes or forms part of the Premises.

Capital works are depreciating items and include structural improvements.

Centre means the whole of the Land of which the Premises forms part, together with all improvements on and to the Land and fixtures on and in it.

Chief Executive Officer means the Chief Executive Officer for the time being of the Council or any person acting in that capacity.

Commencement Date means the commencement date described in **item 6** of the Form 7 to which this Schedule is attached.

Common Areas means those areas (if any) which form part of the Centre but are not specifically subject or subjectable to lease by the Lessor and includes carparks, landscaped areas, buildings and appurtenances located in or on those areas.

Contamination has the same meaning as that contained in the *Environmental Protection Act 1994* (Qld).

Council means the Western Downs Regional Council or its statutory successors in its role as the relevant local government and not as lessor. The term also means any person or persons to whom the Council by resolution or by local law has delegated any of its functions.

End of the Term means the Expiry Date or any earlier date on which the Lease is terminated, cancelled or forfeited.

Expiry Date means:

- (a) the Expiry Date described in **item 6** of the Form 7 to which this Schedule is attached; or
 - (b) the expiry date of a renewed or extended term; or
 - (c) the last day of a holding over period,
- whichever last occurs.

General Manager means an officer of the Council for the time being performing the duties of General Manager.

Title Reference 49010311

Improvements means all buildings, infrastructure, improvements, structures, fixtures and fittings on and attached to the Premises, whether or not they existed at the Commencement Date, and includes without limitation windows, doors, plate glass, internal and external fastenings, partitions, lights (including field lighting), electrical fittings, electrical wiring, water fixtures, water pipes, plumbing fittings, conveniences, gas pipes, signs, awnings, air-conditioning, water bores, fencing, car parks, roads and mechanical apparatus, and includes any alterations or repairs to any of them.

Key Performance Indicators means the performance criteria listed in **Item 15** of the Schedule of Items.

Land means the land described in **item 2** of the Form 7 to which this Schedule is attached.

Lease means this document (including the Form 7, any schedule, plans, appendices, forms and annexures) and any other document for a lease by the Lessee to the Lessee of the Premises for the Term.

Lease Year means each year of the lease of the Premises, the first of which commences on the Commencement Date.

Lessee includes, in the case of a natural person or persons, their and each of their respective executors, administrators and permitted assigns and in the case of a corporation, its successors and permitted assigns and, where the context permits or requires, includes a Visitor.

Lessee's Covenants means the covenants, agreements, conditions and restrictions which are expressed or implied in this Lease and are to be Observed by the Lessee, whether of a positive or a negative character.

Lessor means the Council in its capacity as lessor as well as its statutory successors and its assigns.

Lessor's Agents includes the Lessor's officers, agents, workmen, employees and contractors, and other persons authorised by it either generally or for a specific purpose.

Lessor's Property means all Improvements, plant and equipment and includes, without limitation fittings, furniture, furnishings and other property the Landlord provides in the Premises.

Loss means any loss (including loss of profit and loss of expected profit), Action, liability, summons, damage, death, personal injury, judgment, injunction, order, decree, cost, charge, expense, outgoing, payment, diminution in value or deficiency of any kind or character which a party pays, suffers or incurs or is liable for including:

- (a) taxation liabilities;
- (b) interest and other amounts payable to third parties;
- (c) legal (on a full indemnity basis) and other expenses reasonably incurred in connection with investigating or defending any Action, whether or not resulting in any liability;
- (d) amounts paid in settlement of any Action; and
- (e) consequential loss and damage (irrespective of its nature or occurrence).

Minister means the Minister administering the Act.

Neighbours include other lessees of the Lessor, other occupants of the Centre or Building, and the owners, residents and occupiers of neighbouring or adjoining premises or lands.

Observe in relation to the Lessee's Covenants, or other covenants, requirements or provisions, includes to conform with, to perform, to fulfil, and to keep.

Permitted Use means the use specified in **item 7** of the Schedule of Items.

Premises means the premises described in **item 5** of the Form 7 to which this Schedule is attached, together with all Improvements, and where the context permits or requires includes a part of them, or a part of them in the name of the whole and the Lessor's Property.

Rent includes:

- (a) the annual rent as set out in **clause 2**; and
- (b) the outgoings as described in **clause 3**.

Repair means work to make good or remedy defects in, damage to or deterioration of property. Repairs relate to wear and tear or other damage that occurs through use.

Schedule of Items means that list of items forming part of this Lease.

Title Reference 49010311

Security Amount means the amount specified in **item 16**.

Signs includes hoardings, advertisements, sponsorship signage and scoreboards.

Statute includes rules, regulations, ordinances, proclamations, local laws, orders in council and notifications.

Structure includes a wall or fence and anything fixed to or projecting from a building, wall, fence or other structure.

Term means the period from the Commencement Date to the End of the Term.

Visitor includes an invitee, sub-licensee, tenant, customer, client, employee and participant in or spectator of a game or sporting activity who may at any time be in or upon the Premises or the Centre.

1.2 Gender

Words importing any gender shall include any other gender and shall also be construed as having reference to any trustees, corporations or natural persons.

1.3 Singular number

The singular number shall include the plural number and vice versa.

1.4 Joint and several liability

Where two or more persons are lessees (whether as trustees or not) the terms, covenants conditions, provisos, stipulations and restrictions contained in this Lease shall bind each of them jointly and severally.

1.5 Severability

If any term, covenant or condition contained in this Lease is or becomes illegal or unenforceable, this Lease shall be construed as if such term, covenant or condition had been severed and the remaining part or parts of this Lease shall remain in full force or effect.

1.6 Headings

Headings have been inserted for convenience only and shall not be construed as part of this Lease.

1.7 Obligation, agreement or covenant

An obligation, agreement or covenant not to do or omit a thing includes an obligation, agreement or covenant not to procure, cause, permit or suffer it to be done or omitted.

1.8 Lessee

If the Lessee is a trustee it is bound in its capacity as a trustee and personally.

1.9 Cognates

Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.

1.10 Indemnity

An obligation to indemnify a person includes an obligation to keep the person indemnified. For example, the obligation continues even though the Lease has terminated.

1.11 Statutory authority

If a statutory authority or another body has ceased to exist, or its functions have been transferred to another authority or body, a reference to it is a reference to the authority or body which replaces it or to which its functions have been transferred.

1.12 Duration of covenants

The Lessee's Covenants apply during the whole of the Term and, unless the contrary is expressed or implied, at all times and from time to time during the Term.

1.13 Effect of termination

Despite the End of the Term, any undischarged obligations accrued during the Term remain in full force and effect.

Title Reference 49010311

1.14 Inclusions and examples

An inclusive definition, or an example or particularisation of a provision, does not limit, but may extend, that definition or provision.

1.15 Statutes

References to a Statute (by name or otherwise) includes a reference to any Statute amending, consolidating or replacing it.

1.16 Property Law Act 1974 (Qld)

If there is any inconsistency between the provisions of this Lease and those implied by or contained in the *Property Law Act 1974 (Qld)* then to the extent that they may be lawfully applied the provisions of this Lease prevail over those implied by or contained in the *Property Law Act 1974 (Qld)*. Where there is no inconsistency, and the covenants implied by or contained in the *Property Law Act 1974 (Qld)* have not been excluded or modified, they apply and form part of this Lease.

1.17 Item references

A reference to a numbered item is a reference to that item in the Schedule of Items.

2 Rent

2.1 Payment of Rent

The Lessee must pay rent to the Lessor in the amount set out in **Item 1** for the number of Lease Years set out in **item 2**. The rent must be payable in advance, with the first payment being made (if it has not already been paid) on the signing of this Lease by the Lessee and afterwards at the beginning of each interval as set out in **Item 3**.

2.2 Rent for balance of the Term

The rent for the balance of the Term must be determined in accordance with the formula set out in **Item 4** and must be payable in advance at the commencement of each interval specified in **Item 5**.

2.3 Method of payment

The rent including any increased rent, additional rent and other charges mentioned in **clause 3** and elsewhere in this Lease must be paid to whom and where the Lessor from time to time directs and if no stipulation is made then to the Lessor at its administration building wheresoever it is from time to time situated.

3 Charges against the Lessee

3.1 Contribution to outgoings

If the Lessee does not pay for items listed in **Annexure C** the Lessee must pay to the Lessor on demand by way of additional rent the percentage mentioned in **Item 6** as a contribution towards outgoings and charges incurred during the Term by the Lessor in respect of the Centre (even if the outgoing or charge did not apply at the commencement of the Term).

3.2 Rates, water, sewerage, etc

The Premises will be valued separately by the Department of Resources (DOR) and a Rates Notice will be issued to the Lessee by the Council for general rates, and any applicable service charges, e.g. water, sewerage and/or waste charges and a State Emergency Management Levy whether such rates, charges or rentals have been levied retrospectively or otherwise.

3.3 Trade waste

- (a) If the Premises have a cleansing or trade waste service (including grease trap), whether provided by the Council or otherwise, then the Lessee must pay for all costs associated with that service.
- (b) If the Premises require a separate or additional cleansing or trade waste service, whether provided by the Council or otherwise, then the Lessee must pay all installation costs associated with that service.

Title Reference 49010311

3.4 Electricity, telephone, gas, etc

- (a) The Lessee must, in its own name and at its own cost, arrange for an electricity supplier to connect electricity to the Premises, and all other service providers (as applicable to the Lessee) to connect their services to the Premises where direct connection is available; and
- (b) The Lessee must promptly pay the whole of the electricity, telephone, gas and other power charges of whatever nature (whether for fuel, power, heating or lighting or otherwise) in respect of any electrical, gas or other plant, apparatus, equipment or appliances installed in the Premises or associated with them and must pay the rent (if any) on meters installed in connection with the use of such power.

3.5 Air conditioning

The Lessee will be responsible for the running and maintenance of any individual air conditioning units installed on the Premises and must keep the units properly maintained and fully operational at all times.

The Lessor will be responsible for capital repairs of any individual air conditioning units installed on the Premises.

3.6 Payment of costs

The Lessee must pay all costs in connection with the preparation and execution of this Lease, including:

- (a) stamping and registering this Lease (if applicable);
- (b) any incidental or associated documents and all counterparts;
- (c) preparing any survey plans or sketch plans required;
- (d) costs payable to any mortgagee whose consent is required to this Lease or to the Council for approval of this Lease as a subdivision; and
- (e) costs incurred by the Lessor in ascertaining or enquiring as to the rental of the Premises.

3.7 Additional costs

The Lessee must pay to the Lessor any costs, charges and expenses (including legal costs on a solicitor and own client basis) incurred by the Lessor:

- (a) in having the Lessee comply with any Lessee's Covenants; or
- (b) in having this Lease determined, or the Lessee evicted, or both, and in recovering possession of the Premises, if the Lessee fails immediately to comply with a notice issued under **clause 12.2** or **clause 12.9**.

3.8 Litigation

If the Lessor is without fault on the Lessor's part made a party to any litigation commenced by or against the Lessee (other than litigation directly between the Lessor and the Lessee) and arising directly or indirectly out of the Lessee's occupancy of the Premises, the Lessee must pay to the Lessor on demand all legal fees and disbursements on a solicitor and own client basis incurred by the Lessor in connection with that litigation.

3.9 Employees and contractors

The Lessee agrees to pay promptly and in accordance with any contract or industrial award, all employees' wages and contractors' charges (including subcontractors payments if the Lessee is liable for them) incurred in or about the Premises or the operation or any use made of them or any alteration or addition to the improvements.

3.10 Levies and charges

The Lessee further agrees to pay for all levies and other charges charged by any Authority or any supplier of goods or services and owing in respect of any function held at, or use made of, the Premises, including liquor licence fees.

3.11 Prompt payment

All money the payment of which is required by or referred to in this **clause 3** must be paid promptly to the person, company or body entitled to payment at his or its normal place of business, and immediately upon it falling due or upon demand being made by the Lessor, the Council, or the other party entitled to payment.

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3.12 Indemnity by Lessee

In respect of all of the charges contained in this **clause 3** the Lessee will indemnify the Lessor so that the Lessor may be saved harmless from any of the charges.

3.13 No formal rate of charge

In respect of the rates and charges mentioned in **clause 3**, the Lessee agrees to pay to the Lessor such amount as the Council from time to time determines notwithstanding that a formal rate of charge has not been struck in respect of the Premises or the Centre as the case may be in accordance with the *Local Government Act 2009*.

4 Lessee's use and conduct of Premises

4.1 Permitted Use

- (a) The Lessee must not without the prior written consent of the Lessor and the Minister use the Premises for any purpose other than the Permitted Use as listed **Item 7** and will at all times give to the Lessor a true and faithful account of the use made of them.
- (b) The Lessee may only use or develop the lease land in accordance with:
 - (i) the terms and conditions of the Lease; and
 - (ii) any management plan for the trust land approved under section 48 of the Act.
- (c) The Lessee must not do anything that prevents the trust land, of which the Premises is apart, from being used for the purpose for which the trust land was dedicated or granted.
- (d) If the Premises does not adjoin a road, or have another legal access, the Lessee may access, and provide services to, the Premises through the trust land:
 - (i) at a place, or on a route, the lessee considers is the most convenient place or route; and
 - (ii) on the conditions decided by the Lessee.
- (e) In this section:
 - (i) develop, Premises, includes construct improvements on the Premises.
 - (ii) services include a telephone connection, electricity and water.

4.2 No accommodation

Notwithstanding **clause 4.1**, under no circumstances will the Premises be used for sleeping accommodation or living accommodation.

4.3 Nuisance

The Lessee must not carry on any illegal, improper, immoral, noxious or offensive, trade, business, occupation, activity or calling nor will it do, upon the Premises, anything which might be or become a nuisance, annoyance or grievance or cause damage to the Lessor or the Neighbours.

4.4 Lessee not to invalidate insurance

- (a) The Lessee must not (except with the prior written consent of the Lessor) do anything which might prejudice or invalidate any insurance on the Premises or which might lead to any increased rate of insurance premium being payable over them or in respect of them.
- (b) The Lessee must not do anything in or about the Premises which might conflict with the laws or regulations relating to health or fires for the time being in force or with the rules of any Authority in relation to the Premises.
- (c) Without prejudice to the rights and remedies of the Lessor by reason of any breach of this **clause 4.4**, the Lessee shall be liable to pay to the Lessor on demand any sum of money which the Lessor pays to any insurance office by way of increased premiums and any other expenses made necessary by breach of this clause.
- (d) The Lessee hereby indemnifies the Lessor against any Losses or damage suffered by the Lessor as a result of any breach of this **clause 4.4**.

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4.5 No alteration without consent

- (a) The Lessee must not effect any improvements, alterations or additions to or demolition of to the Premises (including those of a structural nature) ("**alterations**") without prior written consent of the Lessor through the Landowner's Consent Form (which consent must not be unreasonably withheld) nor until plans have been submitted to and approved in writing by the Council.
- (b) Any alterations effected by the Lessee must be carried out at the Lessee's cost and in a good and workmanlike manner with the best materials available and to the complete satisfaction and subject to the direction of the duly authorised officer appointed by the General Manager.
- (c) Any alterations to the Premises will form part of the Improvements to be maintained by the Lessee under **clause 4.9** and belong to the Lessor absolutely in accordance with **clause 6.3**.

4.6 Insufficient sanitary accommodation

- (a) If the Premises are to be used for a purpose permitted by this Lease as a result of which the sanitary accommodation mentioned in **clause 4.7** is not adequate to handle or accommodate the anticipated number of persons involved whether directly or indirectly in such use, then the Lessee will no less than 30 days prior to such use commencing, so advise the General Manager who may at their discretion either:
 - (i) refuse to approve the use notwithstanding **clause 4.1**; or
 - (ii) require the Lessee to provide to the satisfaction of the General Manager, temporary sanitary accommodation.
- (b) If the use continues notwithstanding the prohibition of the General Manager or if the use continues without the provision of the required temporary sanitary accommodation, then the Lessee is in default under this Lease.
- (c) If the General Manager refuses to approve the use, then neither the General Manager nor the Lessor will be liable in any way to the Lessee for any Losses suffered as a result of the refusal.

4.7 Use of apparatus

- (a) The Lessee will not permit the sanitary accommodation, or any apparatus used for or associated with the supply or use of water on or to the Premises to be used for any purpose other than that for which it was constructed.
- (b) The Lessee will bear the cost of making good any damage resulting to such sanitary accommodation or apparatus by misuse or neglect by the Lessee, its Visitors, or by any other person.

4.8 Clean and tidy condition

The Lessee must:

- (a) keep the Premises in a clean and tidy condition and free from any accumulation of useless property or rubbish.

4.9 Maintenance of Premises

The Lessee must at its own cost and expense (not including any structural maintenance):

- (a) comply with the obligations listed in the Schedule of Lease Maintenance Obligations in **Annexure C** of this Lease; and
- (b) maintain, preserve and keep:
 - (i) all Improvements;; and
- (c) at the end of the Term yield them up in good order and condition, fair wear, tear and damage by fire, flood, storm tempest or otherwise by act of God excepted.

4.10 Replacement and repair

The Lessee will, at its cost, repair and replace as they become broken, damaged or worn out all broken or faulty light bulbs, switches, electrical fittings, panels, or panes of glass, locks, washers, taps, stop cocks, hot water systems and cisterns as outlined in **Annexure C**.

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4.11 Lessee to paint

The Lessee will:

- (a) seek approval from the General Manager for any major painting proposals, primarily for external paint colours; and
- (b) at its cost, paint and treat to the satisfaction of the General Manager and as required, all surfaces of the Premises which are normally treated or painted in good and workmanlike manner with first quality materials at least once in every ten years or as agreed by the General Manager, but not more frequently than once in every three years, during the Term.

4.12 Notification of damage, accident, incident or defect

The Lessee must promptly notify the Lessor in writing of any damage, accident, incident or defect in or to the Improvements or any damage sustained to the Premises resulting from any cause.

4.13 Structural overloading

The Lessee must not bring onto the Premises any plant, equipment, apparatus or stock which either individually or collectively would have a weight which in the Lessor's reasonable opinion could cause damage to the Premises or to the Building or any part of it.

4.14 Holing of Premises

- (a) The Lessee must not make, cut or drill holes in, or damage in any way the walls, floors, or ceilings or other parts of any Building except so far as may be reasonably necessary for the erection of any Signs or Awnings approved of in writing by the Lessor.
- (b) On removal of any Signs or Awnings the Lessee must immediately reinstate and repair any damage caused by their erection or dismantling in a good and workmanlike manner at no cost to the Lessor.

4.15 Erection of Awnings

- (a) The Lessee must not affix or erect any Awnings to the outside of the Premises or on any part of the Common Areas without the prior written consent of the Lessor, such consent not to be unreasonably refused.
- (b) If the Lessor grants consent to the erection of any Awning the Lessee will properly maintain and keep it in good repair and sound structural condition and at all times comply with Council's local laws or other relevant requirements (if any).

4.16 No Signs

- (a) The Lessee must not paint, erect or place any Sign on the outside of the Premises or on any part of the Common Areas without the prior written consent of the Lessor, which consent must not be unreasonably refused in the case of a Sign which directly relates to the Permitted Use of the Premises by the Lessee and complies with the applicable Council local laws or other relevant requirements.
- (b) If the Lessor grants consent to the erection of any Sign the Lessee will properly maintain and keep it in good repair and sound structural condition and at all times comply with Council's local laws or other relevant requirements (if any).

4.17 Removal and Maintenance of Signs and Awnings

- (a) At the end of the Term the Lessee will at the Lessee's own expense remove, clear off or otherwise eradicate any Sign or Awning erected or painted by the Lessee and restore the Premises and the Common Areas to the state and condition in which they were prior to the erection or painting of the Sign or Awning.
- (b) If the Lessor grants consent to the erection of any Sign or Awning the Lessee will properly maintain and keep it in good repair and sound structural condition and at all times comply with Council's local laws or other relevant requirements (if any) relating to it.

4.18 Heating and cooling

The Lessee must not use any method of heating or cooling within the Premises unless it has been first approved in writing by the Lessor.

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4.19 Electrical overloading

- (a) The Lessee must not:
- (i) overload any electrical, mechanical or drainage service to the Premises; or
 - (ii) without the prior written consent of the Lessor, install any electrical equipment, mechanical or plumbing service that overloads the cables, switchboards, pipes or drains servicing the Premises.
- (b) If the Lessor grants consent under **clause 4.19(a)(ii)** then any alterations which are necessary to comply with the requirements of the Lessor or the Lessor's or Lessee's insurance or any Statutes must be effected by the Lessee at the cost of the Lessee.
- (c) Any alterations undertaken by the Lessee must at all times be carried out to the satisfaction of the Lessor.

4.20 No animals

The Lessee will not allow any animals in or about the Premises unless they are:

- (a) assistance animals; or
- (b) brought on to the Premises for the purposes of furthering the education of the Lessee or its Visitors; and
- (c) kept under proper and adequate supervisory control whilst on the Premises.

4.21 No gambling, etc

The Lessee will not conduct on the Premises any betting or games of chance except as approved in writing by the Lessor and then as permitted by law.

4.22 Pests and vermin

The Lessee will at its cost:

- (a) destroy and keep down to the satisfaction of the General Manager all noxious weeds, plants and undergrowth that from time to time grow on the Premises;
- (b) keep the Premises free of rodents, termites, cockroaches and other vermin;
- (c) for any of those purposes referred to in **clauses 4.22(a) or 4.22(b)** at the Lessee's expense treat the Premises with such insecticides or other chemicals as the General Manager requires and so often as they reasonably require; and
- (d) provide a copy of all treatment compliance certificate to Council within 14 days of the treatment being undertaken.

4.23 Inspection by Lessor

The Lessee will permit and allow the Lessor's Agents to enter upon the Premises at all reasonable times to examine them or in connection with their official duties or to exercise any of the powers, rights or remedies conferred on the Lessor by this Lease without being liable to reimburse the Lessee for any inconvenience or Loss howsoever arising which is suffered by the Lessee as a consequence of the entry.

4.24 Lessee to make good

- (a) The Lessee must make good any non-structural defects in the Premises (fair wear, tear and damage by fire flood storm tempest or otherwise caused by act of God excepted) and carry out all repairs, maintenance and alterations to the Premises which are the Lessee's responsibility under this Lease at the time and in the manner as is provided for in this Lease but in any case upon receiving from the Lessor to do so.
- (b) If the Lessee does not within 14 days after the issue of a notice referred to in **clause 4.24(a)** commence and proceed diligently with the execution of the repairs or alterations or maintenance and the rectification of the defects mentioned in the notice the Lessor may, in its absolute discretion (but without prejudice to any other right which it has), enter upon the Premises and carry out such work to remedy the defect or carry out the repairs or alterations or maintenance it considers necessary and recover the cost of the work immediately from the Lessee.
- (c) When this Lease expires or terminates, the Lessee must, subject to clause 4.9:
 - (i) deliver the Premises back to the Lessor;

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- (ii) replace any Item of the Lessor's Property which the Lessee has broken or damaged and which cannot be repaired;
- (iii) unless the Lessor requires otherwise, reinstate the Premises, in a manner which complies with all work health and safety legislation, to its original state before any alterations or additions by the Lessee, to the reasonable satisfaction of the Lessor, which includes:
 - (A) reinstating skirting, ceiling tiles, lighting and air conditioning;
 - (B) removing and reinstating all floor, wall and roof penetrations;
 - (C) removing all partitions and internal non-structural walls;
 - (D) removing the Lessee's wiring and cabling within the Premises and where relevant, the Building and making good any damage caused by the removal;
 - (E) removing supplementary air conditioning units in the Premises not owned by the Lessor and associated cabling and pipe work;
 - (F) recarpeting those parts of the Premises which were carpeted when the Lessee or predecessor in title first took possession of the Premises whether under an agreement for lease, this Lease or a prior lease of the Premises with carpet approved by the Lessor acting reasonably;
 - (G) filling, sanding and repainting the internal painted surfaces of the Premises with 2 coats of paint approved by the Lessor acting reasonably;
 - (H) reinstating the floor to a smooth level finish including reinstating the floor coating; and
 - (I) reinstating any structural changes made by the Lessee;
- (iv) remove the Lessee's property from the Premises.
- (v) make good any damage to the Building arising from the Lessee carrying out its obligations under this **clause 4.24**; and
- (vi) return all keys or other security or locking devices to the Lessor.
- (d) If the Lessee fails to deliver the Premises to the Lessor in accordance with **clause 4.24(c)**:
 - (i) the Lessor may undertake any necessary works; and
 - (ii) the Lessee must pay the Lessor's costs and expenses on a full indemnity basis of doing so.
- (e) If the Lessee fails to remove the Lessee's property in accordance with **clause 4.24(c)**, the Lessor may remove the Lessee's property from the Premises and then store and dispose of it.
- (f) The Lessee must pay to the Lessor, as a liquidated debt payable on demand, any cost or expense (on a full indemnity basis) incurred by the Lessor in exercising the Lessor's rights under this **clause 4.24(e)**.

4.25 Jurisdiction and Compliance with Statutes

- (a) The lease is governed by the law of Queensland and relevant Commonwealth law.
- (b) The Lessee must Observe all Statutes (Commonwealth or State) which apply to the Premises or the Permitted Use and particularly the Council's local laws, the *Building Act 1975*, the *Biosecurity Act 2014*, the *Health Act 1937*, the *Work Health and Safety Act 2011*, the *Nature Conservation Act 1992*, the *Vegetation Management Act 1999*, the *Environmental Protection Act 1994* and all requirements and orders of any Authority in all cases in which non-compliance or non-observance would or might impose some charge or liability upon the Premises or the Lessor.
- (c) The Lessee must not make any use of the Premises whether for the Permitted Use or otherwise because of which any Authority would or might give or issue or become entitled to give or issue a notice requiring structural alterations or repairs to be made or carried out to the Premises.
- (d) The lessee must comply with all lawful requirements of—
 - (i) the local government for the local government area in which the trustee lease land is situated; or
 - (ii) any department of the State or the Commonwealth; or

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- (iii) another entity with jurisdiction over the Premises, or the development, use or occupation of the Premises.

4.26 Management of Premises

The Lessee must:

- (a) ensure that any games or sporting or social activities conducted upon the Premises are authorised by this Lease and are conducted in an orderly and inoffensive manner; and
- (b) when required by the Lessor, make rules and regulations for the protection, control and management of the Premises and for the exclusion of persons of dissolute, disreputable or otherwise undesirable character as the Lessor considers necessary and proper; and
- (c) at all times give to the Lessor's Agents assistance in carrying out any of the local laws and regulations of the Council applicable, whether directly or indirectly, to the Premises.

4.27 Key Performance Indicators

The Lessee must, during the Term and any holding over period:

- (a) ensure strict compliance with the Key Performance Indicators; and
- (b) provide annually to the Lessor a report detailing the Lessee's compliance with the Key Performance Indicators.

4.28 Keys

- (a) The Lessor and Lessee acknowledge that on or before the Commencement Date the Lessor supplied the keys for the Premises as described in **Item 13**.
- (b) The Lessee must, on the expiration or sooner determination of the Term or any extension of the Term, return to the Lessor all keys for the Premises described in **Item 13** as well as any keys acquired by the Lessee since the Commencement Date.
- (c) The Lessee must not change or alter any of the locks or keys if such items are provided by the Lessor without written prior approval of the General Manager.
- (d) If the Lessee does not comply with **clauses 4.28(b) and 4.28(c)**, then the Lessee will be responsible for the payment to the Lessor of all fees, costs and charges incurred by the Lessor in arranging for the Premises to be fitted with new locks and keys.

4.29 No mining

The Lessee must not quarry or mine upon the Premises, and will not remove any sand, stone, soil, vegetation (other than weeds) or mineral except as necessary for the construction or maintenance of any Improvements, or the erection of any building or structures approved by the Lessor.

4.30 Flammable substances

- (a) The Lessee must not bring onto or store upon the Premises any explosives or flammable substances or matter except those normally consumed by the Lessee in the ordinary course of the Lessee's occupation of the Premises and then only if their storage and handling is strictly in accordance with the requirements of all relevant Authorities.
- (b) Despite anything else contained in this Lease the costs of modifying the Premises to comply with the Authority's requirements will be borne solely by the Lessee which is not entitled to any compensation for such modification work.
- (c) The modification work undertaken under this clause shall remain on the Premises at the End of the Term unless otherwise specifically requested in writing by the Lessor in which case the Lessee must at the Lessee's expense restore the Premises to its original state and condition.
- (d) Fireworks and other similar materials must not be used without the prior written approval of the General Manager approval, and undergo satisfactory community consultation.

4.31 Public address system

The Lessee must not erect on the Premises any public address system, loud speaker, amplifier, radio or television receiver or other similar device without the prior written consent of the Lessor.

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4.32 Auction sale

The Lessee must not hold any auction sale on the Premises without the prior written approval of the General Manager.

4.33 Polling Day

- (a) The Lessor will provide the Lessee with 14 days written notice when the Lessor requires the use of the Premises for a polling day or days for any Council, State or Federal election (Polling Days).
- (b) The Lessee must make available the Premises to the Council and the public on all Polling Days.

4.34 Change of use

In any case where consent for any development or change of use is granted by the Council subject to conditions, the Lessor may as a condition of its giving consent, require the Lessee to provide security for the compliance with the conditions imposed and the commencement of the development must not occur until such security has been provided to the satisfaction of the Lessor.

4.35 Businesslike manner

Subject to the terms of this Lease the Lessee has sole responsibility for the control and management of the Premises and must control and manage the Premises in a businesslike and orderly manner to the best advantage of the Premises.

4.36 Keep secure

The Lessee must at its own cost and expense:

- (a) keep the Premises secure at all times;
- (b) ensure the Premises are locked whenever the Lessee is not occupying them; and
- (c) keep trespassers off the Premises.

4.37 Common Areas

- (a) The Lessor may grant to any person a licence to use any part of the Common Areas either exclusively or in common with others for such purposes for such periods and upon such terms as the Lessor may think fit (in the Lessor's absolute discretion).
- (b) The Lessor may restrict access to the Common Areas and may close off the entrances or exits to the Centre.

4.38 Rules

- (a) The Lessor may make rules relating to the:
 - (i) use, safety, care and cleanliness of the Common Areas;
 - (ii) preservation of good order in the Common Areas; and
 - (iii) comfort and health of persons lawfully using Common Areas.
- (b) The Lessee must comply with any rules made by the Lessor under clause 4.38(a).

4.39 Media and Marketing

- (a) The Lessee must not:
 - (i) act or speak to the detriment of or defame the Centre or the or the Lessor (whether in public or when engaging with media (including social media));
 - (ii) permit any petition to be displayed or presented at or on the Premises regarding the operation and management of the Centre or Council; and
- (b) The Lessee may, at the Lessee's own costs but only with the prior written approval of the Lessor, advertise and market the Lessee's business and the Centre through appropriate media outlets.

4.40 Environmental contamination

- (a) The Lessor and Lessee acknowledge that the Premises may be listed on the Environmental Management Register maintained by Queensland's Department of Environment and Science. Nonetheless, the Lessee

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is responsible for the presence of any Contamination on, in or around the Premises caused or contributed to by the Lessee or Visitors.

- (b) On the earlier of the:
- (i) discovery of any Contamination on the Premises caused or contributed to by the Lessee or Visitors; and
 - (ii) expiry or sooner determination of this Lease,
- the Lessee must (at the Lessee's cost and expense) remediate the Premises and remove all Contamination on the Premises caused or contributed to by the Lessee or the Visitors to the satisfaction of the Lessor and in accordance with the requirements of the relevant Authorities and Statutes.
- (c) The Lessee is responsible for and indemnifies and keeps indemnified the Lessor against all Loss suffered or incurred by the Lessor arising from or in connection with the presence of any Contamination on, in or around the Premises caused or contributed to by the Lessee or the Visitors.
- (d) If any Contamination occurs in or around the Premises caused or contributed to by the Lessee or the Visitors and that Contamination remains to be remediated after the Expiry Date, the Lessee must pay the Lessor until the remediation has been completed to the satisfaction of the Lessor a licence fee equivalent to the rent and the outgoings and charges which would have been payable by the Lessee if this Lease had not expired. The Lessee must not use the Premises for any other purpose other than carrying out the remediation during this period.
- (e) The Lessee must, at all reasonable times and after the giving of at least 5 Business Days' notice (except in emergency situations (as determined by the Lessor)), allow the Lessor and the Lessor's Agents access to the Premises to monitor the progress of the Lessee's remediation or to conduct any environmental audit required by the Lessor.
- (f) The Lessee must at its cost, if deemed necessary by the Lessor (acting reasonably) at any time during the Term, commission an environmental audit of the Premises and any relevant adjacent lands by an independent and appropriately qualified expert approved by the Lessor (acting reasonably).
- (g) The Lessee must provide the Lessor with a copy of the report within 5 days of receipt by the Lessee.
- (h) For clarity, the Lessor will be acting reasonably in requiring an environmental audit under **clause 4.40(f)** if the Lessor reasonably determines the Lessee or any Visitors may have contaminated the Premises or other relevant land.

5 Insurance

5.1 Lessee's insurance

The Lessee must insure and keep insured, to their full insurable value all Improvements (other than improvements in the nature of playing fields) together with all plate glass, against breakage or destruction or damage by storm, tempest, fire or accident under a policy of insurance with a reputable insurer for the respective rights and interest of the Lessor and the Lessee.

5.2 Money received

Subject to **clause 16.1**:

- (a) any money received by the Lessor or the Lessee as a result of any claim relating to the loss or destruction by storm, tempest, fire or accident must be used to make good the loss or damage.
- (b) neither party need expend on such restoration work or repair work more than was actually received pursuant to **clause 5.2(a)**.

5.3 Public risk

- (a) The Lessee must at its own expense take out and maintain with a reputable insurance company for an amount of not less than TWENTY MILLION DOLLARS (\$20,000,000) for the respective rights and interests of the Lessee and the Lessor a public risk insurance policy to cover legal liability to third parties in respect of the death of or injury to persons and damage to property sustained in or near the Premises.

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- (b) The Lessee will whenever requested by the Lessor increase the insurance to an amount reasonably requested by the Lessor or have the insurance policy amended to cover such additional risks as the Lessor requires.

5.4 Workers insurance

The Lessee must at its own expense keep any workers insured under any policy required by the *Workers' Compensation and Rehabilitation Act 2003*.

5.5 Contents insurance

The Lessee must keep insured to their full insurable value all the Lessee's contents stored or kept within the Building.

5.6 Evidence of insurance

The Lessee must produce each insurance policy referred to in this **clause 5** and its receipted premium notice to the Lessor not less than seven days before the policy falls due for renewal.

6 Repair or alterations to the Premises or Improvements

6.1 Alterations required by Statute

- (a) If any Statute requires that the Premises be altered, improved or demolished as a result of the Lessee's occupation of the Premises the Lessee is responsible for the design and execution of the work and must comply with the provisions of **clause 4.5** insofar as that clause applies to work.
- (b) **Clause 6.1(a)** applies even if the work required is structural.

6.2 Works required by Lessor

- (a) The Lessee must at all reasonable times permit the Lessor and the Lessor's Agents to enter upon the Premises to view their state of repair and condition or to exercise any powers, rights or remedies conferred by this Lease on the Lessor or to carry out such works in or about the Premises as are in the opinion of the Lessor or the Lessor's Agents reasonably necessary or desirable.
- (b) The Lessor's or the Lessor's Agent's opinion under **clause 6.2(a)** is not open to challenge but in carrying out such works as little inconvenience as is practicable shall be caused to the Lessee.
- (c) In this clause, references to "**works**" includes a reference to works, matters and things which the Lessee is required by this Lease to do or by virtue of any Statute having application to the Lessee or the use by the Lessee of the Premises and works of a structural nature.
- (d) If the Lessor carries out works required to be done by the Lessee, the Lessor may without prejudice to any other rights or remedies it has against the Lessee recover from the Lessee the whole of the cost of carrying out and doing such works.
- (e) Section 107(b) and section 107(c) of the *Property Law Act 1974* are expressly excluded but section 107(a) applies to the extent that it is not inconsistent with the provisions of this **clause 6.2**.

6.3 Improvements belong to Lessor

- (a) Any Improvements belong to the Lessor absolutely, as soon as they are erected or made and the Lessee is not entitled to seek any compensation or reimbursement from the Lessor in relation to such Improvements.
- (b) Subject to clause 4.24, the Improvements must be delivered up to the Lessor at the end of the term in good order condition and repair (fair wear and tear excepted).
- (c) The Lessee must not at any time except with the prior written consent of the Lessor pull down, remove, alter or substitute any of the Improvements.

7 Release and Indemnity

7.1 No warranty

The Lessor does not warrant that the Premises:

- (a) is suitable for any purpose; or

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- (b) may be used for the Permitted Use.

7.2 Release

- (a) The Lessee uses and occupies the Premises entirely at its own risk as if the Lessee is the owner and occupier of the freehold of the Premises.
- (b) The Lessor is not liable to the Lessee for and the Lessee releases the Lessor absolutely from all Loss paid, suffered or incurred by or available to the Lessee or any Visitor of the Lessee relating to their use or occupation of the Premises and the use of the Centre.
- (c) The Lessor will not be liable to the Lessee or any other person for any Loss, damage or injury because of the failure of the electricity or water supply or any other services or facilities enjoyed by the Lessee at the Premises.

7.3 Indemnity by Lessee

- (a) The lessee of the lease indemnifies and agrees to keep indemnified the State, the Minister and their representatives (all the **indemnified parties**) against all liability, costs, loss, charges and expenses including claims in negligence (including any actions, claims, proceedings or demands brought by any third party, and any legal fees, costs and disbursements on an indemnity basis) arising from, or incurred in connection with:
- (i) the granting of the lease to the lessee; or
 - (ii) the lessee's use and occupation of the lease land; or
 - (iii) personal injury (including sickness and death), or property damage or loss, in connection with the following:
 - (A) the performance of the lease by the lessee;
 - (B) the attempted or purported performance of the lease by the lessee;
 - (C) the non-performance of the lease by the lessee;
 - (D) a breach of the lease by the lessee.
- (b) The lessee releases and discharges, to the maximum extent permitted by law, the indemnified parties:
- (i) from all actions, claims, proceedings or demands; and
 - (ii) in respect of any loss, death, injury, illness or damage arising out of the use and occupation of the lease land, whether or not:
 - (A) the damage is personal or property damage; or
 - (B) the loss is consequential loss.
- (c) To the maximum extent permitted by law, the State, the Minister, the lessee and their representatives are not liable to the lessee for any consequential loss arising out of the use and occupation of the lease land.
- (d) If the lessee has granted a sublease, the lessee is liable for the sublessee's use and occupation of the sublease land.
- (e) In this section,
- (i) **consequential loss** means the following:
 - (A) loss of revenue;
 - (B) loss of profit;
 - (C) loss of anticipated savings or business;
 - (D) loss of opportunity (including opportunity to enter into or complete arrangements with third parties);
 - (E) loss of data or goodwill;
 - (F) loss of reputation;
 - (G) any special, indirect or consequential loss whether arising in contract, tort (including negligence) or otherwise

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(ii) **representative**, of a party, means:

- (A) an employee;
- (B) agent;
- (C) officer;
- (D) director;
- (E) contractor; and
- (F) subcontractor or other authorised representative of the party.

7.4 Third parties

The Lessee also indemnifies the Lessor, Minister and the State from all Loss incurred by the Lessor, or actions made against the Lessor by:

- (a) any tenant, sub-tenant or sub-lessee; or
- (b) any Visitor of the Lessee, or of a tenant, sub-tenant or sub-lessee;

because of personal injuries or property damage sustained by such person whilst on the Premises or the Centre or any part of them caused by any reason whatsoever including:

- (c) the breach by the Lessee of any Lessee's Covenant; or
- (d) the negligent use or misuse of water, electricity, or the Improvements by any person whatsoever including the Lessee or any Visitor.

7.5 Failure to remedy breach

The Lessee will not in any way rely upon or seek to hold the Lessor liable pursuant to any of the provisions contained within this Lease whereby the Lessor may at its discretion remedy any breach by the Lessee of this Lease and the Lessor does not choose or fails to remedy such breach.

THE LESSOR HEREBY COVENANTS WITH THE LESSEE AS FOLLOWS:

8 Lessor's covenants

8.1 Quiet enjoyment

Subject to the Lessor's rights under this Lease and to the Council's rights under any local laws, if the Lessee pays the rent reserved by this Lease in the manner required by this Lease and performs all of the Lessee's Covenants, the Lessee may peaceably and quietly hold and enjoy the Premises without any interruption by the Lessor or any person lawfully claiming for or under it.

THE LESSEE AND THE LESSOR MUTUALLY COVENANT AND AGREE WITH EACH OTHER AS FOLLOWS:

9 Restriction on assignment

9.1 No assignment

The Lessee must not Assign, part with possession of or otherwise deal with the Premises or the Lessee's interest in this Lease without the prior written consent of the Lessor.

9.2 Lessor's consent

The Lessor's consent must not be unreasonably withheld in the case of a financial, respectable and responsible Assignee competent to continue to use the Premises for the Permitted Use.

9.3 Onus of proof

The Lessee has the onus of proving the financial standing, responsibility, responsibility and competence of any proposed Assignee to the reasonable satisfaction of the Lessor.

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9.4 Lessor's conditions

It is a condition of the Lessor's consent to any Assignment that prior to the execution of any such consent that:

- (a) the Assignee enters into a deed with the Lessor covenanting that the Assignee will Observe the Lessee's Covenants;
- (b) the Assignee executes and delivers to the Lessor a power of attorney duly stamped in favour of the Lessor in the same terms, with any necessary changes as those contained in **clause 13.1**;
- (c) the Assignee and the Lessee comply with any other conditions imposed by the Lessor, acting reasonably;
- (d) all documents required under this clause shall be prepared and, if necessary, stamped by the Lessor's solicitors and be on such terms as the Lessor requires; and
- (e) the Lessee pays the Lessor's costs of and incidental to dealing with any proposed Assignment pursuant to this **clause 9**.

10 Performance Security

10.1 Intentionally Deleted

10.2 Intentionally Deleted

10.3 Intentionally Deleted

11 Liquor licence

11.1 Application

Subject to **clause 11.5**, the Lessee may apply at any time under the *Liquor Act 1992* for any licence or permit it requires under that Act.

11.2 Management of liquor bar

The Lessee undertakes to use, conduct and control the liquor bar so that nothing is done contrary to any Statute or other provision or by which the licence or permit might be liable to be cancelled, suspended or in any way endangered or the Lessee might be liable to be fined.

11.3 Lessee to comply with requirements

The Lessee must Observe every requirement of the licence, the permit, and the *Liquor Act 1992* and use the Premises so that no nuisance, Losses or liability is caused to the Lessor or the Neighbours.

11.4 Lessee not to store or supply liquor without licence

The Lessee will not keep, store, supply or sell any liquor on the Premises except in accordance with the terms of any licence or permit granted under the *Liquor Act 1992*.

11.5 Lessor's consent

The Lessee must not apply for any licence or permit or for any variation to a licence or permit without the prior written consent of the Lessor which must not be unreasonably refused.

11.6 Lessee to transfer or surrender

The Lessee must at the end of the Term and at the direction of the Lessor either transfer the licence or any permit to the Lessor or its nominee or surrender them to the Chief Executive of the unit of the public sector which administers the *Liquor Act 1992*.

12 Default of the Lessee

12.1 Property Law Act

Section 107(d) of the *Property Law Act 1974* will not apply but the following provisions of **clause 12** will have effect.

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12.2 Termination by Lessor

- (a) If:
- (i) the Lessee makes default for a space of seven clear days in the payment of rent hereby reserved or in the payment of any other money payable (whether legally demanded or not) or in the Observance of any Lessee's Covenant; or
 - (ii) the Lessee ceases to exist; or
 - (iii) the Lessee ceases to use the Premises for the purpose for which it was leased; or
 - (iv) the Lessee enters into any arrangement, assignment or composition with its creditors; or
 - (v) the Lessee (being a natural person) brings his estate within the operation of any laws relating to bankruptcy; or
 - (vi) the Lessee (being a corporation) goes into liquidation or has presented against it a petition for its winding up or does or omits to do any act, matter or thing which would constitute a ground for the court to order that it be wound up or if its incorporation is cancelled; or
 - (vii) a receiver is appointed over any part of the Lessee's assets; or
 - (viii) the interest of the Lessee in the Premises becomes liable to be taken in execution or is attempted to be sold or otherwise subjected to any legal process,

the Lessor may, subject to providing the Lessee with any notice required by law, at any time determine this Lease by notice in writing given by the Lessor to the Lessee without any demand for payment of rent or other matter or thing. The determination of this Lease does not affect or limit the Lessor's entitlement to recover damages.

- (b) Immediately upon the giving of such notice the Lessor may re-enter the Premises and use such force as is necessary for such purpose and then hold and enjoy the Premises as of its former estate and if the Lessor thinks fit, change the locks on any Improvements.
- (c) If the Lessee has not made arrangements with the Lessor within 24 hours from the time of re-entry by the Lessor into the Premises to remove the Lessee's chattels the Lessor may without being liable in trespass or conversion or for any Loss occasioned remove the Lessor's chattels to such premises or place as the Lessor in its absolute discretion determines.
- (d) If the Lessor incurs any expenses in removing the Lessee's chattels those expenses may be paid by the Lessor who then to the extent of those expenses and the extent of any money owing at the date of the termination of this Lease, has a lien over such chattels until those expenses and money owing by the Lessee are paid to the Lessor.
- (e) If the Lessee does not pay the Lessor for the expense or money owing within 30 days of the Lessor taking possession of the Lessee's chattels, the Lessor may sell the Lessee's chattels whether by auction or private treaty (and without being liable for any Loss the Lessee sustains as a result).
- (f) Any money received from the sale may be applied towards liquidating the debt owing by the Lessee to the Lessor.
- (g) If there is a surplus after the Lessor has recouped all that is owing to it, the Lessor will pay the balance to the Lessee or into some bank account opened by the Lessor with any bank authorised by law in the name of the Lessee and any liability of the Lessor to the Lessee for the money received from the sale ceases.
- (h) The Lessee must indemnify the Lessor against the costs of the removal, storage or subsequent sale of the Lessee's chattels and must indemnify the Lessor and the Lessor's Agents against all Actions brought or costs incurred by any person arising out of or incidental to the removal, storage or subsequent sale of the Lessee's chattels.
- (i) In this clause "**Lessee's chattels**" includes any property in or about the Premises which is not the Lessor's Property.

12.3 Accrued rights

- (a) Any notice given under **clause 12.2** or any re-entry exercised with respect to the Premises is without prejudice to any of the accrued rights, remedies or Actions of the Lessor.
- (b) The provisions of **clause 12.2** apply notwithstanding any rule of law or equity to the contrary.

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12.4 Relinquishment of rights

- (a) The failure for any period of the Lessor to exercise any right in the event of the breach of any Lessee's Covenants does not amount to an abandonment or waiver of any of the rights which the Lessor has or could put in force against the Lessee in respect of any such breach, or any other breach, at any time committed or suffered, of any of the Lessee's Covenants.
- (b) The Lessee expressly acknowledges that it is a condition precedent to the granting of this Lease by the Lessor that the Lessee relinquish any right it might have at law or in equity against the forfeiture to the Lessor of this Lease upon default being made by the Lessee under it in respect of any of the Lessee's Covenants.
- (c) In this clause, "**right**" includes:
 - (i) a right under this Lease or at law or in equity or under any Statute; and
 - (ii) relief and remedy.

For example, it includes (without limitation) the remedies of damages, forfeiture and injunction.

12.5 Essential terms

The covenants in the following provisions are essential terms of this Lease:

<u>Provision</u>	<u>Description of Provision</u>
Clauses 2.1 and 2.2	Payment of Rent
Clauses 3.1, 3.2, 3.3, 3.4, 3.9, 3.10 and 3.13	Payment of outgoings and charges
Clause 4.1 and 4.2	Permitted Use
Clause 4.3	Nuisance
Clause 4.4	Lessee not to invalidate insurance
Clause 4.5	No alteration without consent
Clause 4.6	Insufficient sanitary accommodation
Clause 4.9	Maintenance of Premises
Clause 4.13	Structural overloading
Clause 4.14	Holing of Premises
Clause 4.19	Electrical overloading
Clause 4.25	Compliance with Statutes
Clause 4.27	Key Performance Indicators
Clause 4.30	Flammable substances
Clause 5	Insurance
Clause 9	Restriction on assignment
Clause 10	Performance Security
Clause 11	Liquor Licence

12.6 Additional essential terms

In addition, any further Lessee's Covenant is an essential term of this Lease if at the Commencement Date the Lessor considered performance of that Lessee's Covenant so essential or fundamental that the Lessor would not otherwise have entered into this Lease.

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12.7 Failure to comply

The Lessee's failure strictly to Observe the essential terms of this Lease and the Lessor's failure or delay to take any action in respect of such failure does not constitute a waiver of the essentiality of the Lessee's obligations under the essential terms.

12.8 Compensation

- (a) The Lessee must compensate the Lessor for any Losses suffered as a result of a breach or default by the Lessee under the essential terms. The Lessee's obligation to compensate the Lessor is not in substitution for or in derogation of any other right which the Lessor has.
- (b) If:
 - (i) the Lessee defaults under an essential term of this Lease; or
 - (ii) the Lessor accepts the Lessee's repudiation of this Lease,the Lessee must compensate the Lessor for any Losses suffered in respect of the entire Term including damages for loss of bargain. The Lessee's obligation to compensate the Lessor is not affected or limited by:
 - (iii) the Lessee abandoning or vacating the Premises;
 - (iv) the conduct of the Lessor and the Lessee constituting a surrender by operation of law; or
 - (v) any other lawful conduct of the Lessor.

12.9 Breach of essential term

- (a) If the Lessee breaches an essential term described in **clause 12.5** of this Lease, the Lessor has the right to:
 - (i) issue a notice in accordance with section 124 of the *Property Law Act 1974*; and
 - (ii) in the case of default by the Lessee in the payment of rent or in the payment of any other money payable under this Lease, the Lessee acknowledges and agrees that seven (7) days is a reasonable time to remedy the breach.
- (b) If the Lessor issues a notice to the Lessee under **clause 12.9(a)**, the Lessee is ineligible for any funding or grants from the Lessor, as Council, unless the Lessee remedies the breach to the satisfaction of the Lessor within a reasonable time.

12.10 Lessors Actions

- (a) Any action taken by the Lessor under **clause 12.9** is without prejudice to any of the accrued rights, remedies or Actions of the Lessor.
- (b) The provisions of this **clause 12.10** apply notwithstanding any rule of law or equity to the contrary.

12.11 Early Cancellation by either party

- (a) The Lessor or the Lessee can terminate this lease at any time by giving the other party 6 months' notice of its intention to terminate (or any shorter period of notice as agreed between the parties).
- (b) A notice given under **clause 12.11(a)** must nominate the termination date of this lease.
- (c) No compensation is payable for the termination of this lease under this **clause 12.11**

12.12 Lessee's obligations on early cancellation

If a notice is given under **clause 12.11(a)**, this document will be cancelled on the date specified in the notice and the Permittee must:

- (a) If requested by the Lessor, sign and deliver to the Lessor any deed of termination or other document necessary to cancel this document on terms reasonably required by the Lessor, prepared by the Lessor's lawyers at the cost of the party giving the notice; and
- (b) Make good the Premises under **clause 4.24** and comply with each of the Lessee's other obligations on cancellation of the is document on or before the date of cancellation.

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13 Option to renew

13.1 Option

If the Lessee throughout the whole of the initial Term duly and punctually pays the rent reserved by this Lease and strictly Observes and performs all the Lessee's Covenants, the Lessee has the option of renewal of this Lease for such further period (if any) mentioned in **item 8** from the Expiry Date of the initial Term upon the same terms and conditions as are contained in this Lease except this clause for renewal will no longer apply and the rental in the first rent year of the renewal period will be as set out in **item 9**.

13.2 Formula

The annual rent for the second and subsequent rent years of the renewal period will be calculated in accordance with the formula set out in **item 10**.

13.3 Time to exercise option

If the Lessee desires to exercise this option for renewal the Lessee must give notice in writing of such desire to the Lessor not less than six calendar months prior to the expiration of the original Term.

14 Power of attorney

14.1 Appointment

The Lessee (and if more than one, each of them jointly and severally) irrevocably nominates, constitutes and appoints the Lessor to be the true and lawful attorney of the Lessee on its behalf and in its and their name and as its and their act and deed from time to time for the purposes of giving full effect to any power of re-entry:

- (a) to execute as the act and deed of the Lessee a surrender of this Lease in favour of the Lessor; and
- (b) to procure the registration of the surrender under the provisions of the *Land Title Act 1994*; and
- (c) to execute in the name of the Lessee any surrender or transfer of any licence or permit under the *Liquor Act 1992*.

14.2 Exercise of powers

The provisions of this **clause 14** come into force and the powers conferred by it on the Lessor are exercisable only if and when the power of re-entry or of termination of this Trustee Lease has become exercisable.

14.3 Power of attorney from assignee

The Lessee covenants with the Lessor that on every Assignment of this Lease the Lessee will at the expense of the Lessee, if required by the Lessor, obtain from the Assignee a power of attorney in favour of the Lessor in terms similar to this **clause 14**.

15 General provisions

15.1 Delivery of notices

- (a) Notices, demands, accounts or other documents under this Lease may be delivered by hand, registered mail, or facsimile to the addresses:
 - (i) to the Lessor at the address set out in **Item 11**; and
 - (ii) to the Lessee at the address set out in **Item 12**,
or any substitute addresses as may have been notified in writing by the relevant addressee from time to time.
- (b) Notice will be deemed to be given:
 - (i) four days after deposit in the mail with postage prepaid;
 - (ii) when delivered by hand; or
- (c) if sent by facsimile transmission, upon an apparently successful transmission being noted by the sender's facsimile machine.

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(d) Section 347 of *The Property Law Act 1974* is deemed to be modified accordingly and not abrogated.

15.2 Annual update form

The Lessee will complete any annual update form which the Lessor sends to the Lessee and will return this, together with a copy of the insurance certificates referred to in **clause 5** to the Lessor within one month of receipt.

15.3 Monthly tenancy

If upon the Expiry Date the Lessee continues in possession of the Premises and if such continuation of possession is in any way recognised by the Lessor, any tenancy created is a monthly tenancy (despite the provisions in this Lease about the payment of rent) at a rent equivalent to the rent payable under this Lease at the Expiry Date and calculated on a monthly basis and upon the same terms and conditions of this Lease so far as they are applicable to such tenancy.

15.4 Lessee's authority

The Lessee warrants it is duly authorised pursuant to its constitution, rules and by-laws to enter into this Lease.

15.5 Council's powers

Nothing contained in this Lease affects, prejudices or derogates from the requirements of any Statute, or from the Council's rights, powers and authorities under a Statute or under any declared policy of the Council.

15.6 Caveats

The Lessee may not lodge a caveat on the title to the Land without the Lessor's prior written consent. If the Lessee lodges a caveat, the Lessee must immediately at its cost:

- (a) consent to any dealing by the Lessor with the Land that does not materially prejudice the Lessee's rights under this document; and
- (b) remove the caveat as soon as this Lease is registered (if capable of registration).

15.7 Waiver

A waiver by the Lessor:

- (a) of a non-compliance of an obligation is not a waiver of a further non-compliance of the same or another obligation;
- (b) does not arise from any delay or failure to act on the Lessor's part; and
- (c) may only be given by way of notice in writing to the Lessee.

15.8 Custom

A custom that develops between the parties does not affect the Lessor's right to demand strict compliance with an obligation in the future.

15.9 Prior default

Termination of this Lease does not affect rights that arise before termination.

15.10 Subsequent payments

Any payment made by the Lessee or accepted by the Lessor after termination does not amount to a waiver or evidence of a fresh tenancy and may be applied by the Lessor in its absolute discretion.

15.11 Amendment

This document may only be varied or replaced by a document executed by the parties.

15.12 Consents

Except as expressly stated otherwise in this document, where the consent of the Lessor is required under this Lease:

- (a) the consent may be given or withheld in the Lessor's absolute discretion;
- (b) the consent must be in writing;
- (c) the consent may be given subject to reasonable conditions.

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15.13 Binding on parties

This document binds all of the parties to it whether or not all of the parties have executed or properly executed the document.

15.14 Rights cumulative

Except as expressly stated otherwise in this document, the rights of a party under this document are cumulative and are in addition to any other rights of that party.

15.15 Further steps

Each party must promptly do whatever any other party reasonably requires of it to give effect to this document and to perform its obligations under it.

15.16 Holding over or other dealing

- (a) The lessee of the lease must not hold over, possess or occupy the lease land after the expiry of the lease.
- (b) If the lessee has granted a sublease, the term of the sublease must end not later than 1 (one) day before the day the lease expires.

15.17 Duty of Care

The lessee of the lease must manage and use the lease land consistently with the objects of the Act.

16 Damage or destruction of Premises

16.1 Determination on Destruction of Premises

- (a) If the whole or any part of the Premises is destroyed or damaged by fire, lightning, flood, storm, tempest, war damage or other disabling cause so as to render the Premises unfit for the use and occupation by the Lessee for the Permitted Use then:
 - (i) except where the damage has been caused by the act or omission of the Lessee, the Lessee may serve on the Lessor written notice that the Premises have been so rendered unfit and unless within the period of 28 days after being served with the notice the Lessor serves written notice on the Lessee that the Lessor will make the Premises fit for use and occupation, the Lessee may terminate this Lease by giving seven days' notice in writing to the Lessor; or
 - (ii) if in the Lessor's sole opinion the damage to the Premises is such that it is impractical or undesirable to make the Premises fit for the occupation and use of the Lessee, the Lessor may terminate this Lease by giving one month's notice in writing to the Lessee.
- (b) No liability will attach to either party by reason of termination of this Lease pursuant to **clause 16.1(a)** but any such termination will be without prejudice to the rights of either party in respect of any antecedent breach or non-observance of any covenant, provision or condition of this Lease.

17 GST

17.1 Interpretation

In this **clause 17**:

- (a) words and expressions which are not defined in this document but which have a defined meaning in GST Law have the same meaning as in the GST Law; and
- (b) **GST Law** has the meaning given to that expression in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

17.2 Consideration GST exclusive

Unless otherwise expressly stated, all amounts or other sums payable or consideration to be provided under this document are exclusive of GST.

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17.3 Payment of GST

If GST is payable by a supplier, or by the representative member for a GST group of which the supplier is a member, on any supply made under this document, the recipient will pay to the supplier an amount equal to the GST payable on the supply.

17.4 Timing of GST payment

The recipient will pay the amount referred to in **clause 17.3** in addition to and at the same time that the consideration for the supply is to be provided under this document.

17.5 Tax invoice

The supplier must deliver a tax invoice or an adjustment note to the recipient before the supplier is entitled to payment of an amount under **clause 17.3**. The recipient can withhold payment of the amount until the supplier provides a tax invoice or an adjustment note, as appropriate.

17.6 Adjustment event

If an adjustment event arises in respect of a taxable supply made by a supplier under this document, the amount payable by the recipient under **clause 17.3** will be recalculated to reflect the adjustment event and a payment will be made by the recipient to the supplier or by the supplier to the recipient as the case requires.

17.7 Reimbursements

Where a party is required under this document to pay or reimburse an expense or outgoing of another party, the amount to be paid or reimbursed by the first party will be the sum of:

- (a) the amount of the expense or outgoing less any input tax credits in respect of the expense or outgoing to which the other party, or to which the representative member for a GST group of which the other party is a member, is entitled; and
- (b) if the payment or reimbursement is subject to GST, an amount equal to that GST.

18 Trusteeship of State Reserve

The Lessee acknowledges and agrees that:

- (a) this Trustee Lease is:
 - (i) granted by the Lessor under section 57 of the Act; and
 - (ii) subject at all times to the consent of the Minister, which consent may be withdrawn at any time by the Minister in the exercise of its discretion
- (b) If there is an inconsistency between the terms of the Mandatory Standard Terms Document and this Trustee Lease, the terms of the Mandatory Standard Terms Document prevail.

19 Use of the Premises as a Local Emergency Centre

- (a) In the event an Authority declares a state of emergency or disaster zone in the Council's local government area (or any nearby local government area), the Lessee permits the Lessor to use the Premises, or any part of the Premises the Lessor may require (in the Lessor's absolute discretion) to set up and operate a local emergency centre (Local Emergency Centre).
- (b) If the Lessor elects to set up a Local Emergency Centre on the Premises: (i) the Lessee may be required to assist Council with the set up, operation and clean up of the Local Emergency Centre; and (ii) during the period which the Lessor is operating a Local Emergency Centre, the Lessor is responsible for any additional cleaning and maintenance of the Premises that is required due to the Lessor exercising its rights under clause O(a).
- (c) The Lessor's rights under clause O(a) are paramount to any existing use rights of the Lessee or any other person, and take precedence over any other activities or events scheduled to take place at the Premises.

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- (d) The Lessee acknowledges and agrees that the Lessor is not responsible for, and will not reimburse the Lessee on account of, any lost revenue suffered by the Lessee as a consequence of the Lessor exercising its rights under clause O(a).

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ITEM NO

SCHEDULE OF ITEMS

- | | | |
|----|---|--|
| 1 | Rent (Clause 2.1) | \$2.00 per annum |
| 2 | Number of Lease Years for which the Rent in item 1 is payable (Clause 2.1) | Five (5) years |
| 3 | Interval for the payment of Rent in item 1 (Clause 2.1) | On an annual basis on each anniversary of the Commencement Date |
| 4 | Formula for determining Rent for additional Lease Years during initial Term (Clause 2.2) | Rent will not be subject to Review |
| 5 | Interval for the payment of Rent in item 4 (Clause 2.2) | Not Applicable to this Lease |
| 6 | Lessee's percentage of outgoings (Clause 3.1) | <p>100% - the percentage of outgoings mentioned in clause 3 payable by the Lessee.</p> <p>The Lessee can apply for a rebate on some of Council's Rates and Utilities Charges by submitting a request in writing as per Council's Rates & Utilities Charges Concession Policy. Council reserves the right to either accept or decline any rebate application made.</p> |
| 7 | Permitted Use (Clause 4.1) | <p>Primarily use is for sporting and recreational related events including, but not limited to:</p> <ol style="list-style-type: none">1. Netball;2. Basketball;3. Gymnastics;4. Boxing and self defence;5. General Fitness training;6. youth focussed miscellaneous fitness/entertainment activities; and7. limited childcare. |
| 8 | Option (Clause 13) | Not Applicable to this Lease |
| 9 | Rent payable during first year of the Option period (Clause 13) | Not Applicable to this Lease |
| 10 | Formula for determining Rent for Lease Years during Option period (Clause 13) | Not Applicable to this Lease |
| 11 | Lessor's Address for Notices (Clause 15.1) | <p>By hand delivery:
The Chief Executive Officer
Western Downs Regional Council
30 Marble Street
Dalby, Qld 4405</p> <p>By registered post:
The Chief Executive Officer
Western Downs Regional Council
PO Box 551
Dalby, Qld 4405</p> <p>By facsimile: (07) 4679 4099</p> <p>By email: info@wdrc.qld.gov.au</p> |

Title Reference 49010311

- 12 Lessee's Address for Notices** (Clause 15.1) Queensland Police Citizens Youth Welfare Association
Attn: Facilities Manager
- By hand delivery:**
30 Graystone Street
TINGALPA DC, QLD, 4173
- By registered post:**
PO Box 3445
TINGALPA DC, QLD, 4173
- By facsimile:** 07 3909 9533
- By email:** facilites@pcyc.org.au
- 13 Description of Keys Issued to the Lessee** (Clause 4.28) Lessor has provided a number of registered and restricted access keys to the Dalby PCYC who will maintain a key register for authorised key holders
- 14 Address of Premises** (Clause 1.1) Cooper Street, Dalby, QLD, 4405
- 15 Key Performance Indicators** (Clause 4.27) The Lessee must comply with the following obligations:
On a monthly reporting basis, the following information is to be provided to Council within 10 working days from the end of each calendar month:
- Individual Groups -type & number of events and activities conducted including number of participants
 - Miscellaneous Activities- type & number of events and activities conducted including number of participants
- 16 Security Bond** (Clause **Error! Reference source not found.**) Security Bond is Applicable: ~~Yes~~ / No (delete one)
Amount: \$ Not Applicable
- 17 Bank Guarantee** (Clause **Error! Reference source not found.**) Bank Guarantee is Applicable: ~~Yes~~ / No (delete one)
Amount: \$ Not Applicable
- 18 GST** (Clause 18.2) GST is Exclusive

Title Reference 49010311

ANNEXURE A - SURVEY PLAN

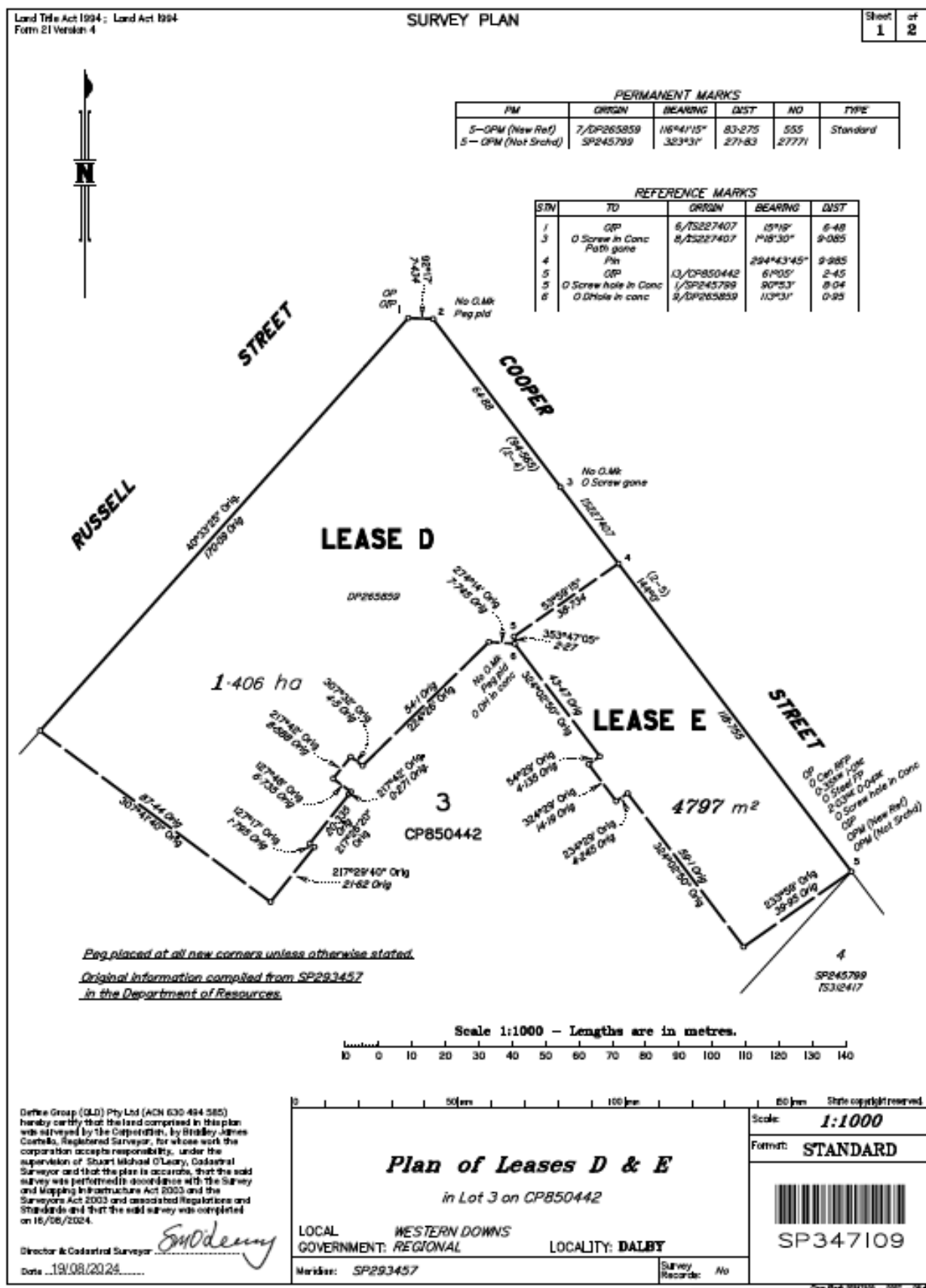


Figure 1 - Dalby PCYC - Extract of Survey Plan SP347109 area (area = 1.406Ha)

Title Reference 49010311

Shown below is an extract from the WDRC Planning scheme for Dalby showing location and planning classification of the area



Dalby PCYC Grounds

Lot/Plan 3CP850442

- Rural Zone
- Community Facilities Zone
- Medium Impact Industry Zone
- Recreation and Open Space Zone
- Rural Residential Zone / Rural Residential 4000 Precinct
- Low Density Residential Zone
- Township Zone
- Low Impact Industry Zone
- Local Centre Zone
- District Centre Zone
- Medium Density Residential Zone
- Low Density Residential Zone
- Major Centre Zone
- Township Zone / Mowbullan - Bunya Mountains Tourist Precinct
- Rural Zone / Rural 10 Precinct

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ANNEXURE B – PHOTOGRAPHIC PLAN

Photographic image shows the leased area, the existing infrastructure within the area and the immediate environs.



Figure 2 - Dalby PCYC Ground - Illustration showing key infrastructure



Figure 3 - Dalby PCYC Ground - Overhead showing key infrastructure

Title Reference 49010311

ANNEXURE C - LEASE MAINTENANCE RESPONSIBILITIES

MAINTENANCE RESPONSIBILITIES			
Maintenance Type	Description	Lessee Responsibility	Lessor Responsibility
Electrical	Test & Tag of portable appliances (e.g. leads, power boards etc.)	✓	
	Repairs of stoves	✓	
	Replacement of stoves (by negotiation)	✓	✓
	Replacement of white goods (e.g. fridges, microwave)	✓	
	Ceiling fan repairs	✓	
	Ceiling fan replacement		✓
	Replacement of internal/external light globes & fittings etc below the height of the roof eaves	✓	
	Replacement of light globes above roof eaves, including car park (negotiated)	✓	✓
	Servicing and maintenance of exhaust fans	✓	
	Repairs to mechanical exhaust fans	✓	
	Replacement to mechanical exhaust fans	✓	
	Repairs to electrical fittings (e.g. light switch, GPO)	✓	
	Replacement to electrical fittings (e.g. light switch, GPO)	✓	
	Repairs to electrical wiring	✓	
	Annual safety of RCDs Note: Six (6) monthly check is visual. Annual check is to be conducted by a licenced Electrician		✓
	Repairs to audio/visual equipment	✓	
	Replacement of audio/visual equipment (by negotiation)	✓	
	Air conditioning servicing (if installed by Council)	✓	
	Air conditioning servicing (if installed by association)	✓	
	Air conditioning replacement (if installed by Council/Capital)		✓
	Air conditioning replacement (if installed by association)	✓	
Cleaning	External high cleans	✓	
	Internal high cleans	✓	
	Internal cleaning	✓	
	Building wash down - as and when required	✓	
	Cleaning of gutters - as and when required	✓	

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	Toilet/bathroom cleaning	✓	
	Strip and seal vinyl flooring/carpet cleaning	✓	
	Cleaning of kitchen stove filters	✓	
	Emptying of grease traps	✓	
Plumbing Sewerage, Water supply & Drainage	Repairs to zip boilers	✓	
	Replacement of broken zip boilers	✓	
	Repairs to dish washers	✓	
	Replacement of dish washers	✓	
	Repairs to leaking taps	✓	
	Blocked drains	✓	
	Leaking toilets	✓	
	Blocked toilets	✓	
	Replacement of toilet		✓
	Replacement of hand basin		✓
	Maintenance and servicing of pumps/tanks/septic	✓	
	Down pipe blockage	✓	
	Programmed emptying of septic tanks	✓	
	Additional emptying of septic tanks	✓	
	Cleaning of rainwater tanks	✓	
	Cleaning under sink filters/replacing under sink filters	✓	
Carpentry	Broken mirrors	✓	
	Minor repairs to broken and cracked tiles	✓	
	Glass breakage from inside	✓	
	Replacement of gutter guards		✓
	Repairs required from vandalism	✓	
	Standard signage replacement	✓	
	Standard signage repairs	✓	
	Resurfacing/polishing floors/decks/ramps/verandas (by negotiation)	✓	✓
	Replacement of flooring		✓
	Fencing repairs	✓	
	Fencing replacement (by negotiation)	✓	✓
	Repaint internal	✓	
	Repaint external (by negotiation)	✓	✓
Fixture/Fittings	Hand towel dispenser installation	✓	
	Hand towel dispenser replacement	✓	
	Repairs to hand dryers	✓	
	Replacement of hand dryers	✓	
	Repairs to curtains	✓	
	Replacement of curtains	✓	
	Repairs to curtain tracks	✓	
	Replacement of curtain tracks	✓	
	Window repairs	✓	

Title Reference 49010311

	Window replacement	✓	
	Window screen repairs	✓	
	Window screen replacement	✓	
	Mechanical window servicing		✓
	Mechanical window replacement		✓
	Additional fixtures and fittings (e.g. brackets for TVs etc)	✓	
Security & Access	Responding to alarms	✓	
	Maintenance of alarm services	✓	
	Supply of padlocks	✓	
	Repairs to locks and doors	✓	
	Replacement of locks and doors	✓	
	Management of swipe card/dongle access system (where installed)	✓	
	Supply of air conditioning cards and keys	✓	
	Upgrades to security systems	✓	
	CCTV	✓	
Licenses/permits	Food Licence	✓	
	Liquor Licence/Permit	✓	
	Temporary Event Permit	✓	
	Road Closure Permit (where applicable)	✓	
Miscellaneous	Removal of wildlife (by negotiation)	✓	
	Access roads		✓
	Car park repairs		✓
	Grandstand repairs	✓	
Parks & Gardens	Garden beds (edging, mulching, pruning, etc)	✓	
	Mowing	✓	
	Slashing	✓	
	Repairs to seating and benches	✓	
	Replacement of seating and benches	✓	
	Weed control	✓	
	Landscaping	✓	

Title Reference 49010311

FACILITIES SERVICES			
Service Type	Description	Lessee responsibility	Lessor responsibility
Rates	Payment of rates notices		✓
Electricity	Connection	✓	
	Usage	✓	
Water	Connection	✓	
	Usage	✓	
Gas	Connection	✓	
	Usage	✓	
Insurance	Building		✓
	Contents	✓	
	Public Liability	✓	
Additional waste (Bins)	Provision of additional service	✓	
Telephone and Data	Telephone/internet connection	✓	
	Monthly charges	✓	
Pest Control	Internal rodents, termites, insects etc		✓
	External rodents, termites, insects etc		✓
First Aid	Supply and replacement of equipment	✓	
Defibrillators	Servicing as and when required	✓	
Sanitary Services	Servicing as and when required	✓	
Sharps Containers	Servicing as and when required	✓	
Fire Service	Testing of fire services		✓
	Replacement of fire services		✓
	Provision of evacuation plans		✓
	Updating evacuation plans		✓

Title **Corporate Services Report Write Off Outstanding Community Housing Rent Payments**

Date 14 November 2024

Responsible Manager **Toni Skillington, CHIEF FINANCIAL OFFICER**

Summary

The purpose of this report is to seek Council's approval to write off amounts which remain outstanding following the transfer of Council's community housing portfolio to Community Housing (Qld) Limited.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

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

The review and writing-off of unrecoverable debts will reduce the cost of resources required to attempt to recover debts with minimal expectation of recovery.

Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with consideration of this matter.

Officer's Recommendation

That Council resolved to write off \$1,001.90 of unrecoverable rental payments (exclusive of goods and services tax).

Background Information

At its Ordinary Meeting 18 January 2024, Council resolved:

That in respect of the transfer of Council's community housing portfolio to a registered community housing organisation, Council resolved to:

1. *approve Community Housing (Qld) Limited as at the preferred tenderer, subject to the Director-General, department of Housing, Local Government, Planning and Public Works' final approval;*
2. *approve the transfer of the community housing portfolio for the sum of zero dollars; and*
3. *delegate to the Chief Executive Officer to negotiate, finalise, and execute all documents necessary for the transfer of Council's community housing portfolio to Community Housing (Qld) Limited.*

As part of the finalisation of the transfer of the community housing portfolio to Community Housing (Qld) Limited, Council has identified a small number of tenancies which have a balance outstanding on their debtor accounts.

Report

For the debtor accounts recommended for write-off, every avenue has been utilised to finalise the accounts and secure payment on a cost/benefit basis. The accounts are unable to be finalised and are considered to have no reasonable expectation of recovery. Furthermore, the quantum is such that the act of pursuing its recovery could be greater than the amount eventually recovered, which when coupled with the low prospects of success, leads to the conclusion that the debt be written off.

Consultation (Internal/External)

Consultation has occurred with relevant finance staff, facilities staff, General Manager, and General Counsel.

Legal/Policy Implications (Justification if applicable)

There are no legal nor policy implications associated with writing off the of unrecoverable rental payments.

Budget/Financial Implications

There is no provision in Council's annual budget for the proposed write-off. However, due to the nominal amount, the proposed write-off will have a minimal effect on the annual budget. Council also benefited from rental income for the period from July to September which was unbudgeted.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) 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

It is recommended that Council resolves to adopt the write-off of \$1,001.90 of unrecoverable rental payments.

Attachments

- 1 Sundry Debtor Write Offs

Authored by: L.Zeller, REVENUE SUPERVISOR - UTILITIES RECEIVABLES & DEBT RECOVERY

Council House Type	Account No	Dates last invoiced	Total Owing as at 14/11/2024
Community	4991.22	19/09/24 to 2/10/24	\$136.71
Community	15312.22	26/09/24 to 9/10/24	\$605.90
Community	13303.22	26/09/24 to 9/10/24	\$259.29
Total Exc GST			\$1,001.90

Title	Corporate Services Report Enterprise Risk Management - Council Policy
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Date	28 November 2024
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Responsible Manager	P. Greet, CUSTOMER SUPPORT AND GOVERNANCE MANAGER
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Summary

The purpose of this report is to present the *Enterprise Risk Management - Council Policy* for rescission.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

- *We are recognised as a financially intelligent and responsible Council.*
- *We focus on proactive, sustainable planning for the future.*
- *Our people are skilled and values driven to make a real difference.*
- *Our agile and responsive business model enables us to align our capacity with service delivery.*
- *Our effective asset management ensures that we responsibly maintain our community assets.*

Enterprise Risk Management refers to the co-ordinated activities which an organisation undertakes to direct and control risk. Effective enterprise risk management at the organisational, department, section, or project level enables an organisation to have confidence that any threats or risks to service delivery can be appropriately managed to an acceptable level. It also provides a framework to enable informed decisions to be made about potential challenges or future opportunities.

Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with this report.

Officer's Recommendation

That Council resolves to rescind the *Enterprise Risk Management – Council Policy*.

Background Information

The *Enterprise Risk Management - Council Policy* has been periodically reviewed in accordance with Council's *Policy Framework*. The policy has been reviewed to ensure continued organisational relatively and legislative compliance.

Report

The *Enterprise Risk Management Policy* details the organisation's high-level expectations in relation to enterprise risk management, outlining commitment to embedding a strategic, consistent, and structured enterprise-wide approach to risk management in order to enable Council to realise its vision and strategic priorities.

The existing *Enterprise Risk Management - Council Policy* is not a statutorily required policy and more accurately meets the definition of an organisational policy as categorised in Council's *Policy Framework*. As such, it is proposed that the *Enterprise Risk Management – Council Policy* be rescinded to be replaced by the *Enterprise Risk Management Policy*, categorised as an organisational policy, which has been provisionally approved by the Executive Leadership Team pending Council's approved rescission of the existing Council policy. The *Enterprise Risk Management Policy* has been drafted to reflect the risk appetite outlined within Council's Corporate Plan.

The *Enterprise Risk Management Policy* is part of a wider *Enterprise Risk Management Framework*, that includes associated enterprise risk management tools, appetite definitions, annual risk statements by Managers and templates.

Consultation (Internal/External)

The proposed rescission of the *Enterprise Risk Management – Council Policy* has been endorsed by the Executive Leadership Team. As previously indicated, a revised *Enterprise Risk Management Policy* (Organisational) has been provisionally approved, pending rescission of the *Enterprise Risk Management – Council Policy*.

Legal/Policy Implications (Justification if applicable)

Section 164 of the *Local Government Regulation 2012* requires Council to keep a written record of risks to the extent they are relevant to financial management and the control measures. There is no legislative requirement for Council to adopt a policy in respect to risk management.

Budget/Financial Implications

There are no budget nor financial implications in respect to this policy.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) 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 *Enterprise Risk Management – Council Policy* is not required to be adopted by Council and it considered to more accurately classified as an Organisational policy as it is internally focussed and establishes management expectations across the organisation for risk management.

Attachments

1. Enterprise Risk Management - Council Policy

Authored by: K. Gillespie, GOVERNANCE COORDINATOR

Enterprise Risk Management - Council Policy

Effective Date	<i>3 September 2014</i>
Policy Owner	<i>Customer Support & Governance Manager</i>
Link to Corporate Plan	<i>Financial Sustainability</i>
Review Date	<i>February 2024</i>
Related Legislation	<i>AS ISO 31000:2018 Risk Management Guidelines Local Government Act 2009 Local Government Regulation 2012</i>
Related Documents	<i>Enterprise Risk Management Framework</i>

Policy Version	Approval Date	Adopted/Approved
<i>1</i>	<i>03/09/2014</i>	<i>Ordinary Meeting of Council</i>
<i>2</i>	<i>26/10/2016</i>	<i>Ordinary Meeting of Council</i>
<i>3</i>	<i>11/03/2020</i>	<i>Ordinary Meeting of Council</i>

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Enterprise Risk Management - Council Policy

1. PURPOSE

This Policy sets out Council's high-level expectations in relation to enterprise risk management (ERM) at Western Downs Regional Council.

2. SCOPE

This policy applies to all of Western Downs Regional Council's activities.

3. POLICY

3.1 Policy Statement

Council is committed to managing risks that may have an adverse effect on its capacity to achieve its objectives by establishing an environment that is not unduly risk averse, but one that enables risks to be identified, mitigated and monitored in a balanced manner. Council will aim to achieve its business objectives by managing the impact of risks it can realistically control.

Council has adopted the following risk appetite statement:

Council has a high appetite for initiatives where there is a good understanding of the risk, and there is confidence that the outcomes will lead to significant business improvements or service delivery.

3.2 Risk Management Strategy

Council will create an environment where all staff will be aware of, and take responsibility for, managing risk.

This strategy has been communicated via the establishment of an *Enterprise Risk Management Framework* that supports this Policy and seeks to:

- a. Establish the basis for a structured, formal, consistent, systematic process to identify, analyse, mitigate and monitor the key strategic and operational risks impacting on the organisation;
- b. Align risk management with business objectives identified in Council's corporate and operational plans;
- c. Support the implementation of the necessary controls and policies to deliver an appropriate approach to managing risk;

Enable risk management to become part of day-to-day management of the Council's activities and decision making processes.



Title **Corporate Services Report Public Interest Disclosure Policy**

Date 27 November 2024

Responsible Manager **P. Greet, CUSTOMER SUPPORT AND GOVERNANCE MANAGER**

Summary

The purpose of this report is to present the proposed *Public Interest Disclosure Policy* for adoption.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

- *Our people are skilled and values driven to make a real difference.*

Corruption, maladministration and the misuse of public resources contribute to increased costs of providing public services. Wrongdoing also damages the reputation of Council. An effective system for dealing with public interest disclosures compliant with the *Public Interest Disclosure Act 2010*, helps safeguard Council's integrity.

Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with this report.

Officer's Recommendation

That Council resolves to adopt the *Public Interest Disclosure Policy* as contained in Attachment Two.

Background Information

The *Public Interest Disclosure Policy* has been periodically reviewed in accordance with Council's *Policy Framework*. The policy has been reviewed to ensure continued organisational relevancy and legislative compliance.

Report

Council is obliged pursuant to the *Public Interest Disclosure Act 2010* to ensure that public interest disclosures are effectively and properly managed and that employees who make a public interest disclosure are given appropriate support and protection from reprisal. Council has a *Public Interest Disclosure Policy* and procedure in place so that public interest disclosures can be properly assessed and investigated with to support disclosers, often referred to as 'whistleblowers', from reprisal action. The Queensland Ombudsman is the oversight agency for public interest disclosures.

Council values the disclosure of information about suspected wrongdoing in the public sector so that it can be properly assessed and if necessary, appropriately investigated. Council is legislatively required to provide support to an employee or others who make disclosures about matters in the public interest.

Amendments to the current policy are proposed in the following key areas:

- (1) reclassify the *Public Interest Disclosure Policy* as a Community policy in line with the *Policy Framework*;
- (2) rewording for clarity and succinctness; and
- (3) minor formatting and grammatical changes.

Consultation (Internal/External)

The *Public Interest Disclosure Policy* has been endorsed by the Executive Leadership Team.

Legal/Policy Implications (Justification if applicable)

The *Public Interest Disclosure Act 2010*, does not require Council to have a public interest disclosure policy, however in section 28 requires the Chief Executive Officer of a public sector agency to establish reasonable procedures to ensure:

- (1) disclosers are appropriately supported;
- (2) public interest disclosures are properly assessed, investigated, and dealt with;
- (3) appropriate action is taken in relation to any wrongdoing;
- (4) a management programme consistent with relevant standards is developed and implemented; and
- (5) disclosers are offered protection from reprisal.

Further, the Chief Executive Officer must ensure that such procedures are published on Council's website.

The *Public Interest Disclosure Policy* therefore whilst not legislatively required, outlines Council's commitments in relation to the public interest in fostering an ethical and transparent culture by promoting and encouraging the disclosure of suspected wrongdoing. The *Public Interest Disclosure Procedures* have also been reviewed to ensure continued compliance with legislation and associated standards and have been approved by the Executive Leadership Team.

Budget/Financial Implications

Any costs associated with the management and investigation of public interest disclosures are included in Council's annual operational budget.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) requires public entities 'to act and make decisions in a way compatible with human rights'. Consideration has been given to relevant human rights, particularly recognition and equality before the law, privacy and reputation, and the right to a fair hearing, however it is considered that in observing and applying the law prescribed in the *Public Interest Disclosure Act 2010*, Council will be respecting and acting compatibly with these rights and others prescribed in the *Human Rights Act*.

Council officers must endeavour to act and make decisions in a manner that is compatible with human rights. In particular, representatives will endeavour to:

- (a) identify relevant human rights which may be affected by the action or decision;
- (b) give proper consideration to the impact of its actions and decisions on human rights; and
- (c) ensure that any conduct or decision by Council which limits an individual's human rights is reasonable and justifiable.

Conclusion

Council aspires to an organisational culture where members of the public and employees feel confident and comfortable making disclosures about wrongdoing. Council's commitment to this is outlined in the *Public Interest Disclosure Policy*.

Attachments

1. Public Interest Disclosure Policy (Mark-up)
2. Public Interest Disclosure Policy as proposed.

Authored by: K. Gillespie, GOVERNANCE COORDINATOR.

Public Interest Disclosure Policy - Council Policy

Effective Date	15 May 2013
<u>Policy Category</u>	<u>Community</u>
Policy Owner	-Customer Support & Governance Manager
Link to Corporate Plan	<u>Sustainable Organisation</u>
Review Date	August 2023 2028
Related Legislation	<u>Anti-Discrimination Act 1991</u> <u>Human Rights Act 2019</u> <u>Ombudsman Act 2001</u> Public Interest Disclosure Act 2010 Local Government Act 2009 Public Sector Ethics Act 1994 Crime and Corruption Act 2001
Related Documents	Public Interest Disclosure (PID) Management Plan and Procedure Public Interest <u>Disclosure</u> Standards Complaints Management - <u>Statutory Council</u> Policy Complaints Management SWP <u>Administrative Action Complaints Management Process</u> Investigations - <u>Statutory Council</u> Policy

Policy Version	Approval Date	Adopted/Approved
1	15 May 2013	Ordinary Meeting of Council
2	18 December 2013	Ordinary Meeting of Council
3	17 June 2015	Ordinary Meeting of Council
4	18 September 2019	Ordinary Meeting of Council

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Public Interest Disclosure – Council Policy

1. PURPOSE:

The ~~objectives purpose~~ of this policy ~~is are~~:

~~(a) — To confirm Council's commitment to acknowledge Council's its obligations as prescribed by the Public Interest Disclosure Act 2010 as a Public Sector Entity as defined in the Public Interest Disclosure Act 2010 ("PID Act").~~

~~(b) — To establish Council's commitment to the promotion and proper management of Public Interest Disclosures.~~

~~To communicate the rights and obligations, and to outline a framework, for, the making and subsequent management of and process for making a public interest disclosure as defined in the Public Interest Disclosure Act 2010 ("PID Act") at Western Downs Regional Council, within which provides for the correct process for Councillors and employees of Western Downs Regional Council ("Council") to make appropriate disclosures.~~

2. SCOPE:

This policy applies to:-

- ~~all Councillors, Officers of Council; and~~
- ~~any person Council Employees, and (members of the public) who make a Public Interest Disclosure in accordance with the Public Interest Disclosure Act 2010 and should be read in conjunction with Council's Public Interest Disclosure Management Plan and Procedure.~~

3. POLICY:

~~By virtue of their office or position, Western Downs Regional Council is committed to:~~

- ~~fostering an ethical and; transparent culture;~~
- ~~the promoting of the public interest; and~~
- ~~encourages and values the disclosure of suspected wrongdoing in the public sector, so that it may be properly assessed and when appropriate if necessary, appropriately properly investigated and addressed.~~

~~Council will provide support to persons who make disclosures about matters in the public interest and ensure appropriate consideration is given to the interests of persons who are the subject of a Public Interest Disclosure.~~

~~Council is committed to investigating all public interest disclosures (PIDs) in a confidential manner, protecting individuals from reprisals, and taking action as appropriate. Anyone making a public interest disclosure will be provided protection from reprisal as outlined in the Public Interest Disclosure Act 2010. recognises the important role Councillors, Council employees and members of the public can play in the disclosure of wrongdoing in the public sector that serves the public interest.~~

~~In accordance with the objectives of the Public Interest Disclosure Act 2010 (the Act) PID Act, it is Council policy to:-~~

- ~~promote the public interest by facilitating Public Interest Disclosures in Council;~~
- ~~encourage reporting of wrongdoing as defined in the PID Act;~~
- ~~ensure that Public Interest Disclosures are properly assessed, and when appropriate, properly investigated and dealt with managed;~~
- ~~ensure that appropriate support is provided to those who make a Public Interest Disclosure and appropriate consideration is given to the interests of persons who are the subject of a Public Interest Disclosure;~~
- ~~afford protection from reprisals to persons making Public Interest Disclosures; and~~
- ~~if a Public Interest Disclosure PID is substantiated, taking appropriate action to deal with any wrongdoing.~~

Public Interest Disclosure ~~Council~~ Policy

~~These outcomes (including information regarding how a Public Interest Disclosure PID may be made) are achieved via a Public Interest Disclosure Procedure developed in accordance with Section 28(1) of the PID Act and this Policy.~~

~~Council recognises the sensitivities which can be associated with Public Interest Disclosures and the need to maintain public confidence in its process for managing Public Interest Disclosures. To that end Council will in accordance with the Act:~~

- ~~i. ensure that Public Interest Disclosures are managed appropriately in accordance with the requirements of PID Act;~~
- ~~ii. maintain confidentiality of Public Interest Disclosures received; (as per section 65 of PID Act);~~
- ~~iii. seek to prosecute any person who provides a false or misleading statement or information to Council with the intention of it being processed as a Public Interest Disclosure; (as per section 66 of PID Act);~~
- ~~iv. seek to prosecute and will take disciplinary action against any Councillor or Council employee who takes or attempts to take a reprisal action; (refer sections 40 & 41 of PID Act); and~~
- ~~v. ensure that the proper records of Public Interest Disclosures received (as per section 29 of PID Act) are maintained, and that the confidentiality of all records created during the investigation and reporting of Public Interest Disclosures is preserved; (as per section 65 of PID Act).~~

~~Council's organisational commitment to the management and reporting of Public Interest Disclosures PIDs will be demonstrated by:-~~

- ~~i. (1) encouraging and supporting Public Interest Disclosures PIDs as part of an ethical culture;~~
- ~~ii. (2) making arrangements for delivering Public Interest Disclosures PID awareness/training for Councillors, Managers, Supervisors and staff employees;~~
- ~~iii. (3) the appointment of an officer/unit to be responsible for Public Interest Disclosure PID management;~~
- ~~(4) a commitment to ensuring Public Interest Disclosure PID outcomes inform improvements; and~~
- ~~iv. providing a mechanism for regular review of Council's Public Interest Disclosure Management Plan policies and Procedures.~~

~~attachments:~~

~~Nil.~~

~~definitions:~~

~~Public Interest Disclosures are broadly defined in the PID Act as being all information disclosed to a proper authority about a public interest matter referred to pursuant to section 12 and section 13 of the PID Act.~~

~~A Public Interest Disclosure can be made by any person (pursuant to section 12 of the PID Act) about—~~

- ~~(a) a substantial and specific danger to the health or safety of a person with a disability; or~~
- ~~(b) the commission of an offence against a provision mentioned in schedule 2* PID Act, if the commission of the offence is or would be a substantial and specific danger to the environment; or~~

Public Interest Disclosure ~~Council~~ Policy

~~(c) a contravention of a condition imposed under a provision mentioned in schedule 2* PID Act, if the contravention is or would be a substantial and specific danger to the environment; or~~

~~(d) the conduct of another person that could, if proved, be a reprisal.~~

~~Alternatively by a public officer (pursuant to section 13) about—~~

~~(a) the conduct of another person that could, if proved, be—~~

~~i. corrupt conduct; or~~

~~ii. maladministration that adversely affects a person's interests in a substantial and specific way; or~~

~~(b) a substantial misuse of public resources (other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes or priorities of expenditure); or~~

~~(c) a substantial and specific danger to public health or safety; or~~

~~(d) a substantial and specific danger to the environment.~~

~~Public Interest Disclosures under sections 12 and 13 of the PID Act must:~~

~~a. be made to a proper authority (as defined in section 5 of the PID Act); and~~

~~b. be information about the conduct of another person or another matter if—~~

~~i. the person honestly believes on reasonable grounds that the information tends to show the conduct or other matter; or~~

~~ii. the information tends to show the conduct or other matter, regardless of whether the person honestly believes the information tends to show the conduct or other matter.~~

~~Examples of matters that could give rise to a valid Public Interest Disclosure~~

~~• A disclosure of information that would show corrupt conduct as defined under section 15 of the Crime and Corruption Act 2001;~~

~~• A disclosure of information that a person honestly believes on reasonable grounds that the information tend to show maladministration;~~

~~• A disclosure of information that tends to show the substantial misuse of public resources regardless of whether the person honestly believes the information might display the improper use of such public resources;~~

~~• Any other disclosure in accordance with the Public Interest Disclosure Act 2010.~~

~~A proper authority includes a public sector entity as defined by s6 of the PID Act** if the information the subject of the disclosure relates to the conduct of the entity, or the public sector entity has power to investigate or remedy.~~

~~Public Officers of local governments include both Councillors and employees (including persons engaged under a contract of employment).~~

~~Notes:~~

~~*Schedule 2 of the PID Act specifies particular statutory offences or contraventions involving endangering the environment.~~

~~** a proper authority may include a member of the Legislative Assembly or public sector entities such as the Crime and Corruption Commission, the Public Service Commission, the Queensland Ombudsman, Queensland Human Rights Commission or the Queensland Industrial Relations~~

Public Interest Disclosure ~~Council~~ Policy

~~Commission, it may also include Council itself or another Government department that maintains relevant investigation and/or enforcement powers relating to the nature of the disclosure.~~

~~review trigger:~~

~~List of factors which require the policy to be reviewed eg:-~~

- ~~Periodic review – biannual~~
- ~~Change in legislation~~

Public Interest Disclosure Policy

Effective Date	15 May 2013
Policy Category	Community
Policy Owner	Customer Support & Governance Manager
Link to Corporate Plan	Sustainable Organisation
Review Date	August 2028
Related Legislation	Anti-Discrimination Act 1991 Human Rights Act 2019 Ombudsman Act 2001 Public Interest Disclosure Act 2010 Local Government Act 2009 Public Sector Ethics Act 1994 Crime and Corruption Act 2001
Related Documents	Public Interest Disclosure (PID) Management Plan and Procedure Public Interest Disclosure Standards Complaints Management - Statutory Policy Administrative Action Complaints Management Process Investigations - Statutory Policy

Policy Version	Approval Date	Adopted/Approved
1	15 May 2013	Ordinary Meeting of Council
2	18 December 2013	Ordinary Meeting of Council
3	17 June 2015	Ordinary Meeting of Council
4	18 September 2019	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. **A hard copy of this electronic document is uncontrolled.**

Public Interest Disclosure Policy

1. PURPOSE

The purpose of this policy is to confirm Council's commitment to its obligations as prescribed by the *Public Interest Disclosure Act 2010* and to outline a framework for the making and subsequent management of a public interest disclosure.

2. SCOPE

This policy applies to Councillors, Council Employees, and members of the public who make a public interest disclosure in accordance with the *Public Interest Disclosure Act 2010* and should be read in conjunction with Council's *Public Interest Disclosure Management Plan and Procedure*.

3. POLICY

Western Downs Regional Council is committed to:

- (1) fostering an ethical and transparent culture;
- (2) promoting the public interest; and
- (3) encouraging and valuing the disclosure of suspected wrongdoing in the public sector, so that it may be properly assessed and when appropriate, properly investigated and addressed.

Council will provide support to persons who make disclosures about matters in the public interest and ensure appropriate consideration is given to the interests of persons who are the subject of a public interest disclosure.

Council is committed to investigating all public interest disclosures in a confidential manner, protecting individuals from reprisals, and taking action as appropriate.

Council's organisational commitment to the management and reporting of public interest disclosures will be demonstrated by:

- (1) encouraging and supporting public interest disclosures as part of an ethical culture;
- (2) delivering public interest disclosures awareness/training for Councillors and employees;
- (3) the appointment of an officer/unit to be responsible for public interest disclosure management;
- (4) a commitment to ensuring public interest disclosure outcomes inform improvements; and
- (5) providing a mechanism for regular review of Council's Public Interest Disclosure Management Plan and Procedure.

Title	Corporate Services - Queensland Audit Office 2024 Final Management Report
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Date	21 November 2024
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Responsible Manager	T. Skillington, CHIEF FINANCIAL OFFICER
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Summary

The purpose of this report is to provide an update on the finalisation of external audit activities for the 2024 financial year.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

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

The audit process is a part of Council's financial management systems to identify and manage financial risks. The performance of financial management systems requires regular review in a responsible organisation.

Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with consideration of this matter.

Officer's Recommendation

That Council resolves to receive the Queensland Audit Office's *2024 Final Management Report*.

Background Information

Queensland Audit Office's (QAO) 2024 Closing Report was presented to Council's Ordinary Meeting of 21 November 2024, which provided information to Council regarding the audit process for the 2024 financial year.

Report

The final management report is now presented to Council as an attachment to this report. The report confirms that Queensland Audit Office's has not identified significant issues since the presentation of the closing report to the audit committee at its meeting on 9 October 2023 and to Council in November 2024.

Section 213 of the *Local Government Regulation 2012* states that in the event of receiving a copy of the auditor-general's observation report about an audit of the local government's financial statements, the Mayor must '*must present a copy of the report at the next ordinary meeting of the local government.*' This final management report, received 18 November 2024, is now presented Council.

Consultation (Internal/External)

Consultation regarding the *2024 Closing Report* has occurred with Deloitte, Queensland Audit Office, Chief Financial Officer, and members of the Information and Communication Technology and Finance teams. No further was necessary on the presentation of the final report.

Legal/Policy Implications (Justification if applicable)

Sections 212 and 213 of the *Local Government Regulation 2012* set out the requirements for the auditing of financial statements by the auditor-general, including the requirement for the audit report to be presented to the next ordinary meeting of Council:

Budget/Financial Implications

There are no budget nor financial implications associated with the consideration of this report.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) 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 presented to Council in accordance with reporting requirements under section 213 of the *Local Government Regulation 2012* providing an update on external audit functions and findings during the audit of Council's financial statements for the year ended 30 June 2024.

Attachments

Attachment 1 - 2024 Queensland Audit Office Final Management Report for 2024

Authored by: T. SKILLINGTON, Chief Financial Officer



2024 FINAL MANAGEMENT REPORT

Western Downs Regional Council

12 November 2024

Cr Andrew Smith
The Mayor
Western Downs Regional Council
30 Marble Street
Dalby QLD 4405

Dear Mayor

Final management report for Western Downs Regional Council.

We have completed our 2024 financial audit for Western Downs Regional Council. QAO has issued an unmodified audit opinion on your financial statements.

The purpose of this report is to update you on any matters that have arisen since we presented our closing report to the audit committee on 8 October 2024.

Reporting on issues identified after the closing report

I can confirm that we have not identified significant issues since the presentation of our closing report to the audit committee. The issues and other matters we have formally reported to management and an update on management's actions taken to resolve these issues is included as Appendix A.

Please note that under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your council's next ordinary meeting.

Report to parliament

Each year, we report the results of all financial audits and significant issues to parliament.

We intend to include the results of our audit of Western Downs Regional Council in our report to parliament 'Local government 2024. We will comment on the results of our audit, any significant internal control issues, and the overall results for the sector, including major transactions and events. We will discuss the proposed report content with your entity contact and continue to consult as we draft it. Formally, entities have an opportunity to comment on our report, and for these comments to be included in the final version tabled in parliament.

Audit fee

The final audit fee for this year is \$218,000 exclusive of GST. This fee is in line with our audit fee communicated in the 2024 External Audit Plan.

We would like to thank you and your staff for your engagement in the audit this year and look forward to working with your team again next year.

If you have any questions about this report or would like to discuss any matters regarding our services and engagement, please do not hesitate to contact me 07 3308 7114 or Justin Tait (Director) on 07 3308 7293.

Yours sincerely

Vanessa de Waal
Partner
Deloitte Touche Tohmatsu

Enc.

cc. Mrs J Taylor, Chief Executive Officer
Cr G Moore, Chair of the Audit Committee

Appendix A1 – Status of issues

Internal control issues

As detailed in our closing report, two new internal control issues were identified in the current year. No further new issues have been identified subsequent to the issue of the closing report. These two new control deficiencies have been detailed in section A2.

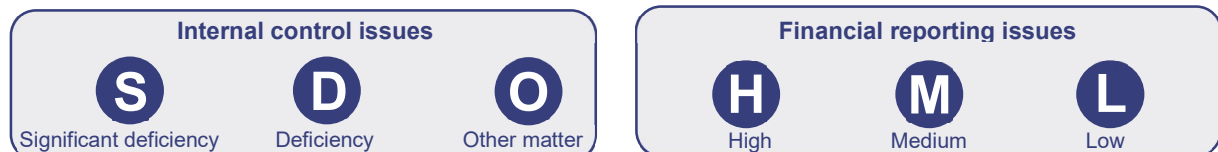
Financial reporting issues

As detailed in our closing report, no new financial reporting issues were identified in the current year, or any new issues subsequent to the issue of the closing report. We have carried forward one financial reporting matter as outlined in section A2 in relation to the timeliness of capitalisation of assets.

Appendix A2 – Matters previously reported

The following table summarises all control deficiencies, financial reporting issues and other matters that have previously been raised, some of which may have been reported as resolved in the closing report. The listing includes issues from our reports this year and those issues raised in prior years.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.




Internal control issues

Ref.	Rating	Issue	Status and comment
24CR-1	D	<p>Segregation of duties conflict in User Access Review Process</p> <p>During our assessment, we confirmed that all user access was reviewed by the appropriate Department Heads. However, noted that 6 out of the 10 reviewers, reviewed their own access resulting in a conflict in Segregation of Duties ("SOD").</p> <p>Implication</p> <p>There is a self-review threat for the identified reviewers. This may potentially lead to exposure / access to sensitive data, excessive access privileges, segregation of duties issues going undetected and impacting the integrity of data and transactions.</p> <p>QAO recommendation</p> <p>To address the SOD risk, we recommend that an additional independent reviewer review the access of the identified reviewers to confirm appropriateness of their access rights.</p>	<p>Work in progress</p> <p>The bi-annual review of access is 'Role' based and the managers responsible for the appropriate areas review the roles and appropriateness of the access. To ensure segregation of duties, all reviewers with specialised access will have their access reviewed by the appropriate General Manager.</p> <p>Target Date: 1st March 2025 Owner: Lucas Keating</p>

Ref.	Rating	Issue	Status and comment
24CR-2	D	<p>Delays in recording contributed assets</p> <p>During the year as part of the comprehensive valuations performed, management identified approximately \$18m of found assets (current replacement cost value), of which \$6.5m related to road assets contributed by the Department of Main Roads in previous years. These contributed assets were not identified previously due to an absence of formal documentation available at the time the assets were transferred over to the Council by the Department.</p> <p>Implication</p> <p>There is a risk that the absence of formalised control processes where development works may be ongoing within the region may lead to unrecognised contributed income and related assets as they come on-maintenance.</p> <p>QAO recommendation</p> <p>Management, including the engineering department, should develop and implement a formal ongoing review process for any development works being undertaken by third parties in the region, and assess whether there is a likelihood that these projects may lead to the transfer of assets at completion.</p>	<p>Work in progress</p> <p>Management will work with asset managers across the organisation to develop improved processes for the identification and timely recognition of contributed assets.</p> <p>Target Date: September 2025</p> <p>Owner: Toni Skillington</p>
23IR-1	D	<p>General Ledger Application – Inappropriate process for user access provisioning:</p> <p>FY23 Deficiency: WDRC Authority Roles and Permissions Standards mandates the following:</p> <p>Cloning of users is not to be done. Granting access by copying the access of an existing user increases the risk of giving excessive access to the new user.</p> <p>We noted the following related to user access provisioning for Authority (CIVICA) application:</p> <ol style="list-style-type: none"> 1. Access granted to 2 users based on cloned / replicated access of an existing user. 2. For 1 user's access, there is no evidence of access provisioning such as access request, approval trail and basis for access requirement. However, management has provided retrospective review (approval) of the user access on 21/08/2023 to remediate the observation. <p>FY24 Deficiency: During our assessment, we</p>	<p>Resolved, pending audit clearance</p> <p>ICT management have commenced undertaking a bi-annual user access permissions review.</p> <p>Audit comment: We acknowledge management's response to the identified finding, and will review the revised process as part of the FY25 external audit.</p>

Ref.	Rating	Issue	Status and comment
		<p>noted the below:</p> <ol style="list-style-type: none"> 1. As per Authority Roles & Permissions Standards, HR Administrator roles must be approved by the Chief Human Resources Officer. However, the user access request for one user was mistakenly approved by their supervisor. 2. For 2 out of 21 new users tested, evidence of user access request and approval could not be retrieved for Deloitte review. 	
23IR-2	D	<p>SQL Database – Missing Patches</p> <p>FY23 Deficiency: Security patch updates to the Authority (Civica) SQL Server 2019 Database are not installed in a timely manner.</p> <p>FY24 Deficiency: As of 8th March 2024, the current patch applied was released on December 14, 2023 while the latest patch from the vendor was released on February 15, 2024. and data, which may lead to unauthorised activities.</p>	<p>Work in progress</p> <p>ICT currently review SQL patches and will apply security and vulnerability patches where required. Only required SQL patches are applied. ICT will review this process and determine a formalised process for implementation.</p> <p>Target Date: 1 March 2025</p> <p>Owner: Mitch Peeler</p>
23IR-3	D	<p>General Ledger Application – Vulnerability Assessment Report not maintained</p> <p>FY23 Deficiency: WDRC Technical Vulnerability Assessment procedures requires a passive scanning to be run monthly to identify technical vulnerabilities within the IT environment.</p> <p>In performing a sample over a selection of three months, we noted that the vulnerability assessment reports for 2 months (November 2022 and October 2022) were not maintained to ensure if the vulnerabilities were identified investigated, communicated, resolved, and managed in a timely manner.</p> <p>As confirmed by management on 21/03/2023. the process was ad-hoc and manual, and the WDRC team had been working on an updated process to make it easier for staff to follow the process and report generation. There were no reports for those times due to significant effort required to analyse data and create reports with resourcing of the department. However, a standard process has now been established since February 2023.</p>	<p>Resolved</p> <p>Based on testing performed, we are satisfied that appropriate action has been taken by management to address the matter. As such, the finding is now closed.</p>
23IR-4	D	<p>Windows Active Directory – Terminated user is not removed in a timely manner</p> <p>FY23 Deficiency: We noted that the Active Directory (“AD”) accounts for 9 terminated users were not disabled in a timely manner as follows:</p>	<p>Resolved, pending audit clearance</p> <p>Process has changed with the implementation of HRP. This will streamline and ensure notifications are sent to ICT in a timely manner.</p>

Ref.	Rating	Issue	Status and comment
		<ol style="list-style-type: none"> For 7 users, there was a delay in the notification received from HR/supervisor, resulting in the IT Team not disabling the user AD accounts in a timely manner. For 2 users, the incorrect date was entered in AD expiry causing delays in access revocation. For 5 users, accounts were still active in active directory as incorrect expiry date was entered in AD causing delays in access revocation. <p>Failure to disable / revoke access of resigned / terminated employees in a timely manner increases the risk of inappropriate access to the applications, which may lead to unauthorised activities.</p> <p>FY24 Deficiency: Out of 97 terminated users noted in the HR report:</p> <ul style="list-style-type: none"> A delay in access revocation was noted for 26 terminated users due to a delay in notification received from HR. A delay in access revocation was noted for 3 users, due to the wrong termination date included on the HR notification. A delay in access revocation was noted for 6 users, due to expiration date incorrectly input by IT team. 	<p>Audit comment: We acknowledge management's response to the identified finding, and will review the revised process as part of the FY25 external audit.</p>
23IR-5	D	<p>Windows Active Directory – Weakness in password settings configured on the operating system</p> <p>FY23 Deficiency: Authority (Civica) application is authenticated via single sign-on and users are required to log on with AD credentials.</p> <p>We noted that the below password security parameters configured for PSO passwords in Windows AD are not in accordance with NIST recommended settings.</p> <p>Account Lockout Threshold set to 0 (zero).</p> <p>Further, noted 1 sample end-user account is set to 'password never expire' having interactive login capabilities.</p> <p>FY24 Deficiency: On review of the password settings at the Windows Active Directory level, the following was noted:</p> <ol style="list-style-type: none"> Default Domain password complexity was disabled. This increases the risk of weak passwords, successful password cracking attacks, insider threats, and non-compliance with regulations. 	<p>Resolved, pending audit clearance</p> <p>Management agree that no end user accounts should be set to have no password expiry, and this has been addressed. Some service accounts require no password expiry to facilitate their intended function.</p> <p>Audit comment: We acknowledge management's response to the identified finding, and will review the revised process as part of the FY25 external audit.</p>

Ref.	Rating	Issue	Status and comment
		2. 2 accounts were set to 'password never expire' having interactive login capabilities. Passwords that never expire remain valid indefinitely, increasing the window of opportunity for attackers to steal and misuse them.	
22CR-1		<p>Delays in capitalisation of completed projects and incomplete data available</p> <p>In FY22, it was identified that Management's processes for the transfer of completed projects into PPE is to process these based on the final transaction (e.g., invoice) date within the related work order, rather than a specific project completion date as provided by the relevant developer or project manager. We also identified several projects sitting within Closing WIP where finalised work orders have not yet been provided to the finance team, and therefore these projects are incorrectly still included within WIP.</p> <p>FY24 Update:</p> <p>In completing substantive testing over the PPE balance in the current period, we have identified some instances of delays in the transfer of completed projects into PPE. As such, we have kept this finding open.</p>	<p>Work in progress</p> <p>During the 2023-24 financial year, an intensive effort to capitalise the largest and oldest WIP balances was undertaken. This left some smaller projects unable to be finalised. Projects and asset management were implemented in OneCouncil in August 2024.</p> <p>Management expects further improvements in processes to be developed over the coming twelve months as familiarity with the new system develops.</p>

Appendix A3 – Climate-related financial disclosures

Next year audit planning considerations	Potential effect on your reporting obligations	Potential effect on your audit
<p>On 9 September 2024, the Australian Parliament has recently passed legislation to enact Australia's mandatory climate-related financial disclosure regime.</p> <p>Entities that report under the Corporations Act 2001 and meet specific criteria are required to comply with the legislation and the reporting requirements in the standards.</p>	<p>Queensland Treasury will determine the application to Queensland public sector entities that aren't reporting under the Corporations Act, such as departments and statutory bodies.</p> <p>Councils are not included in the scope of the Commonwealth legislation. Therefore, you are not a mandatory reporting entity. However once Queensland Treasury issues advice on this reporting, the Department of Housing, Local Government, Planning and Public Works may issue their own guidance for councils to follow.</p>	<p>We will work with management to assess Queensland Treasury and Department of Housing, Local Government, Planning and Public Works requirements and guidance, as applicable.</p>



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53 Albert Street, Brisbane Qld 4000
PO Box 15396, City East Qld 4002

Title	Corporate Services Financial Report November 2024
Date	18 November 2024
Responsible Manager	T. Skillington, CHIEF FINANCIAL OFFICER

Summary

The purpose of this Report is to provide Council with the Financial Report for the period ending 18 November 2023. The shortness of the reporting reflects the timing of Council's ordinary meeting for December.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

- *We are recognised as a financially intelligent and responsible Council.*
- *We focus on proactive, sustainable planning for the future.*

The monthly financial report provides an overview of Council's progress for the 2024-25 financial year and assists the organisation to manage its immediate budget, whilst being cognisant of its long-term financial goals.

Material Personal Interest/Conflict of Interest

There are no personal interests nor conflicts of interest associated with the consideration of this matter.

Officer's Recommendation

That Council resolves to receive the November 2024 Financial Report.

Background Information

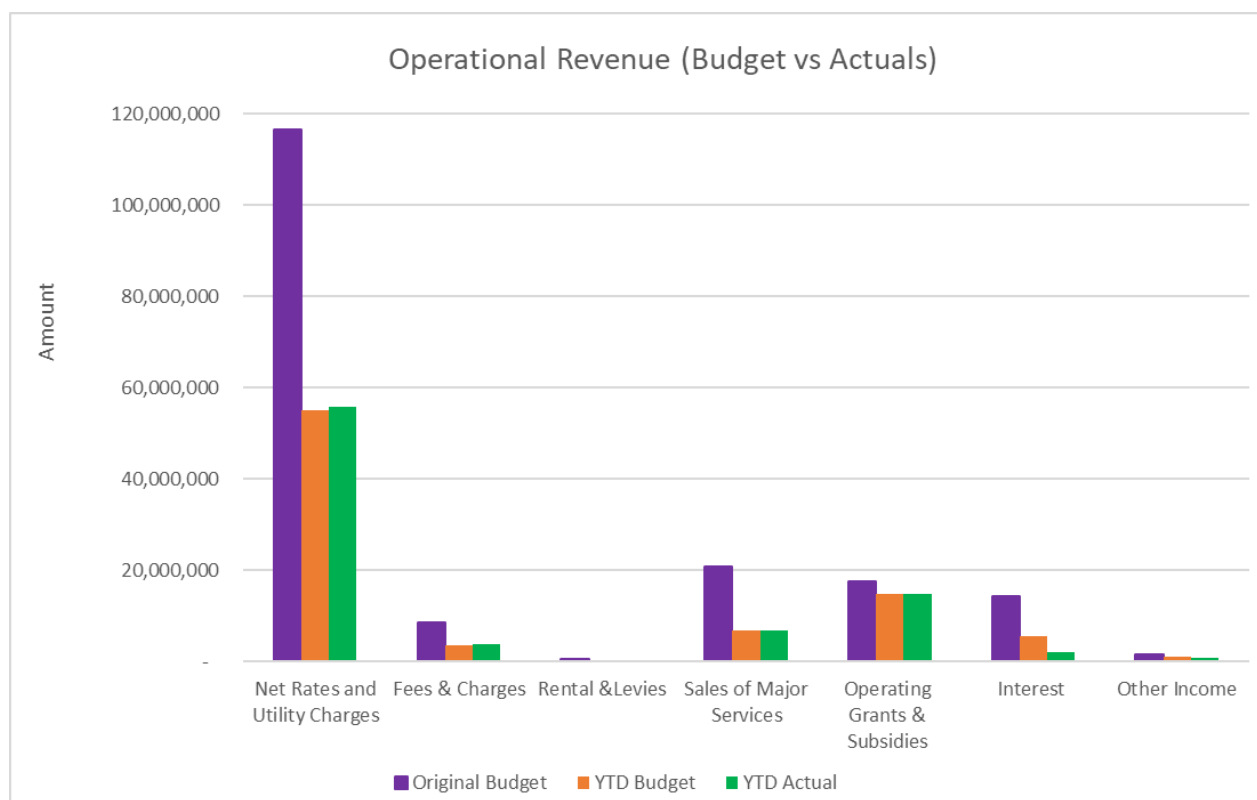
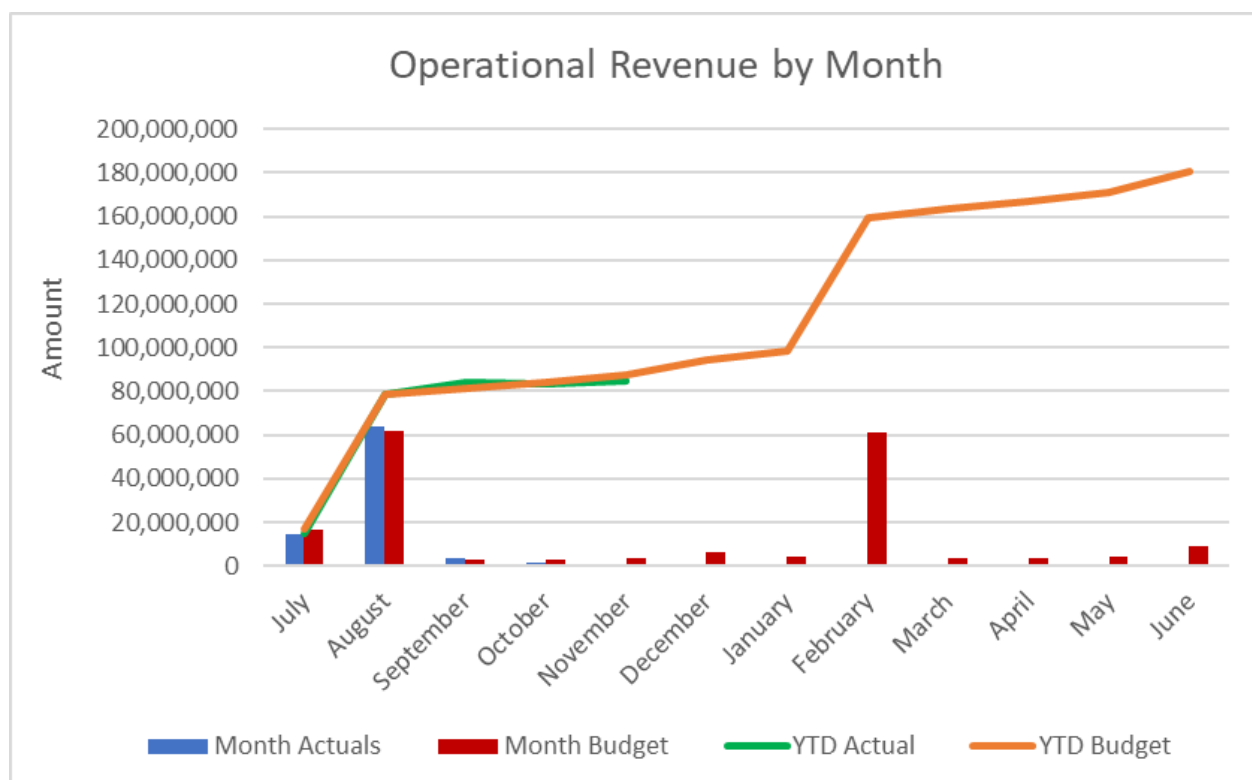
The Chief Executive Officer is required by section 204(2) of the *Local Government Regulation 2012* to present the Financial Report once a month or at each meeting if the local government meets less frequently than monthly. The Financial Report must state the progress that has been made in relation to 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.

Report

1. Operating Result

The operating position as of 18 November 2024 is a \$17,212,806 surplus, compared to a budgeted surplus of \$13,110,856 which is \$4,101,950 ahead of budget. The Operating Surplus ratio as of 18 November 2024 is 20.3 per cent which is well above Council's target of 1.0 per cent. The Operating Surplus has exceeded target due to revenue surpassing expenditure due to the first half-yearly rates levy being issued (Council's major revenue stream) and only five months of expenditure being expensed.

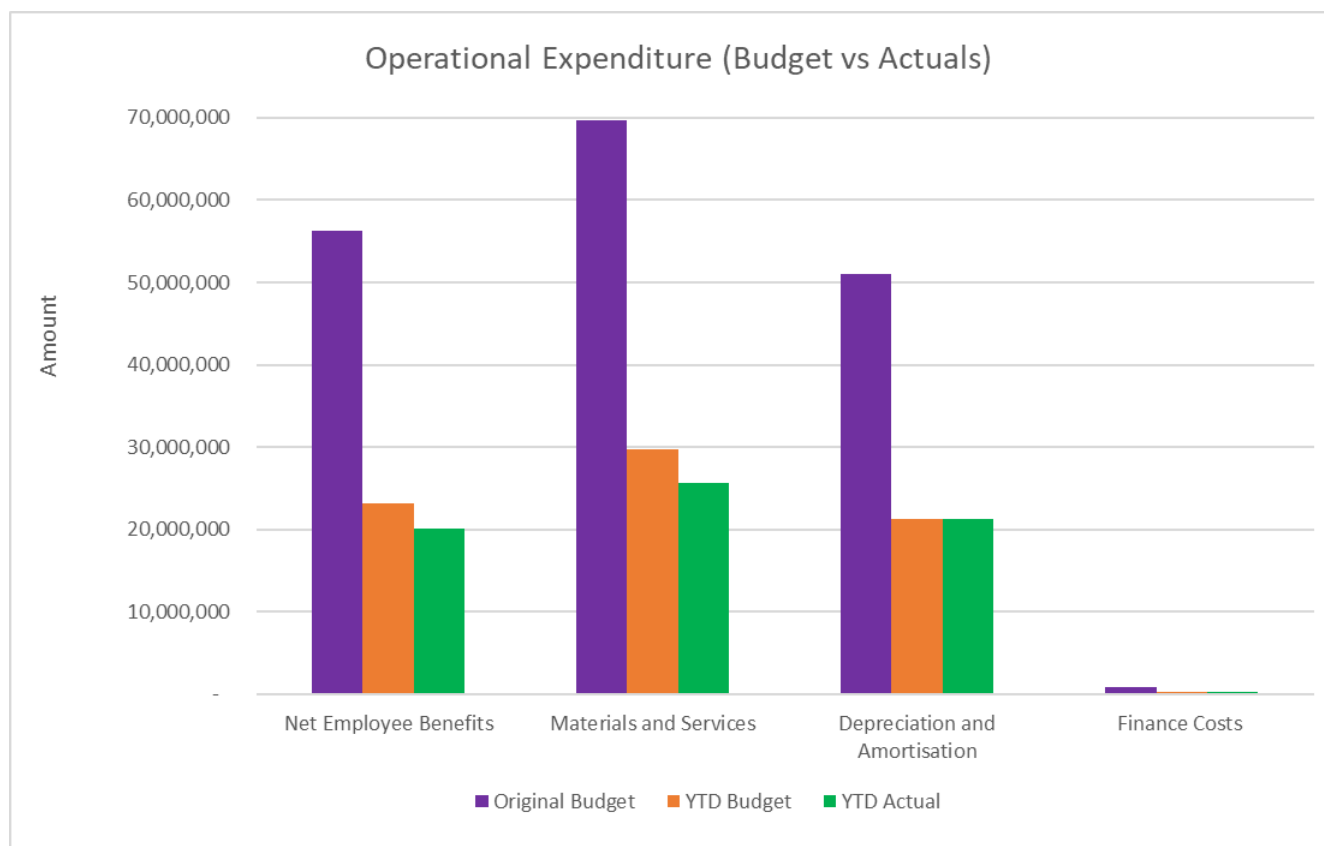
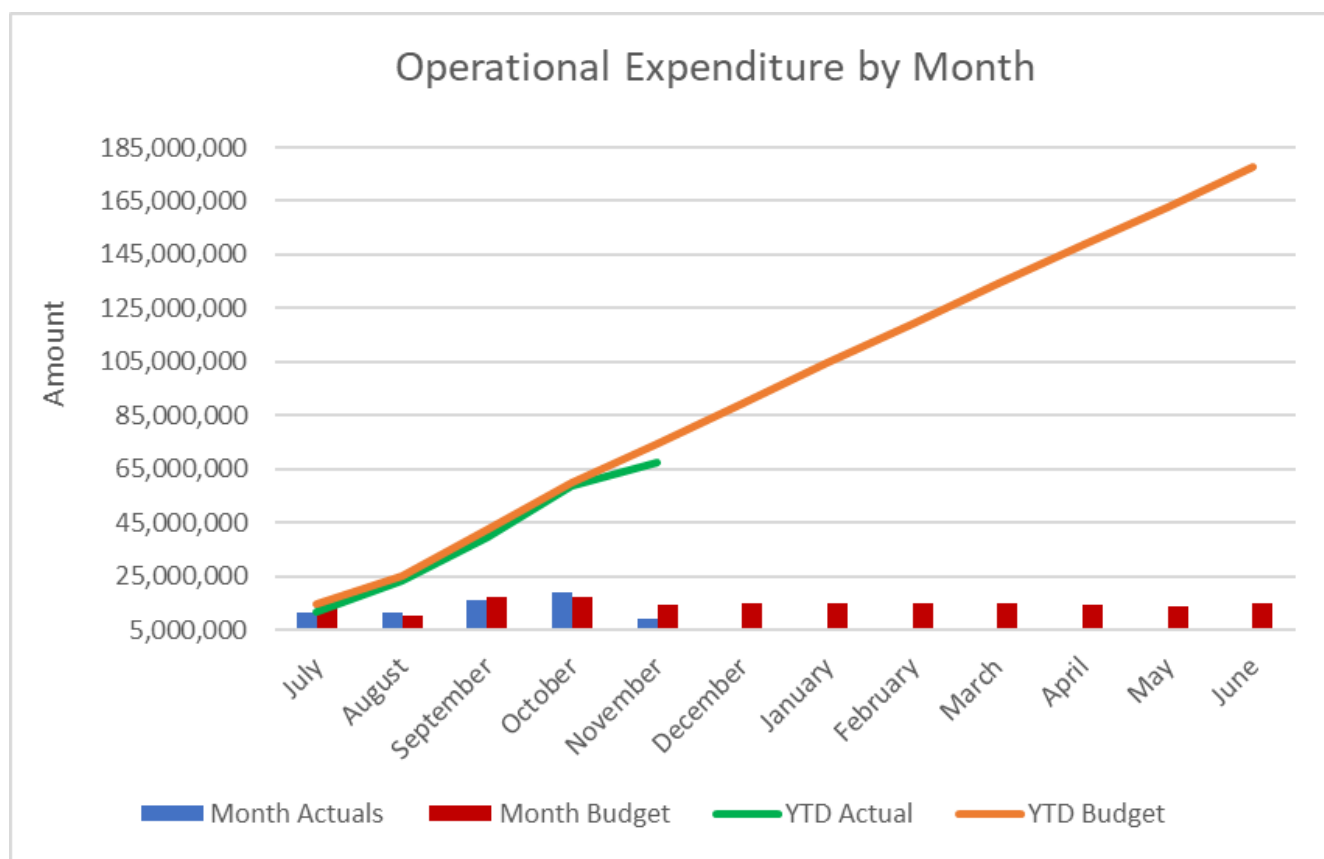
Graphs and a summary of major variances for revenue and expenses are listed below:



Operational Revenue is \$2,943,957 behind budget as of 18 November 2024, due to:

- ↑ Net Rates and Utility Charges is ahead of budget \$678,233 due mainly to windfarm leases being registered and now rated. This was not budgeted. Revenue is expected to remain ahead of budget for the year due to this. Discounts have exceeded budget due to the additional rates revenue received;

- ↑ Fees and Charges income is ahead of budget mainly due to building and plumbing inspections, development applications and rates searches exceeding budget;
- ↑ Rental and Levies is ahead of budget due mainly to receiving revenue for Community Housing. When forming the 2024-25 budget there were no budget inclusions (revenue or expenditure) for Community housing due to the handover date being delayed until 30 September 2024;
- ↓ Sales of Major Services is behind budget due mainly to Quarry income being under budget due to gravel booked out to jobs being behind projected phasing and two weeks of sales not processed due to the timing of writing this report. Saleyards income however is surpassing budget with higher throughput.;
- ↓ Operating Grants and Subsidies is behind budget. The Financial Assistance Grant will fall short of budget by \$933,372 for the year. With the change to the grant calculation methodology that was introduced, eleven (11) per cent reductions were anticipated over 2022-23, 2023-24 and 2024-25, totalling \$5,400,000 over the three years. The actual allocations over the three years have been \$47,100,000; compared to the estimated \$40,000,000, meaning council has fared well compared to the expected loss. It is anticipated that the 2025-26 allocation will not decrease. There are also a few budget phasing issues for some minor grants, with grants received earlier than phasing;
- ↓ Interest Revenue is behind budget by \$3,548,178 due mainly to:
 - (a) Queensland Investment Corporation:
 - (i) Dividends – is ahead of budget \$197,024 due to greater returns with \$667,778 received year to date. Dividends are paid quarterly; and
 - (ii) Change in unit value – is behind budget \$3,261,679 due to the long-term investment losing market value in July. The quarterly distribution paid on 1 July (for April-June) was accrued back to the 2023-24 financial year. The reversal of the accrual was only processed upon completion of the audit, so this has overstated the returns in the monthly finance reports to date, which has offset the July market loss. The reduction in market value in July means revenue from Queensland Investment Corporation investments is under budget. Positive market movements have occurred in the last few months but not to the extent of the loss incurred in July. The movement for November has not been recognised due to the timing of writing this report;
 - (b) Queensland Treasury Corporation investment is behind budget \$432,755 due to November income not being recognised due to the timing of writing this report; and
 - (c) General interest income is behind budget \$50,769 due to less cash held in the day-to-day account, lower interest rates and two weeks of interest outstanding due to the timing of writing this report.
- ↓ Other Income is behind budget mainly due to income for Big Skies ticket sales being behind budget (\$134,000).



Operational Expenditure is \$7,045,907 behind budget as of 18 November 2024 due to:

- ↓ Net Employee Benefits is behind budget \$3,083,804 due to one pay period being outstanding due to the timing of writing this report;
- ↓ Materials and Services is behind budget \$3,959,626 due to outstanding invoices not being accrued at the end of the month as well as two weeks of November expenditure outstanding at the time of writing this report;
- ← Depreciation and Amortisation is in line with budget; and
- ↓ Finance Costs are in line with budget.

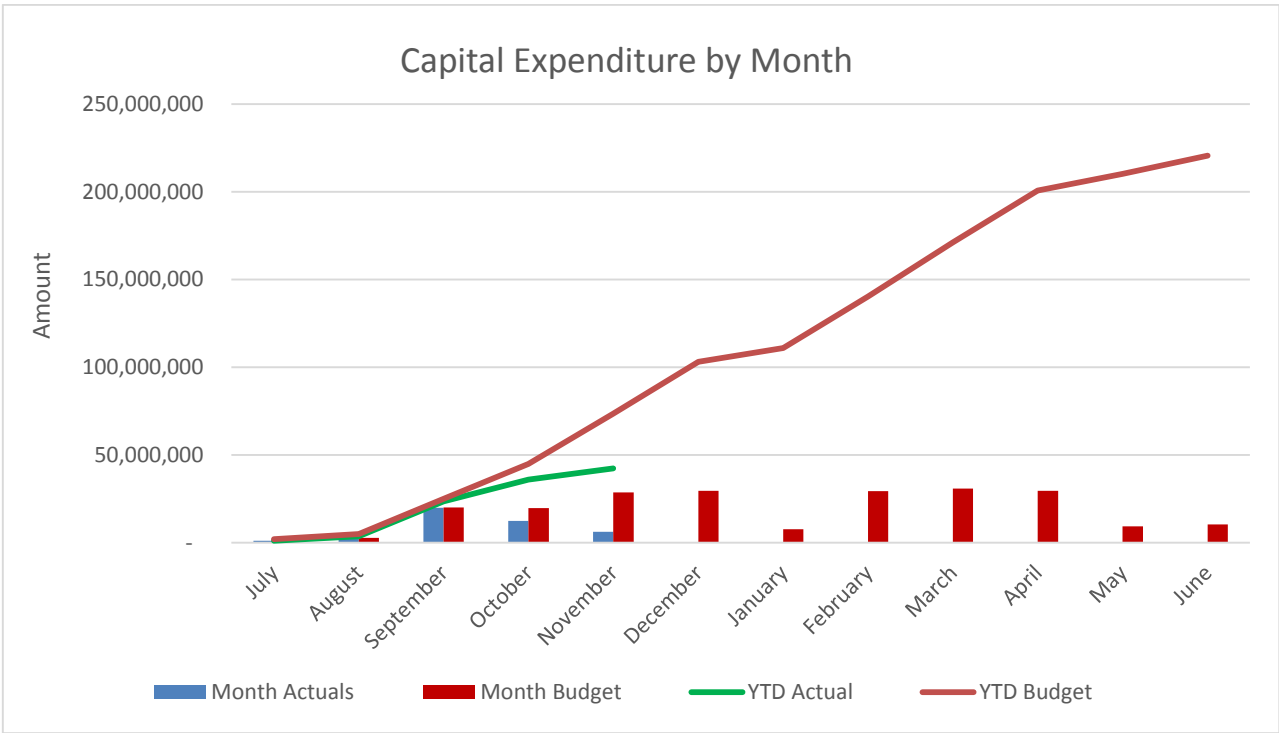
2. Capital Revenue and Expenditure

Capital Revenue

- ↑ Capital Revenue is greater than budget by \$723,131 with \$3,723,131 received as of 18 November 2024 due to additional revenue received which was not budgeted (Works For Qld - Evaporation Ponds). There have also been phasing issues with some grants not received due to the timing of completing the works.

Capital Expenditure

- ↓ Capital Expenditure is behind budget \$31,309,680 as of 18 November 2024 with \$42,289,628 spent year to date. This underspend is due to project schedules being pushed out due to contractor availability and two weeks of November expenditure outstanding at the time of writing this report.



Below is a summary of the capital works programme broken up by budget type.

By Budget Type				
Division	Total Approved Budget	YTD Budget	YTD Actuals	Variance (YTD Budget less YTD Actuals)
Total Council	220,525,763	73,599,307	42,289,628	31,309,680
General	84,724,696	24,327,999	18,989,070	5,338,930
Flood	130,757,814	46,966,766	21,461,833	25,504,933
Carry-Over	5,043,253	2,304,542	1,838,725	465,817

- (1) Council's general programme is behind budget \$5,338,930 with two weeks of November expenditure outstanding; No delivery issues at this stage;
- (2) Council's flood programme is behind budget \$25,504,933. The budget for flood works is based on approved works, however Council will only get paid for the actual costs. At this point Council's costs are lower than the approved value. A majority of the flood programme is due for completion in March 2025. \$130,757,814 was carried over from 2023-24 to 2024-25; and
- (3) Council's carry-over programme (projects carried over from 2023-24 to 2024-25) is behind budget by \$465,817, this is due to a lag in invoices received and delivery issues. Please see attachment two (2024-25 Carry Forward Programme update) which lists a summary of the carry-over programme and multi-year projects included in the general programme with a carry-over component from 2023-24. The flood programme has been excluded from this report.

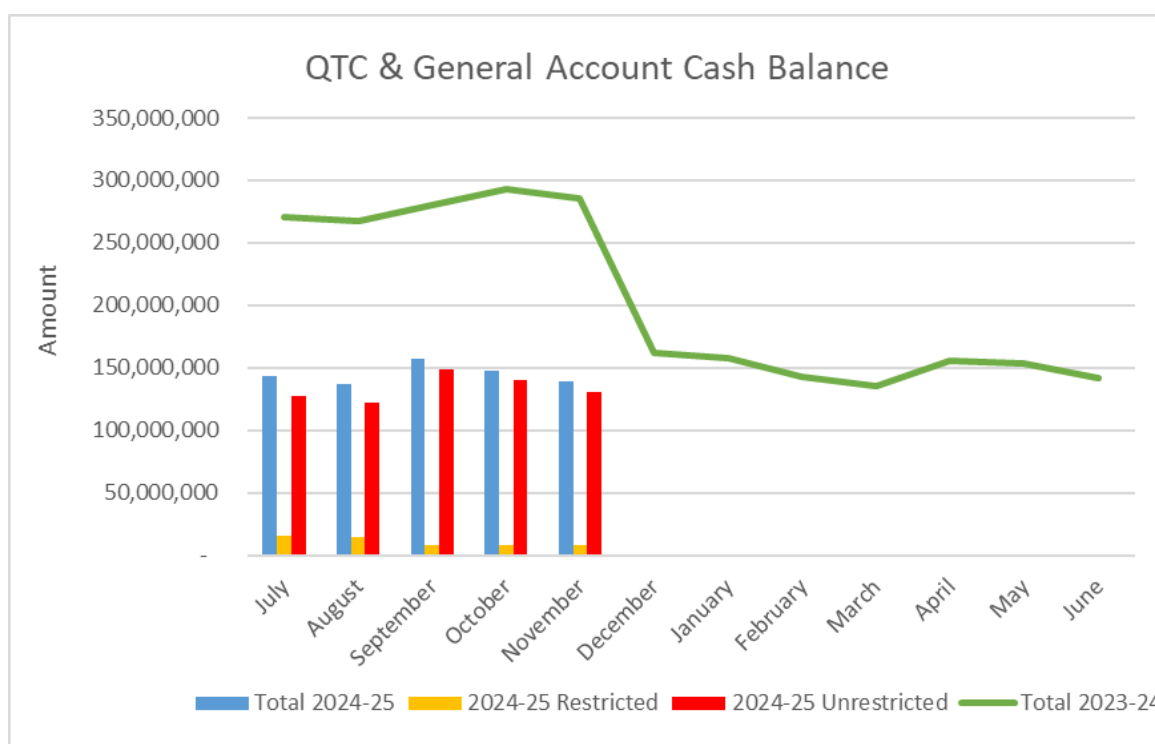
3. Cash and Investments

Council's Cash and Investments as of 18 November 2024 totalled \$256,390,384. Council's cash is made up of:

- (1) \$138,830,404 *QTC Cash Fund and General Bank Account (as of 18 November 2024)*; and
- (2) \$117,559,980 *QIC Investment Fund (as of 31 October 2024)*.

(a) Queensland Treasury Corporation Cash Fund and General bank account

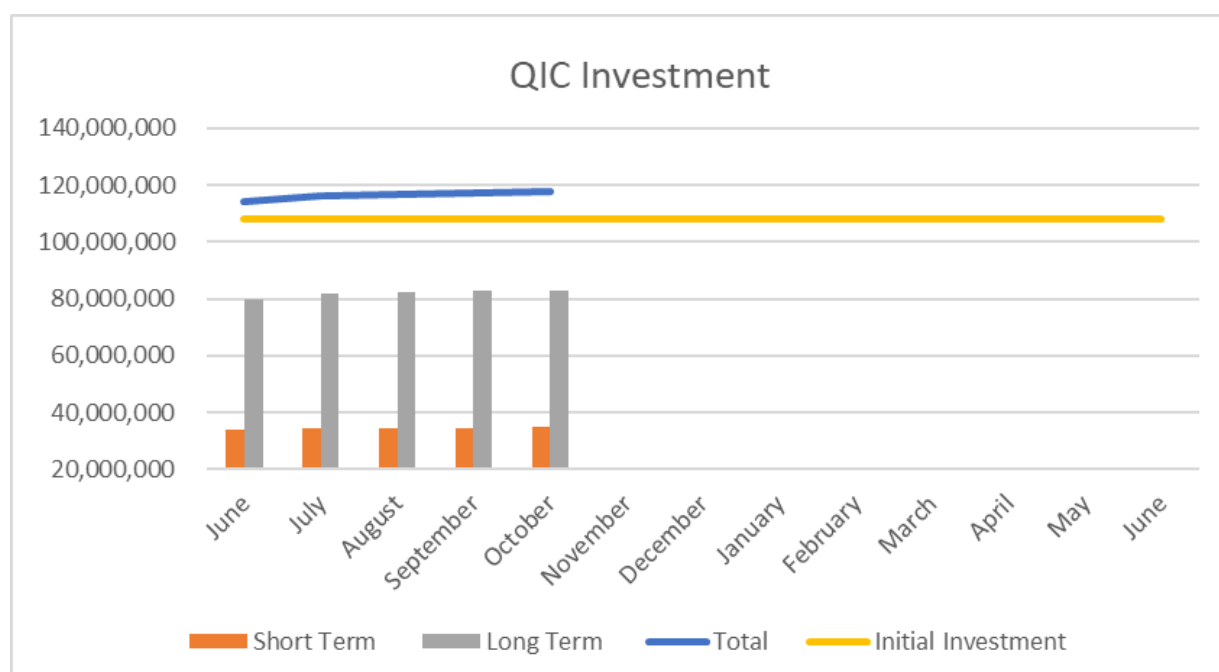
The balance in the Queensland Treasury Corporation cash fund and general bank account at 18 November 2024 totalled \$138,830,404, of which \$8,221,547 is considered restricted in nature, leaving the unrestricted balance at \$130,608,857 which represents 12.4 months of operating expenses, excluding depreciation, in which Council could sustain itself without receiving any forms of income. This position exceeds the legislative and Council's target of four months. The interest rate received for the Queensland Treasury Corporation Cash fund as of 31 October 2024 was 4.97 per cent.



(b) Queensland Investment Corporation Investments

The balance in the Queensland Investment Corporation's investment accounts at 31 October 2024 totalled \$117,559,980. At the time of writing this report, November figures were not available. Distributions (interest received) received for these accounts are reinvested back into the investments as units. Changes in balances also occur from the change in the unit value. Changes in balance are recognised monthly, where the distributions are recognised quarterly, Council can at any point call upon these funds. Balances as at 31 October 2024 for each investment is listed below:

- (i) \$34,875,866 Queensland Investment Corporation's Short-Term Income Fund; and
- (ii) \$82,684,114 Queensland Investment Corporation's Long-Term Diversified Fund.



Consultation (Internal/External)

There has been consultation with managers and co-ordinators in the preparation of the monthly financial report.

Legal/Policy Implications (Justification if applicable)

There are no legal nor policy implications associated with the consideration of the monthly financial report.

Budget/Financial Implications

Council adopted the 2025 Financial Year Original Budget on 20 June 2024. The attached one-page report details the position for the period ending 18 November 2024.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* 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

Council is currently ahead of budget with no budget concerns at this stage.

Attachments

1. One Page Report November 2024; and
2. 2024-25 Carry Forward Programme Update

Authored by: C. Prain, FINANCIAL PLANNING & ANALYSIS SUPERVISOR



Western Downs Regional Council
One Page Result
Period Ending: 18 November 2024

	Council Consolidated				Council Net				Commercial Works			
	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance
Operating Revenue												
Rates and Utility Charges	(114,866,848)	(57,984,856)	(58,962,703)	(977,847)	(91,105,482)	(46,104,174)	(47,096,562)	(992,388)	-	-	-	-
Volumetric	(7,950,664)	-	26,889	26,889	-	-	-	-	-	-	-	-
Less: Discounts & Pensioner Remissions	6,142,028	2,871,016	3,143,741	272,725	4,659,181	2,329,591	2,642,375	312,784	-	-	-	-
Net Rates and Utility Charges	(116,675,483)	(55,113,840)	(55,792,073)	(678,233)	(86,446,301)	(43,774,583)	(44,454,187)	(679,604)	-	-	-	-
Fees and Charges	(8,629,980)	(3,595,346)	(3,912,998)	(317,652)	(4,347,949)	(1,811,166)	(2,185,315)	(374,149)	-	-	-	-
Rental and Levies	(663,866)	(276,611)	(363,270)	(86,659)	(568,866)	(237,028)	(331,642)	(94,614)	-	-	-	-
Sales of Major Services	(20,943,884)	(6,867,268)	(6,743,235)	124,033	-	-	(250,000)	(250,000)	(6,227,066)	(1,075,689)	(1,095,643)	(19,954)
Operating Grants & Subsidies	(17,541,832)	(14,940,640)	(14,760,002)	180,638	(17,541,832)	(14,940,640)	(14,760,002)	180,638	-	-	-	-
Interest and Investment Revenue	(14,426,500)	(5,697,206)	(2,149,028)	3,548,178	(14,319,062)	(5,652,440)	(2,114,235)	3,538,205	-	-	-	-
Other Income	(1,533,735)	(1,084,268)	(910,616)	173,652	(1,348,735)	(1,007,185)	(895,986)	111,199	-	-	-	-
Total Operating Revenue	(180,415,280)	(87,575,179)	(84,631,222)	2,943,957	(124,572,745)	(67,423,042)	(64,991,367)	2,431,675	(6,227,066)	(1,075,689)	(1,095,643)	(19,954)
Operating Expenses												
Employee Benefits	62,787,875	25,098,157	22,465,700	(2,632,457)	50,254,781	19,907,510	18,756,800	(1,150,710)	1,349,790	562,412	701,477	139,065
Less Capitalised Employee Benefits	(6,579,287)	(1,899,249)	(2,350,596)	(451,347)	(6,191,181)	(1,768,909)	(2,328,486)	(559,577)	-	-	-	-
Net Employee Benefits	56,208,588	23,198,908	20,115,104	(3,083,804)	44,063,600	18,138,601	16,428,314	(1,710,287)	1,349,790	562,412	701,477	139,065
Materials and Services	69,717,316	29,659,680	25,700,054	(3,959,626)	41,230,143	17,976,520	14,865,470	(3,111,050)	4,308,906	1,795,378	2,803,764	1,008,386
Depreciation and Amortisation	51,071,854	21,279,939	21,279,939	-	40,657,892	16,940,788	16,940,788	-	-	-	-	-
Finance Costs	781,910	325,796	323,319	(2,477)	781,910	325,796	323,319	(2,477)	-	-	-	-
Corporate Overhead	-	-	-	-	(3,843,340)	(1,601,392)	(1,601,392)	-	442,106	184,211	184,211	-
Total Operating Expenses	177,779,668	74,464,323	67,418,416	(7,045,907)	122,890,205	51,780,314	46,956,500	(4,823,814)	6,100,802	2,542,001	3,689,452	1,147,451
Operating (surplus)/deficit	(2,635,613)	(13,110,856)	(17,212,806)	(4,101,950)	(1,682,540)	(15,642,729)	(18,034,867)	(2,392,139)	(126,265)	1,466,312	2,593,809	1,127,497
Capital Revenue												
Capital Grants & Subsidies	(9,054,730)	(2,000,000)	(2,418,065)	(418,065)	(9,054,730)	(2,000,000)	(2,418,065)	(418,065)	-	-	-	-
Contributions	(1,000,000)	(1,000,000)	(1,305,066)	(305,066)	(1,000,000)	(1,000,000)	(1,305,066)	(305,066)	-	-	-	-
Contributions - Contributed Assets	(100,000)	-	-	-	(100,000)	-	-	-	-	-	-	-
Contributions from Developers - Cash	(300,000)	-	-	-	(300,000)	-	-	-	-	-	-	-
Disposal of Non-Current Assets	(100,000)	-	-	-	(100,000)	-	-	-	-	-	-	-
Total Capital Revenue	(10,554,730)	(3,000,000)	(3,723,131)	(723,131)	(10,554,730)	(3,000,000)	(3,723,131)	(723,131)	-	-	-	-
Capital Expenses												
Loss of Revaluation of Inventory	-	-	-	-	-	-	-	-	-	-	-	-
Restoration of Land Provision	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expense Write-Off	10,000,000	-	-	-	10,000,000	-	-	-	-	-	-	-
Total Capital Expenses	10,000,000	-	-	-	10,000,000	-	-	-	-	-	-	-
Net Result (surplus)/deficit	(3,190,343)	(16,110,856)	(20,935,937)	(4,825,081)	(2,237,270)	(18,642,729)	(21,757,998)	(3,115,270)	(126,265)	1,466,312	2,593,809	1,127,497
Capital Funding Applications												
Capital Expenditure - New Assets	29,587,731	6,471,666	3,616,752	(2,854,914)	13,836,465	2,669,890	1,359,784	(1,310,106)	-	-	-	-
Capital Expenditure - Upgrade Assets	7,933,760	3,067,111	1,831,283	(1,235,828)	7,843,760	3,067,111	1,831,283	(1,235,828)	-	-	-	-
Capital Expenditure - Replacement Assets	183,004,272	64,060,530	36,841,593	(27,218,938)	170,873,929	59,888,530	32,230,170	(27,658,361)	-	-	-	-
Total Capital Funding Applications	220,525,763	73,599,307	42,289,628	(31,309,680)	192,554,154	65,625,531	35,421,237	(30,204,295)	-	-	-	-



Western Downs Regional Council
One Page Result
Period Ending: 18 November 2024

	Gas				Water				Sewerage			
	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance
Operating Revenue												
Rates and Utility Charges	-	-	-	-	(6,839,917)	(3,419,958)	(3,414,936)	5,022	(10,369,888)	(5,184,944)	(5,166,118)	18,826
Volumetric	-	-	-	-	(7,950,664)	-	26,889	26,889	-	-	-	-
Less: Discounts & Pensioner Remissions	-	-	17,531	17,531	691,691	145,846	120,970	(24,876)	484,843	242,422	225,621	(16,801)
Net Rates and Utility Charges	-	-	17,531	17,531	(14,098,890)	(3,274,112)	(3,267,077)	7,035	(9,885,045)	(4,942,522)	(4,940,497)	2,025
Fees and Charges	(32,000)	(9,167)	(10,092)	(925)	(1,333,000)	(559,583)	(503,487)	56,096	-	-	(17,455)	(17,455)
Rental and Levies	-	-	-	-	(95,000)	(39,583)	(31,628)	7,955	-	-	-	-
Sales of Major Services	(3,761,708)	(1,226,951)	(1,202,338)	24,613	(35,000)	(14,583)	(1,716)	12,867	(11,000)	(4,583)	(1,476)	3,107
Operating Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-	-
Interest and Investment Revenue	-	-	-	-	(44,025)	(18,344)	(18,852)	(508)	(35,000)	(14,583)	(7,988)	6,595
Other Income	-	-	-	-	-	-	-	-	-	-	-	-
Total Operating Revenue	(3,793,708)	(1,236,118)	(1,194,899)	41,219	(15,605,915)	(3,906,205)	(3,822,760)	83,445	(9,931,045)	(4,961,688)	(4,967,416)	(5,728)
Operating Expenses												
Employee Benefits	274,645	114,432	64,834	(49,598)	5,677,166	2,365,486	1,564,473	(801,013)	2,296,558	956,899	503,751	(453,148)
Less Capitalised Employee Benefits	-	-	-	-	-	-	-	-	-	-	-	-
Net Employee Benefits	274,645	114,432	64,834	(49,598)	5,677,166	2,365,486	1,564,473	(801,013)	2,296,558	956,899	503,751	(453,148)
Materials and Services	1,606,740	669,500	432,302	(237,198)	4,455,620	1,777,973	2,554,111	776,138	1,825,350	728,870	627,198	(101,672)
Depreciation and Amortisation	327,571	136,488	136,488	-	5,898,555	2,457,731	2,457,731	-	2,983,585	1,243,160	1,243,160	-
Finance Costs	-	-	-	-	-	-	-	-	-	-	-	-
Corporate Overhead	250,534	104,389	104,389	-	1,475,413	614,755	614,755	-	828,497	345,207	345,207	-
Total Operating Expenses	2,459,490	1,024,809	738,013	(286,796)	17,506,754	7,215,946	7,191,071	(24,875)	7,933,990	3,274,137	2,719,317	(554,820)
Operating (surplus)/deficit	(1,334,218)	(211,309)	(456,886)	(245,577)	1,900,839	3,309,741	3,368,311	58,570	(1,997,055)	(1,687,552)	(2,248,100)	(560,548)
Capital Revenue												
Capital Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Net Result (surplus)/deficit	(1,334,218)	(211,309)	(456,886)	(245,577)	1,900,839	3,309,741	3,368,311	58,570	(1,997,055)	(1,687,552)	(2,248,100)	(560,548)
Capital Funding Applications												
Capital Expenditure - New Assets	-	-	-	-	14,724,825	3,240,000	1,869,619	(1,370,381)	-	-	-	-
Capital Expenditure - Upgrade Assets	-	-	-	-	90,000	-	-	-	-	-	-	-
Capital Expenditure - Replacement Assets	-	-	-	-	9,706,230	3,565,000	4,416,208	851,208	1,400,000	450,000	90,553	(359,447)
Total Capital Funding Applications	-	-	-	-	24,521,055	6,805,000	6,285,827	(519,173)	1,400,000	450,000	90,553	(359,447)



Western Downs Regional Council
One Page Result
Period Ending: 18 November 2024

	Quarry				Waste				Saleyards				Washdown Bays			
	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance
Operating Revenue																
Rates and Utility Charges	-	-	-	-	(6,551,561)	(3,275,780)	(3,285,087)	(9,307)	-	-	-	-	-	-	-	-
Volumetric	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Less: Discounts & Pensioner Remissions	-	-	-	-	306,313	153,157	137,244	(15,913)	-	-	-	-	-	-	-	-
Net Rates and Utility Charges	-	-	-	-	(6,245,248)	(3,122,623)	(3,147,843)	(25,220)	-	-	-	-	-	-	-	-
Fees and Charges	-	-	-	-	(2,007,031)	(836,263)	(799,357)	36,906	-	-	-	-	(910,000)	(379,167)	(397,292)	(18,125)
Rental and Levies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sales of Major Services	(7,792,606)	(3,246,919)	(2,509,076)	737,843	-	-	-	-	(3,116,504)	(1,298,543)	(1,682,986)	(384,443)	-	-	-	-
Operating Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest and Investment Revenue	-	-	-	-	(28,413)	(11,839)	(7,953)	3,886	-	-	-	-	-	-	-	-
Other Income	-	-	-	-	(185,000)	(77,083)	(14,630)	62,453	-	-	-	-	-	-	-	-
Total Operating Revenue	(7,792,606)	(3,246,919)	(2,509,076)	737,843	(8,465,692)	(4,047,808)	(3,969,783)	78,025	(3,116,504)	(1,298,543)	(1,682,986)	(384,443)	(910,000)	(379,167)	(397,292)	(18,125)
Operating Expenses																
Employee Benefits	1,246,309	492,160	420,660	(71,500)	759,223	316,242	179,322	(136,920)	782,399	321,764	218,017	(103,747)	147,004	61,252	56,366	(4,886)
Less Capitalised Employee Benefits	(345,446)	(116,800)	(11,729)	105,071	-	-	-	-	(42,660)	(13,540)	(10,381)	3,159	-	-	-	-
Net Employee Benefits	900,863	375,360	408,931	33,571	759,223	316,242	179,322	(136,920)	739,739	308,224	207,636	(100,588)	147,004	61,252	56,366	(4,886)
Materials and Services	4,978,492	2,074,715	1,204,270	(870,445)	9,399,660	3,912,301	2,711,425	(1,200,876)	1,358,926	567,139	346,077	(221,062)	553,479	157,284	155,437	(1,847)
Depreciation and Amortisation	23,036	9,598	9,598	-	617,275	257,198	257,198	-	512,181	213,409	213,409	-	51,759	21,566	21,566	-
Finance Costs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Corporate Overhead	330,323	137,635	137,635	-	272,697	113,624	113,624	-	188,051	78,354	78,354	-	55,720	23,217	23,217	-
Total Operating Expenses	6,232,714	2,597,308	1,760,434	(836,874)	11,048,855	4,599,365	3,261,569	(1,337,796)	2,798,897	1,167,126	845,476	(321,650)	807,962	263,319	256,586	(6,733)
Operating (surplus)/deficit	(1,559,892)	(649,611)	(748,642)	(99,031)	2,583,162	551,557	(708,214)	(1,259,771)	(317,608)	(131,417)	(837,510)	(706,093)	(102,038)	(115,848)	(140,706)	(24,858)
Capital Revenue																
Capital Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Net Result (surplus)/deficit	(1,559,892)	(649,611)	(748,642)	(99,031)	2,583,162	551,557	(708,214)	(1,259,771)	(317,608)	(131,417)	(837,510)	(706,093)	(102,038)	(115,848)	(140,706)	(24,858)
Capital Funding Applications																
Capital Expenditure - New Assets	-	-	-	-	715,776	455,776	311,605	(144,171)	220,665	16,000	445	(15,555)	90,000	90,000	75,299	(14,701)
Capital Expenditure - Upgrade Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure - Replacement Assets	-	-	-	-	-	-	-	-	507,328	157,000	59,590	(97,410)	516,785	-	45,072	45,072
Total Capital Funding Applications	-	-	-	-	715,776	455,776	311,605	(144,171)	727,993	173,000	60,035	(112,965)	606,785	90,000	120,371	30,371

Western Downs Regional Council Capital Status Update Nov-24																	
Project Details			Projects Status						Financial Information								
Project Description	Budget Type	District	Populate	Populate	Populate	2024-25 Approved Budget	2023-24 Carry Over	Multi Year Project	YTD Budget	YTD Actuals	YTD Variance (YTD Budget less YTD Actuals)	Populate	Remaining Spend (estimated spend less actuals)	Project Variance (Under Budget)/Over Budget)	Comments		
			Project Complete	Project Issues Budget/ Delivery	Project Start							Project End				Estimated Final Spend	
Tara Landfill Weighbridge	Carry-Over	Tara		Budget	Sep-24	Apr-25	361,258	361,258		221,258	123,771	97,487	620,377	496,606	259,119	Report being presented to November Ordinary Meeting recommending a preferred civil work tenderer (Newlands Civil) as well as seeking Council's approval for additional budget funds to complete the project. The Acting Chief Executive signed a letter to the Director General of DESI seeking additional subsidy however no response received at this stage. Highly unlikely to receive a positive result.	
Wandoan Landfill Weighbridge	Carry-Over	Wandoan		Budget	Sep-24	Apr-25	318,418	318,418		198,418	176,834	21,584	770,303	593,469	451,885	Report being presented to November Ordinary Meeting recommending a preferred civil work tenderer (Newlands Civil) as well as seeking Council's approval for additional budget funds to complete the project. The Acting Chief Executive signed a letter to the Director General of DESI seeking additional subsidy however no response received at this stage. Highly unlikely to receive a positive result.	
New Office, Toilet Facility and Replacement of Cold Room at the Chinchilla Washdown Facility	Carry-Over	Chinchilla	Yes		Sep-24	Sep-24	90,000	90,000		90,000	75,299	14,701	75,299	-	(14,701)	Project completed	
Dalby Washdown Facility Mitigation Works	Carry-Over	Dalby			Jan-25	Mar-25	516,785	516,785		-	45,072	(45,072)	516,785	471,713	-	Thomas Mannhardt (superintendent) overseeing project. MFE have raised Tax Invoice for Progress Claim No 1 \$46,452.86. Expected closure of facility and works to commence is January 2025.	
Wind Turbine Blade Installation at Bell	Carry-Over	Bell	Yes		Mar-23	Oct-24	57,367	57,367		57,367	57,143	224	56,482	(661)	(885)	Project completed in October.	
Regional Sculpture Trail/Public Art	Carry-Over	Regional	Yes		Oct-24	Nov-24	48,810	48,810		30,000	20,350	9,650	48,810	28,460	-	The relocation of the project to Tara Lagoon, and the painting of the mural on a newly constructed wall will be done by end October, with 2 weeks paint curing time before we can put an "anti-graffiti" coating over the mural.	
Dalby Cunningham St (Main St) Redevelopment Design	Carry-Over	Dalby			Sep-24	Mar-25	224,933	224,933		60,000	12,964	47,037	224,933	211,970	-	This project has now commenced, and the community consultation is taking place from early November 2024.	
Regional Park Signage (100724) (Inc 2023/24 Carry-Overs)	General	Regional			Dec-24	May-25	58,119	18,119	Yes	-	339	(339)	58,119	57,780	-	Engaged with comms & Tourism - awaiting design return expected by December - project completion estimated April 25.	
Upgrade of Waterloo Plains Environmental Park Wandoan	Carry-Over	Wandoan			Sep-24	Jun-25	421,726	421,726		100,000	33,522	66,478	421,726	388,204	-	Cultural heritage finalised Shelter and platform construction commenced 4/11	
Boundary Fence Replacement Central Park Jandowae	Carry-Over	Jandowae			Sep-23	Apr-25	52,300	52,300		-	-	-	52,300	52,300	-	Partial Works Awarded - laser cutting only. RFQ for design and construct to release October.	
Wandoan War Memorial, Racing and Recreation Reserve JG Willacy Pavilion Re-Stumping 2023/24	Carry-Over	Wandoan	Yes		Sep-24	Sep-24	71,890	71,890		71,890	71,890	-	71,890	-	-	Project completed in September. Awaiting final certification to pay invoice	
Wandoan Recreation Reserve Power Poles Replacement	Carry-Over	Wandoan			Nov-25	Jun-25	98,260	98,260		10,000	1,767	8,233	98,260	96,493	-	RFQ sent, closes 22/11	
Miles Aquatic Filter Replacement 2023/24	Carry-Over	Miles	Yes	Budget	2023	Sep-24	136,850	136,850		136,850	149,854	(13,004)	149,854	-	13,004	Project completed in August. Variance due to technical consultant inspection required during the works	
Regional Power Pole Renewal (Sport & Recreation Grounds Renewal Program) 2023/24 (100273)	Carry-Over	Regional			Nov-24	Apr-25	83,487	83,487		10,000	11,283	(1,283)	83,487	72,204	-	RFQ sent, closes 22 Nov	
4B Moore St Wandoan Interior Painting & AC Replacement (Council Housing Renewal Program) 2023/24	Carry-Over	Wandoan	Yes			Oct/24	15,000	15,000		15,000	11,245	3,755	11,245	-	(3,755)	Project completed in October	
Extend Leasing Space at Dalby Aerodrome 2023/24	Carry-Over	Dalby			Mar-24	Sep-24	374,998	374,998		374,998	232,328	142,670	374,998	142,670	-	Project completed in Sep. Awaiting final invoice and working through defects	
SCADA Firewall Architecture Changes Phase 1 (100170)	Carry-Over	Regional	Yes		Jul-24	1/11/2024	49,523	49,523		49,523	49,523	0	49,523	0	-	All hardware has been purchased and received. Installation of hardware is funded by operational budget.	
Dalby Water Supply Upgrade - Treatment Development (100650) (Inc 2023/24 Carry-Overs)	General	Dalby				Jun/25	10,751,732	313,732	Yes	2,000,000	130,369	1,869,631	10,751,732	10,621,363	-	Evap Ponds Tender Docs being advertised, closing 7/11/24. Carry-over intended for Pilot plant testing, proposed work on hold pending review of Bore quality results.	
Water Regional Mains Replacement (Inc 2023/24 Carry-Overs)	General	Regional				Jun/25	2,499,012	99,012	Yes	730,000	299,096	430,904	2,499,012	2,199,916	-	Contract execution stage	
Dalby Water Supply Upgrade - Pipeline Corridor (100443) (Inc 2023/24 Carry-Overs)	General	Dalby				Jun/25	9,260,311	7,273,311	Yes	3,800,000	5,669,807	(1,869,807)	9,260,311	3,590,504	-	Carry-over due to contract negotiations for Stage 2 in progress. Stage 1 pipeline has been installed.	
Install Solar Panelling @ Dalby CSC Car Park (100468) 2021/22	Carry-Over	Dalby				Dec-24	146,324	146,324		60,000	-	60,000	-	-	(146,324)		
3267 Hino Crane Truck Replacement 2023/24	Carry-Over	Regional	Yes		Sep-24		200,000	200,000		200,000	174,336	25,664	174,336	-	(25,664)	Project completed	
3491 Fuso Canter 815 Crew Truck Replacement 2023/24	Carry-Over	Regional	Yes	Budget		Sep-24	140,000	140,000		140,000	172,031	(32,031)	172,031	-	32,031	Project completed	
2023/24 White Fleet Replacement Program 2023/24	Carry-Over	Regional	Yes			Sep-24	231,314	231,314		231,314	-	231,314	-	-	(231,314)	Project completed	
2532 Isuzu Water Truck Replacement 2023/24	Carry-Over	Regional				Oct-24	301,222	301,222		-	-	-	301,222	301,222	-		
Emergency Management Trailers x2 - Disaster Resilience Project (Shell/QGC) 2023/24	Carry-Over	Regional				Oct-24	50,000	50,000		-	-	-	50,000	50,000	-		
Sandalwood Avenue (New Footpath) - LRCI Phase 4 (100168) (Inc 23/24 Carry-Overs)	General	Dalby			Jan/24	Jun/25	720,000	20,000	Yes	-	4,559	(4,559)	720,000	715,441	-	Design being finalised	
Slessar Street - New Footpath (LRCI Part A) (100270) (Inc 23/24 Carry-Overs)	General	Chinchilla			Dec-24	Jun/25	370,000	20,000	Yes	200,000	-	200,000	200,000	200,000	(170,000)	Works in Progress	
Wheeler St (0 - 0.424) - Reconstruct (100350) (Inc 23/24 Carry-Overs)	General	Chinchilla			Sep-24	Dec-24	472,422	374,727	Yes	147,695	232,734	(85,039)	472,422	239,688	-	In progress. Issues with stormwater installtion due to power pole relocation and wet weather. Works programmed to be completed by end of November weather pending	
Dorney St (0 - 0.473) Reconstruct (100653) (Inc 23/24 Carry-Overs)	General	Chinchilla	Yes		Sep-24	Nov-24	528,507	419,522	Yes	528,507	378,733	149,774	430,000	51,267	(98,507)	WORKS COMPLETE - awaiting on final invoices Carry over \$ from 23/24 fy	
Markham's Hill Rd (2592m to 5041m) - Upgrade (100687) (Inc 2023/24 Carry-Overs)	General	Dalby			May-25	Jun/25	744,891	142,994	Yes	-	-	-	744,891	744,891	-		
Upper Humbug Road (0.00 - 0.00) (Resource Funded - QGC) (Inc 2023/24 Carry-Overs)	General	Tara	Yes		Jul/24	Oct-24	1,663,515	1,253,894	Yes	1,463,515	1,278,636	184,879	1,663,515	384,879	-	WORKS COMPLETE - Awaiting final invoices	
McCaskers Road (0.00 - 0.00) (Resource Funded - QGC)	General	Tara	Yes		Jul/24	Sep-24	732,160	(267,840)	Yes	732,160	347,320	384,840	343,720	(3,600)	(388,440)	WORKS COMPLETE	
Clifford Rd, Wandoan (3.0 - 13.75) - LRCI Phase 4 (100418) (Inc 2023/24 Carry-Overs)	General	Wandoan			Feb-25	Jun/25	2,070,500	70,500	Yes	-	192	(192)	2,070,500	2,070,308	-		
Glenern Rd, Glenmorgan (20.5 - 30.00) - LRCI Phase 4 (100664) (Inc 2023/24 Carry-Overs)	General	Tara			Oct-24	Jun/25	2,373,900	73,900	Yes	450,000	443,646	6,354	2,373,900	1,930,254	-	Stage 1 works in progress due for completion Xmas break, long haulage for trucks	
Bundi Road, Wandoan (39 - 44) - LRCI Phase 4 (100597) (Inc 2023/24 Carry-Overs)	General	Wandoan			Oct-24	Feb-25	1,185,100	285,100	Yes	660,000	282,317	377,683	1,185,100	902,783	-	Works in Progress - hold up with cultural heritage approvals for side tracks on culverts	
Girrahween Design and Construction Project (Arrow Energy Funded) (100460)	General	Miles			May-24	Sep-24	871,129	(48,764)	Yes	871,129	792,785	78,344	820,000	27,215	(51,129)	Road Works Completed- Awaiting on final tree mulching after xmas as no availability	
Lawson Street - Burke to Leichhardt (0-0.155) Reconstruct 2023/24 (100680)	Carry-Over	Dalby	Yes	Budget	Jul-24	Jul-24	80,374	80,374		80,374	84,450	(4,076)	84,450	-	4,076	WORKS COMPLETE	
Castle St (0-0.221) Reconstruct 2023/24 (100405)	Carry-Over	Chinchilla	Yes	Budget	Jul-24	Jul-24	8,286	8,286		8,286	43,078	(34,792)	43,078	-	34,792	WORKS COMPLETE Installation of footpath, pram ramps and concrete spoon drain	
Regional Road Resilience 2023/24 (100758)	Carry-Over	Regional			Nov-24	Jun-25	819,242	819,242		100,000	285,187	(185,187)	819,242	534,055	-		
Mary Street area Dalby (Stage 3) (100484) (Inc 2023/24 Carry-Overs)	General	Dalby			Oct-24	Feb-25	1,080,991	750,284	Yes	530,707	-	530,707	1,080,991	1,080,991	-		
Mary Street Stormwater Upgrade 2022/23 (101022)	Carry-Over	Dalby			Nov-24	Mar-25	135,622	135,622		50,000	-	50,000	135,622	135,622	-		
Wandoan Washdown Bay 2022/23 (100178)	Carry-Over	Wandoan	Yes		Jul-24	Sep-24	9,264	9,264		9,264	6,800	2,464	7,700	900	(1,564)	Works complete just commissioning by company delayed due to their availability	
							220,525,763	146,599,558		73,599,307	42,289,628	31,309,680	214,103,741	171,814,113	(410,897)		

Title	Infrastructure Services - New / Additional Yellow Plant Replacement - Bitumen Seal Repair Truck
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Date	13 November 2024
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Responsible Manager	B. Barnett, SENIOR WORKS MANAGER
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Summary

The purpose of this Report is to seek Council's approval to include a new capital project to replace a bitumen seal repair truck into Council's adopted 2024/25 Capital Budget.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We aggressively attract business and investment opportunities.
- Our region is a recognised leader in agribusiness, energy, and manufacturing.
- We deliver water security to enable future economic growth.
- We proactively advance our region as a tourism destination.
- Our business and industry actively live and buy local.

Strategic Priority: Quality Lifestyle

- Our residents are provided with modern infrastructure and quality essential services across our region.
- Our recreational spaces and community facilities are attractive, safe, and accessible.
- We invest in safe, well maintained road networks to connect our region and support economic activities.
- We attract families to live, work, prosper, and play in our region.
- We take pride in our natural assets, environment, and heritage.

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our people are skilled and values driven to make a real difference.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that Council:

1. include the replacement of Isuzu Paveline Autopatch Truck plant number 3421 as a new item in the 2024-2025 Fleet Replacement Programme; and
2. approve the additional Capital Budget expenditure for the replacement of the Isuzu Paveline Autopatch Truck plant number 3421, being \$190,815 in 2024-2025 and \$445,235 in 2025-2026.

Background Information

Each year Council prepares a Fleet Replacement Program to update the Council's plant fleet. During the budget approval process Council approved a list of plant and equipment that would be replaced in the 2024/25 financial year.

In addition to the programmed fleet replacement program approved through the budget process, Council at times may need to evaluate the replacement of its plant fleet outside of the budget process due to plant failures and condition monitoring.

Report

1. RFQ FM10-25-26

During the 2024/25 financial year, it was identified that a Council fleet item, the Isuzu Paveline Autopatch Truck (Plant No. 3421), was due for replacement. This equipment is essential for maintaining Council sealed roads. The industry has estimated a build (product lead) time of 11–14 months.

The existing unit, now 9.6 years old, was originally scheduled to be included for replacement and upgrade in the 2025/26 Plant Replacement Program. However, due to increased downtime caused by wear and heavy use, combined with the extended lead time for a replacement, it is proposed to place the order within this financial year, with delivery expected to occur in the 2025/26 financial year.

This truck is a critical component of Council's regional road maintenance operations, specifically the bitumen sealed road network as it is used to repair the bitumen seal road surface for isolated repairs such as potholes etcetera.

The request to expedite this replacement has been discussed at the Fleet Management Committee meeting on 29 October 2024. The Committee approved seeking quotes for a replacement and the preparation of a report for Council to seek Council approval to include the replacement of this plant item in the current 2024/25 Capital Budget.

Consultation (Internal/External)

Consultation occurred with Council operational staff, ranging from the operators, mechanics, supervisors, works co-ordinators and works managers.

Endorsed by Council's Fleet Management Committee

Legal/Policy Implications (Justification if applicable)

This plant item proposed for replacement will have reached and passed the useful life listed in the Council's adopted Plant and Vehicle Replacement Policy before the replacement plant item is received by Council in 2025/26 financial year.

Budget/Financial Implications

The replacement of this plant item is not currently included in the adopted 2024/25 capital fleet replacement program. However, due to the length of delivery time it is recommended Council add this item to be replaced in the 2024/25 Capital budget to enable the order to be placed as soon as possible with the replacement unit expected for delivery in the 2025/26 financial year.

A security deposit of 30% of the purchase price is required to be paid on placement of the order in 2024/25, with the remaining expenditure is to be paid upon delivery of the unit in 2025/26, phased as a multi-year project.

The total budget for the purchase of the Bitumen Seal Repair Truck is \$636,050 (ex. GST) with expenditure phased as follows: -

2024/25	\$190,815
2025/26	\$445,235
Total	\$636,050

Asset Management

Council's adopted Plant and Vehicle Replacement Policy is based around industry standard useful lives. The quantum of expenditure on replacement plant proposed for 2025/26 is in line with that required to maintain the fleet at these replacement timeframes.

Workplace Health and Safety Implications

Council is bound to purchase machinery that will meet safe working specifications by selecting fit for purpose machinery when purchasing new equipment.

Conclusion

It is recommended to that Council includes the replacement of Isuzu Paveline Autopatch Truck plant number 3421 as a new and additional item in the 2024/25 Fleet Replacement Program, with expenditure phased over two (2) years of \$190,815 in 2024/25 and \$445,235 in 2025/26

Attachments

Authored by: Aidan Priestly, Program Co-ordinator Fleet and Resources and Brianna Barnett, Senior Works Manager

Title	Infrastructure Services Report 2021-22 Flood Damage Restoration Program Progress Update
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Date	21 November 2024
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Responsible Manager	B. Barnett, SENIOR WORKS MANAGER
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Summary

This report provides a progress update in regard to Council's Restoration of Essential Public Assets program through the Queensland Reconstruction Authority's (QRA) Disaster Recovery Funding Arrangements Program following the 2021/22 Riverine Flooding Events.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We aggressively attract business and investment opportunities.
- Our region is a recognised leader in agribusiness, energy, and manufacturing.
- We deliver water security to enable future economic growth.
- We proactively advance our region as a tourism destination.
- Our business and industry actively live and buy local.

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- We take pride in our natural assets, environment, and heritage.

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our people are skilled and values driven to make a real difference.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received.

Background Information

Following the widespread rainfall and riverine flooding across the Western Downs Region between 10 November to 3 December 2021 and 22 February to 5 April 2022 substantial damage was incurred on Western Downs Regional Council's transport network.

As part of QRA's Disaster Recovery Funding Arrangements (DRFA) Council can apply for financial assistance to help communities recover from eligible disasters, such as flooding.

WDRC's transport network was inspected and defects on the network collected to compile QRA funding submissions.

The Queensland Reconstruction Authority (QRA) administers funding relief measures to local governments and state agencies for:

- Counter Disaster Operations;
- Emergency Works for essential public assets;
- Immediate Reconstruction Works for essential public assets; and
- Reconstruction of essential public assets.

Reconstruction of Essential Public Assets (REPA) submissions are developed and lodged based on the:

- Scope of reconstruction works required to restore or replace the eligible essential public assets that have been directly damaged by an eligible disaster; and
- Estimated reconstruction costs to complete those works.

Event damaged assets in local government areas activated under the Disaster Recover Funding Arrangements (DRFA) for Reconstruction of Essential Public Assets (REPA) assistance may be eligible under this fund.

Report

Restoration of Essential Public Assets (REPA) Progress Update

The last of Council's Restoration of Essential Public Assets (REPA) submissions were lodged in March 2023 in accordance with QRA's timeframes. Delays were experienced with the submissions being assessed and approved due to the administrative process with QRA submissions and the two funding programs (REPA and Betterment).

All of Council's submissions have been reviewed and assessed by QRA. Of the \$195.3M of REPA and Betterment funding applied for by Council, QRA approved \$174M as eligible project costs. At the time of approval, this program was the largest approved REPA program in the State of Queensland.

For the unsealed road network, the approved submissions are divided into work packages that are compiled from damaged roads in close vicinity with a common gravel source (pit).

Council has been releasing work packages via 'rounds' of work packages, typically consisting of three (3), four (4) or five (5) work packages per round spread geographically across the region. Rounds were programmed to be staggered to ensure consistent delivery.

As of November 2024, Council's progress status is seventy-seven percent (77%) of the approved REPA completed with the final twenty three percent (23%) of work packages awarded, in progress or partially completed.

Council has awarded:

- Forty-four (44) work package contracts on unsealed roads, through twelve (12) 'rounds' of procurement;
- Eight (8) work package contracts on sealed roads, through four (4) 'rounds' of procurement;
- Two (2) work packages contracts for drainage repairs; and
- Nine (9) gravel supply contracts.

Council programmed the work packages for delivery and, due to the delay in submission approval, sheer scale of the flood damage program and contractor availability, it is anticipated that the majority of the Flood Damage restoration work packages will be delivered by December 2024 with the remaining work packages delivered early 2025 (weather permitting). Council requested an extension of time from QRA for the delivery of WDRC's 2021/22 Flood Damage program from 30 June 2024 to 31 March 2025 and, for the Betterment Projects and Gurulmundi Road floodway REPA (Submission 0034), to 30 June 2025, which has been approved by QRA.

The use of mostly local suppliers has had a positive impact on the cost and quality of the works delivered. Locally established contractors were able to deliver quality work with significant savings when compared to approved values of the work packages. A legacy available to Council in future is the availability of a highly skilled local supplier base that this program has provided to our region.

Below is a summary of the work packages awarded to local contractors and suppliers to the Western Downs region:

- Forty-four (44) work package contracts on unsealed roads; 42 work packages (95%) awarded to local contractors
- Eight (8) work package contracts on sealed road; 4 work packages (50%) awarded to local contractors
- Two (2) work packages contracts for drainage repairs; 100% awarded to local contractors
- Nine (9) gravel supply contracts - 100% awarded to local suppliers
- Detailed Design of Betterment projects - 100% awarded to local businesses
- Project Management - 100% awarded to local businesses

The savings made by the delivery model that Council has used has created significant savings, without impacting on the quality of the works delivered. Indeed, the QRA has indicated that while Western Downs had the largest approved program in Queensland in the 2021/22 flood events, it is no longer the largest program by value delivered.

Escalation of Damage on Council's Sealed Road Network

Delivery of the work packages to restore the damage on Council's sealed road network were delayed due to the escalation of damage on the sealed road network, and Council's Works department seeking QRA advice and approval regarding the additional damage.

Initial escalation was identified early in the program, with Council utilising the full duration of the submission timeframes to re-inspect the sealed road network to capture the additional damage. This early additional damage was resubmitted in REPA submissions with additional eligible damage approved.

Unfortunately, the damage on these sealed roads has continued to escalate, with additional damage identified as these roads are scoped in preparation of work packages and at time of delivery. This escalated damage is due to the combination of saturated pavements caused from the flooding and the impact of traffic, particularly heavy vehicle traffic accessing the sealed road network.

The additional escalation on the sealed road network has been raised with QRA. QRA has advised that the escalation of damage may be eligible under the REPA Program if the damage can be verified and funding is available. With WDRC's current identified savings on the unsealed road network, supported by evidence gathered by Council, the risk of the escalated damage not being funded by QRA should be quite low. However, at this stage, the escalated damage is not formally approved by QRA to be funded.

If any of this work is not approved as REPA, it will be considered as works delivered under Council's budgeted Regional Road Resilience Program. This was specifically budgeted to ensure that additional damage that did not have approval could be undertaken concurrently with REPA.

In addition to the escalated flood damage, during scoping, Council's consultant Flood Damage Program Management Team has identified additional damage on the sealed road network that is not flood damage and is not approved REPA. Such additional damages are Council's responsibility and the Flood Damage team and the Works Maintenance department collaborate for the repair work to occur funded through Council's operational / maintenance budget.

Approved Betterment Program Status Update

Council submitted applications for eighty-six (86) sites identified for Betterment funding through QRA's DRFA Betterment Funding Program. These sites were identified by local Works staff as well as from the local community input through Councils CRM processes.

Western Downs Regional Council (WDRC) applied for \$19.14M of Betterment funding using our approved QRA Benchmark rates.

QRA approved five (5) of the forty-one (41) projects nominated for Betterment Funding have been approved. These projects are:

- Springvale Road, Springvale
- Commodity Court, Dalby
- Giligulgul Road, Woleebee
- Wilds Road, Dalby
- Sandalwood Avenue West, Dalby

The total approved Betterment funding of these five projects is \$5,958,740. In conjunction, Council's financial contribution to these projects is \$297,937, which is funded through Council's 2023/24 Regional Road Resilience capital budget project.

Commodity Court reconstruction is currently under construction and is being delivered internally by Council's Works crews. The remaining projects are intended to be delivered using external civil construction contractors.

For the projects that are planned to be delivered externally, detailed designs are being developed by an external civil design company due to the additional detail, specification and bill of quantities required to prepare for external delivery for construction.

Consultation (Internal/External)

Council's website is updated regularly, with work packages, maps and progress status updates available for the Western Downs community.

Escalated damage on Council's sealed road network has been identified by Council's consultant Flood Damage Project Management Team with consultation occurring between Council's Works Construction and Maintenance departments as well as a QRA for funding approval consideration.

Legal/Policy Implications (Justification if applicable)

Upgrades through Betterment funding comply with Council's Transport Asset Management Plans and Council's Extension and/or Upgrade to Council Road Networks - Council Policy.

The successful projects are required to be constructed in accordance with QRA's guidelines and, where applicable, seek Department of Agricultural and Fisheries' approvals for working in waterways.

Budget/Financial Implications

The delivery model that Western Downs Regional Council adopted for the 2021/22 Flood Damage Restoration has achieved significant financial savings due to the scale of economy, programming efficiencies and direct engagement with construction companies, mostly of whom are local to the region.

It is expected that the final program budgeted for delivery at \$174million will be delivered for around \$120million, once all works have been finalised.

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's 2021/22 Flood Damage Restoration Program is substantially delivered with seventy-seven per cent (77%) of the Restoration program completed with the remain work all awarded for delivery.

Detailed designs are being finalised for three (3) of the Betterment sites, with procurement of the Contractor to follow immediately upon completion of the detailed designs.

Escalated flood damage on Council's sealed road network are being identified for repair through QRA's DRFA program and any additional defects will be repaired utilising Council's Works department's operational maintenance budget.

Similarly, any segments on the unsealed road network that required additional gravel pavement that would complement the approved flood damage repairs has and will be completed using complementary funding through Council's 2023/24 and 2024/25 capital budget Regional Gravel Resheet project.

The savings made by the delivery model that Council has used has created significant savings, without impacting on the quality of the works delivered.

Attachments

Nil

Authored by: Chris Cleary, Works Manager - Flood Damage and Brianna Barnett, Senior Works Manager

Title	Infrastructure Services Works November 2024/25 Capital Works Progress Update
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Date	26 November 2024
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Responsible Manager	D. Dibley, WORKS MANAGER CONSTRUCTION
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Summary

The purpose of this Report is for the Works Department to provide an update to Council regarding the 2024/25 Capital Works Program for the month of November 2024.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- Our business and industry actively live and buy local.

Strategic Priority: Quality Lifestyle

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- Our recreational spaces and community facilities are attractive, safe, and accessible.
- We invest in safe, well maintained road networks to connect our region and support economic activities.

Strategic Priority: Sustainable Organisation

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- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and noted.

Background Information

On 20th June 2024, in a Special Meeting Council adopted the 2024/25 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

1. Upper Humbug Road Upgrade Resource (Ch 12.840-19.107);
2. Myall Park, Retreat Road Intersection Alignments (Resource);
3. Macalister - Bell Road, Macalister - Reconstruction and Widening;
4. Dorney Street (0.00-4.73) Upgrade to Kerb and Channel;
5. Chinchilla VIC Car Parking, Chinchilla;
6. Redmarley Road, Condamine (0.04-3.00) Road Widening;
7. Roche Creek Road, Roche Creek (15.76-17.21) Reconstruct and Road Widening;

8. Old Rosevale Road Jandowae (17.0-18.7) Road Reconstruction; and
9. 2024/25 Regional (Bitumen) Reseal Prior Works.

PROJECTS IN PROGRESS (NOVEMBER)

1. Commodity Court, Dalby - Road Reconstruction and Betterment;
2. Glenern Road (20551-29988) Upgrade to Bitumen;
3. Cambridge Crossing Road, Tara (26.2 - 27.4) Road Reconstruction;
4. Slessar St, Chinchilla - Construction of new concrete footpath;
5. Burra Burri Creek Road, Fairyland (27.8-30.20) Reconstruct and Road Widening;
6. Burra Burri-Darr Creek Road, Fairyland (8.50-10.0) Reconstruct and Road Widening;
7. Wheeler Street, Chinchilla (0.00-0.424) Road Reconstruction including flush kerbing;
8. Bundi Road, Bundi (39.37-44.04) Upgrade to Bitumen;
9. Edward Street, Chinchilla - Road Upgrade;
10. Dulacca South Road, Dulacca - (16.1-22.6) Road Widening;
11. Dalby North Gravel Resheet / Flood Damage Restoration;
12. Project Gravel Resheeting various locations;
13. 2024/25 Regional (Bitumen) Reseal Program Prior Works;
14. Works Depot Fence Replacements; and
15. 2024/25 Regional (Bitumen) Reseal Program.

UPCOMING PROJECTS

1. Springvale Road, Springvale (13-13.8) Road Reconstruction;
2. Grassdale Road, Grassdale (3.37-3.99) Road Reconstruction;
3. Windmill Road, Chinchilla (0.00-0.623) Road Reconstruction including new Kerb and Channel;
4. Old Moonie Road, Moonie (Cambridge Crossing to Leichhardt Highway) Gravel Resheet and Flood Damage Restoration;
5. Regional (Bitumen) Reseal Prior Works - 2025/26 Sites; and
6. Regional Sealed Road Drainage Maintenance Program.

COMMERCIAL WORKS

RECENTLY COMPLETED PROJECTS

1. 24/25 DTMR Reseal Prior Works Program (Chinchilla Tara Road, Tara Kogan Road, Moonie Highway)

PROJECTS IN PROGRESS

1. 2024/25 RMPC
2. 2024/25 DTMR Reseal Prior Works Program (Roma Taroom Rd, Bunya Hwy)
3. Regional Lippia Herbicide Spraying Program (ongoing until sufficient kill achieved)

UPCOMING PROJECTS

1. Element 16 Resheeting - Warra Canaga Creek Road
2. Regional Drainage Maintenance Program
3. Asphalt Repair Package

FLOOD DAMAGE RESTORATION

RECENTLY COMPLETED PROJECTS

1. QRA REPA Flood Damage Restoration 2021/22 Package 17 (Tara).
2. QRA REPA Flood Damage Restoration 2021/22 Package 27 (Tara / The Gums / Moonie).
3. QRA REPA Flood Damage Restoration 2021/22 Package 33 (Fairyland / Burra Burri / Jinghi).
4. QRA REPA Flood Damage Restoration 2021/22 Package 34 (Wieambilla / Montrose / Tara).
5. QRA REPA Flood Damage Restoration 2021/22 Package 38 (Dalby / Irvingdale / Blaxland / Kaimkillenbun / Moola).
6. QRA REPA Flood Damage Restoration 2021/22 Package Seal 03 (Jandowae / Diamondy / Cooranga / Jimbour East / Bell / Bunya Mountains / Kaimkillenbun).

PROJECTS IN PROGRESS

QRA REPA Flood Damage Restoration 2021/22 Package 25 (Eurombah / Clifford / Bundi / Grosmont / Bogandilla);

1. QRA REPA Flood Damage Restoration 2021/22 Package 30 (Woleebee / Wandoan / Guluguba / Pelham / Gurulmundi / Kowguran / Dalwogon / Myall Park / Hookswood);
2. QRA REPA Flood Damage Restoration 2021/22 Package 31 (Cooranga / Bell / Moola / Kaimkillenbun / Dalby);
3. QRA REPA Flood Damage Restoration 2021/22 Package 35 (Drillham / Drillham South / Dulacca / Moraby);
4. QRA REPA Flood Damage Restoration 2021/22 Package 36 (Boonarga / Chances Plain / Wychie / Pelican / Canaga / Langlands / Jinghi / Tuckerang / Warra);
5. QRA REPA Flood Damage Restoration 2021/22 Package 37 (Jinghi / Jandowae / Diamondy / Cooranga);
6. QRA REPA Flood Damage Restoration 2021/22 Package Seal 04 (Waikola / Clifford / Bundi / Grosmont / Wandoan / Woleebee / Roche Creek / Bungaban / Guluguba);
7. QRA REPA Flood Damage Restoration 2021/22 Package Seal 05 (Numerous sites over a widespread area from Gurulmundi in the north through Drillham / Dulacca / Miles / Condamine / Meandarra / Tara and through to Flinton / Westmar / Moonie area in the south);
8. QRA REPA Flood Damage Restoration 2021/22 Package Drainage 01 (Numerous locations in the north-west of the Region, from south of Miles / Drillham / Dulacca through to Eurombah / Grosmont / Bungaban);
9. QRA REPA Flood Damage Restoration 2021/22 Package 42 (Jandowae / Cooranga / Jimbour East / Bell / Kaimkillenbun / Pirrinuan / Dalby); and
10. QRA REPA Flood Damage Restoration 2021/22 Package 43 (Coomrith / Inglestone).

UPCOMING PROJECTS

1. QRA REPA Flood Damage Restoration 2021/22 Package 39 (Yulabilla / Drillham South / Condamine / The Gums / Tara);
2. QRA REPA Flood Damage Restoration 2021/22 Package 40 (Crossroads / Wieambilla / Tara);
3. QRA REPA Flood Damage Restoration 2021/22 Package 41 (Jandowae / Tuckerang / Warra / Jimbour West / Macalister / Pirrinuan / Dalby);
4. QRA REPA Flood Damage Restoration 2021/22 Package Drainage 02 (Various locations around Chinchilla / Brigalow / Montrose / Condamine and in the south-west of the Region, between Weranga / Glenmorgan / Coomrith / Westmar / Moonie);
5. QRA REPA Flood Damage Restoration 2021/22 Package Drainage 03 (Various locations in the north-east of the Region, between Dalby / Warra / Jinghi / Diamondy / Bunya Mountains / Kaimkillenbun);
6. QRA REPA Flood Damage Restoration 2021/22 Package Seal 06 (Numerous locations surrounding Chinchilla, to Kogan / Condamine / Miles / Hookswood / Blackswamp / Burncluth / Langlands / Tuckerang / Brigalow);
7. QRA REPA Flood Damage Restoration 2021/22 Package Seal 07 (Numerous locations between north of Jandowae, through Warra / Macalister, and Ducklo); and
8. QRA REPA Flood Damage Restoration 2021/22 Package Seal 08 (Dalby / Blaxland / St Ruth / Springvale).

2024/25 PROJECTS DESIGN STATUS UPDATE

Design Program is 85% completed (49/58) -

- a. 79% - Roadworks Design Program (30/38) projects Issued for Construction (IFC)
- b. 90% - Footpath Design Program (9/10) projects Issued for Construction
- c. 100% - DustSuppressions (10/10)

Remaining Projects Status -

- o Markham's Hill Road (90%) - design complete, awaiting acquisition
- o 2 projects completed awaiting land acquisition
- o 3 projects greater than 70% progressed
- o 5 projects greater than 80% progressed

Flood Damage - 1 complete, 1 Progressing

- o Gurulmundi Road (100%) - Has been approved by SARA/DAF

Supplementary (Extra) jobs – 16 complete of 34 projects

Consultation (Internal/External)

Following Council's resolution to receive the report, updates will be posted on Council's social media platforms to inform Western Downs Regional Council's community

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

The 2024/25 Capital Works Program is underway and progressing well, noting that the recent wet weather experienced in November has resulted in a delay to some projects.

Attachments

Nil

Authored by: Debbie Dibley, WORKS MANAGER CONSTRUCTION

Title	Community and Liveability Report on Proposed Partnership between Western Downs Regional Council and Toowoomba Surat Basin Enterprise 2024 - 2027
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Date	5 December 2024
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Responsible Manager	L.Koene-Sloss, ECONOMIC DEVELOPMENT MANAGER
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Summary

The purpose of this report is to seek Council endorsement of the proposed 3-year agreement between Western Downs Regional Council and Toowoomba Surat Basin Enterprise

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We aggressively attract business and investment opportunities.
- Our region is a recognised leader in agribusiness, energy, and manufacturing.
- We deliver water security to enable future economic growth.
- We proactively advance our region as a tourism destination.
- Our business and industry actively live and buy local.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received, and Council endorses the proposed new 3-year agreement between Toowoomba Surat Basin Enterprise and Western Downs Regional Council, recognising its strategic importance in driving economic development and regional prosperity.

Background Information

Over the past several years, TSBE has been a pivotal partner to WDRC, delivering a suite of tailored activities annually that align with and enhance the Council's Economic Development Strategy. This partnership has been instrumental in:

- Supporting and increasing economic development across the Western Downs region.
- Leveraging TSBE's extensive network and marketing reach to elevate the region's profile on local, national, and international stages.
- Facilitating critical industry events and initiatives that attract investment and promote regional opportunities.

The Partnership Agreement between WDRC and TSBE was established to:

- Generate increased business tourism and heightened interest from businesses within WDRC's target industries.
- Link local businesses to broader opportunities, fostering growth and sustainability.
- Create platforms for networking and idea-sharing between local businesses and industry leaders.
- Amplify the profile of the Western Downs, attracting investments and fostering economic diversification.

- Promote the Western Downs as an exceptional place to live and work, aiming to attract and retain skilled staff, and encourage FIFO and DIDO workers to settle in the region.

Report

2023/24 agreement

In the 2023/24 financial year, despite the annual report pending presentation, TSBE has continued to deliver on a comprehensive list of agreed activities, contributing significantly to the Council's Economic Development Strategy. Key deliverables included:

- Hosting two Enterprise Evenings, fostering networking and collaboration among local businesses.
- Organising the Protein Conference and Energy Summit, positioning the region at the forefront of these critical industries.
- Maintaining an Energy Role within TSBE, advocating for the region's energy sector.
- Supporting the Protein Jobs Fair and Manufacturing Conference, addressing workforce needs and industry growth.
- Implementing the Skills Gap Initiative, including the Health Sustainability Futures Group and the Workforce Participation Project "Attract, Connect, Stay."
- Launching the LIVE Western Downs Magazine and Campaign, promoting the region's lifestyle and opportunities.
- Identifying and advocating for innovative industry-leading trials in the Western Downs.
- Hosting the Chef's Table and the First Nations Business Expo, highlighting local talent and fostering inclusivity.
- Updating seven Industry and Project Fact Sheets, ensuring up-to-date information is available.
- Compiling the Western Downs Development Status Report, providing insights into regional progress.
- Advancing the Red Meat Processing Facility project.
- Delivering national and international speeches, enhancing the region's profile.
- Providing exposure across various channels, amplifying the region's reach.
- Maintaining regular meetings and communication, ensuring alignment and responsiveness.

The value of the 2023/24 agreement was \$170,000 plus GST, a figure that has remained unchanged for several years despite the increasing scope and impact of activities delivered.

Proposed 3-year agreement 2024/2027

In alignment with the development of new Economic Development and Tourism & Destination Events Strategies, the Council's Economic Development team conducted a comprehensive grants and funding review in early 2023. This review focused on the strategic allocation of funds, delivered outcomes, governance, and impact assessment, aiming to maximise the social and economic benefits of funding and identify opportunities to enhance the impact of investments.

Following discussions with Councillors in February 2023, a recommendation was made to harmonise the tenure duration of all agreements to three years for consistency and strategic planning purposes. Consequently, the Chambers of Commerce agreements were updated to three-year terms, and it is now proposed to extend the TSBE Partnership Agreement similarly.

Proposed Included Deliverables

The proposed three-year partnership includes an expanded suite of deliverables designed to amplify economic growth and regional development:

- Continued robust advocacy at local, state, national, and international levels.
- Development of the Energy Servicing Hub, positioning the region as a leader in energy services.
- Hosting an annual Enterprise Evening within the region, enhancing local business engagement.
- Organising a Co-Existence Event/Regional Activation to promote industry collaboration.
- Alternating annual hosting of the Protein Conference and Protein Awards, and the Surat Basin Energy Summit and Energy Awards, highlighting key industry sectors.
- Maintaining an Energy role within TSBE* (contingent on external funding), advocating for the energy sector's growth.
- Leading the Health Sustainability Futures initiative, addressing critical health workforce needs.
- Engaging in Olympics-related opportunities, leveraging upcoming events for regional benefit.
- Enhancing Indigenous Engagement, fostering inclusivity and supporting First Nations businesses.
- Publishing the LIVE Western Downs magazine biennially, promoting the region's lifestyle and opportunities.
- Updating the Western Downs Development Status Report, providing critical insights for stakeholders.
- Promoting WDRC Industrial Sites and managing the Expression of Interest process, attracting new businesses.
- Delivering national and international speeches, elevating the region's profile.
- Participating in interstate and national conferences, networking, and knowledge sharing.
- Providing extensive exposure across various channels, maximising reach and impact.
- Maintaining regular meetings and communication, ensuring strategic alignment and responsiveness.
- Implementing First Nations' Participation initiatives* (contingent on external funding).
- Launching the Agri Emerging Markets Program* (contingent on external funding), exploring new agricultural opportunities.
- Continuing the Business Navigator Program* (contingent on external funding), supporting startups and innovation.

Proposed Investment

To support the expanded scope and increased impact of activities, the proposed investment for the new three-year agreement is:

- **Year 1** - \$275,000 plus GST
- **Year 2** - \$320,000 plus GST, adjusted for CPI
- **Year 3** - \$350,000 plus GST, adjusted for CPI

Additional Reasons for Increased Value of Engagement

The proposed increase in investment is considered justified by several critical factors:

- **Rising Operational Costs Due to Inflation**

Over the past few years, there has been a significant increase in operational costs. Inflation has led to higher expenses in areas such as staffing, utilities, and administrative overheads. To attract and retain qualified professionals, TSBE must offer competitive wages, which are increasing annually.

- **Increased Event Costs**

The costs associated with organising events have escalated considerably. Venue hire fees have increased, catering costs have risen due to supply chain disruptions and increased food prices, and equipment rentals

have become more expensive. These increases directly impact the budget required to deliver high-quality events.

- Loss of External Funding Sources

TSBE previously received approximately \$120,000 annually from external partners like CS Energy and the University of Southern Queensland. This funding supported key initiatives and roles within TSBE directly for the Western Downs region.

- Expansion of Deliverables and Services

The new agreement includes several new initiatives and expanded services, such as Olympics engagement, the Agri Emerging Markets Program, and enhanced Indigenous Engagement activities. Implementing these initiatives requires additional resources, including specialised staff and program development costs.

- Sustaining Critical Programs

Essential programs like the Energy role within TSBE and the Business Navigator Program are vital for supporting the energy sector and fostering innovation in the region. Without increased funding, these programs risk reduction or discontinuation, which could negatively impact regional economic growth.

- Market Growth and Increased Demand

The Western Downs region is experiencing growth in key industries, leading to increased demand for TSBE's services. More businesses are seeking support in areas such as networking, market access, and investment attraction. Additional funding is necessary to meet this growing demand effectively.

- Need for Enhanced Marketing Efforts

To continue attracting investment and promoting the region, more robust marketing and promotional activities are required. This includes increased participation in national and international conferences, enhanced digital marketing campaigns, and the production of promotional materials—all of which incur additional costs.

- Adjustment for CPI and Future Cost Increases

The proposed investment includes adjustments for the Consumer Price Index (CPI) to account for anticipated inflation over the next three years. This ensures that the value of the investment remains consistent in real terms and allows TSBE to maintain the quality of its services despite rising costs.

- Infrastructure and Technology Upgrades

To deliver services efficiently and effectively, TSBE must invest in infrastructure and technology upgrades, such as updated software systems, improved communication tools, and enhanced data management capabilities. These investments require additional capital.

- Strategic Long-Term Planning and Stability

A three-year agreement with increased funding provides TSBE with the financial stability needed for long-term strategic planning. This stability enables TSBE to invest in staff development, program innovation, and sustained engagement with stakeholders, resulting in better outcomes for the region.

Consultation (Internal/External)

Internal

- Chief Executive Officer
- General Manager (Community and Liveability)

External

- TSBE Executive

Legal/Policy Implications (Justification if applicable)

NIL

Budget/Financial Implications

The new proposed 3-year agreement proposes the below investment

- Year 1 - \$275,000 plus GST
- Year 2 - \$320,000 plus GST, CPI adjusted
- Year 3 - \$350,000 plus GST, CPI adjusted

Human Rights Considerations

There are no human rights implications associated with this report.

Conclusion

The partnership between WDRC and TSBE has consistently delivered significant benefits, driving economic growth, enhancing regional exposure, and supporting the Council's strategic objectives. The proposed new three-year agreement, with its expanded scope and increased investment, is a strategic move to amplify these benefits, ensuring sustained economic prosperity for the Western Downs region.

Endorsing this agreement positions the Council to proactively address future challenges and opportunities, leveraging TSBE's expertise and networks to maximise regional development. The increased investment is a necessary and justified step to maintain momentum, support key programs in the absence of previous external funding, and capitalise on emerging opportunities that promise substantial returns for the community.

Attachments

Proposed 2024 - 2027 Partnering Agreement TSBE / WDRC

Authored by: Lidewij Koene-Sloss, ECONOMIC DEVELOPMENT MANAGER



PARTNER AGREEMENT

Western Downs Regional Council
FY 2025 - 2027



FY2025 - 2027 Agreement

Initiative	Description	Activity
Advocacy	<ul style="list-style-type: none"> Strategic advocacy on topics and themes aligned to both TSBE and WDRC strategic objectives Engagement in advocacy for effective policy for livable regions – local, state and federal stakeholders 	<ul style="list-style-type: none"> One Canberra or Brisbane delegation per year. Strategically delivered with other members and stakeholders as relevant. Opportunistic engagement on advocacy related comms, meetings, media and other opportunities as arise. <p>SUPPORTING NOTES:</p> <ul style="list-style-type: none"> Note 2024/25 priority themes: Water security, roads, energy and manufacturing TRC – WDRC – Maranoa joint delegation to Bris Leverage our relationship with QFF Create a MOU on collective infrastructure priorities (water, road) Warrego, bridges, dams etc with partner councils + industry bodies (QTLC, QFF etc)
Energy Servicing Hub	<ul style="list-style-type: none"> Create a strategy that differentiates WD from other areas, including manufacturing componentry 	<ul style="list-style-type: none"> Commission a study into future state* Develop roadmap (possibly branding, capabilities, attracting businesses to the area (cost of m2 vs other locations)* <p>*additional cost to be borne by WDRC</p>
Enterprise Evening x 1	<ul style="list-style-type: none"> TSBE to facilitate one (1) Enterprise Evening in Western Downs per year. WDRC to receive a speaking opportunity at each event Five (5) complimentary tickets for WDRC representatives (per event) Recognition of WDRC as event partner 	<ul style="list-style-type: none"> Location in Western Downs determined in consultation with Council based on theme and opportunity
Co-Existence Event/Regional Activation	<ul style="list-style-type: none"> A collaborative event between TSBE and WDRC to showcase local content learnings and why 	<ul style="list-style-type: none"> Conference and site tour elements WDRC to provide resourcing support

	<p>WDRC is a great place for business.</p> <ul style="list-style-type: none"> • Practical 'how to' content, knowledge and insight. • Focussed on the 'Energy Capital of Queensland' brand 	
<p>Protein Conference/Protein Ag Awards (alternate years)</p> <p>2025 Awards 2026 Conference 2027 Awards</p>	<ul style="list-style-type: none"> • Facilitate Protein Conference in the Western Downs • Facilitate Protein Ag Awards in Western Downs • WDRC to receive a speaking opportunity at each event and recognition as event partner • Five (5) complimentary tickets for WDRC representatives (per event) • Conference and awards run alternate years. 	<ul style="list-style-type: none"> • Industry site tour in conjunction with conference where appropriate. Destination that provides thought leadership and learnings to ag industry/businesses in region. • Protein Conference to provide industry experts and thought leaders in program. • Protein Ag Awards to recognise regional industry achievement and celebrate industry.
The Chef's Table	<ul style="list-style-type: none"> • Facilitate an event showcasing regional producers to get more WD product on menus and plates outside of region. • Recognition of WDRC as event partner 	<ul style="list-style-type: none"> • Consideration of taking event to Brisbane to showcase region to wider corporate audience. <p><i>Scope moving the awards to a Brisbane location in 2026 (additional cost to be borne by WDRC)</i></p>
<p>Surat Basin Energy Awards/Energy Summit (alternate years)</p> <p>2025 Awards 2026 Summit 2027 Awards</p>	<ul style="list-style-type: none"> • The Surat Basin Energy Awards and Surat Basin Energy Summit held alternate years. • Both events highlight the energy sector in the region. • Recognition for WDRC as event partner 	<ul style="list-style-type: none"> • 2025 Surat Basin Energy Awards <p><i>Scope moving the awards to a Brisbane location in 2027 (additional cost to be borne by WDRC)</i></p>
<p>Energy Role within TSBE</p> <p>* Contingent on Funding</p>	<ul style="list-style-type: none"> • The role will continue to investigate the opportunities around hydrogen as well as attract new investment and determine the infrastructure required to grow the sector • Explore and identify local content opportunities for businesses in the region to benefit from the energy sector • TSBE will work with partners to explore the possibility of a hydrogen training hub to be located in the Western Downs. 	<p><i>CS Energy funded this role previously \$120K plus CSQ 120K</i></p> <p><i>Role could be dedicated to support communities and industry to manage, understand, respond to the impacts and opportunities of renewable energy generation. Optionality for WDR based.</i></p>

Health Sustainability Futures Leadership	<ul style="list-style-type: none"> Continue to work with key stakeholders in the Western Downs health sector to attract workforce to the region. Dependant on funding, lead a project relating to childcare (e.g. Community Leadership Alliance) <p><i>*Transition Western Downs Futures to close</i> <i>Previously funded by Southern Cross Care 110K per year</i></p>	<ul style="list-style-type: none"> Work through challenges identified in Workforce Participation Research Project and explore solutions available to implement.
Olympics	<ul style="list-style-type: none"> Share learnings from Paris '24 Develop a roadmap for WDRC opportunities Influence Bris '32 procurement policies in favour of WDRC industries 	<ul style="list-style-type: none"> 2024-2025 deliverable
Indigenous Engagement		<ul style="list-style-type: none"> Support cultural awareness training Support + facilitate Black Coffee events Provide full listing of indigenous businesses
Live Western Downs publication (biennial)	<ul style="list-style-type: none"> Contribute to the development of a resource to promote liveability in the region. 	<ul style="list-style-type: none"> Next delivery 2026 Cost of printing to be borne by WDRC
Western Downs Development Status Report	<ul style="list-style-type: none"> Provide a report on the status of development in the Western Downs region. 	<ul style="list-style-type: none"> Next delivery 2026
Promote WDRC industrial site/ EOI process	<ul style="list-style-type: none"> TSBE to work with and support WDRC on expression of interest in industrial sites for new business/industry 	<ul style="list-style-type: none"> Specific initiative
National and International Speeches	<ul style="list-style-type: none"> Promotion of Western Downs region in all national and international speaking opportunities 	<ul style="list-style-type: none"> Ongoing
Interstate/ National conference	<ul style="list-style-type: none"> Work with WDRC on an interstate conference opportunity in Energy and co-contribute their share to a stand. Cost of stand to be co-contributed to by WDRC 	
Exposure across channels	<ul style="list-style-type: none"> Significant exposure on TSBE website and social media platforms as needed 	<ul style="list-style-type: none"> Ongoing

	<ul style="list-style-type: none"> • Recognition and ad space in publications • Recognition and promotional opportunities within EDM's • Exposure at trade shows as relevant 	
Regular meetings and communication	<ul style="list-style-type: none"> • Regular phone/meeting updates as required from CEO and GMs • Quarterly TSBE partnership meetings, including activity reports • Annual partnership report including all outcomes, including the number of quality leads that transitioned to the establishment of businesses or growth of businesses in the Western Downs Region. • Invitations to CEO quarterly catch ups, boardroom briefings, Platinum Christmas party and all other exclusive networking events at no cost 	<ul style="list-style-type: none"> • Ongoing
First Nations' Participation (dependant on Shell funding extension)	<ul style="list-style-type: none"> • As part of Shell QGC's program, work with First Nations businesses to develop capability and increase participation in the region's business community. • Host a First Nations Business expo in Chinchilla. 	
Agri Emerging Markets (dependant on Shell funding)	<ul style="list-style-type: none"> • work with agribusinesses to develop capabilities and opportunities by cultivating partnerships, commercial relationships and identifying new and emerging market prospects both in domestic and export markets. 	<ul style="list-style-type: none"> • Mentor WDRC agribusiness • Deliver targeted information sessions • Provide an opportunity for WDRC agri business to gain global insights into industry trends and sustainable practices
Business Navigators program (dependant on Shell funding)	<ul style="list-style-type: none"> • As part of Shell QGC's program, Business Navigator Western Downs (BNWD) supports and enables small businesses throughout the Western Downs region to grow sustainably, by building the confidence and 	<ul style="list-style-type: none"> • BNWD provides regular coaching / advisory services and stand-alone support in capabilities such as strategic planning, product development, brand and digital marketing, financial literacy, and financial management.

capacity of small business owners.

- In addition to the core client services, Business Navigator delivers workshops throughout the Western Downs region each year. They focus on developing key business capabilities and are offered free of charge to the Western Downs small business community.

Investment

The pricing for the delivery of the above services is:

Year 1 - \$275,000

Year 2 - \$320,000 (CPI adjusted)

Year 3 - \$350,000 plus GST

- All prices are in AUD
- The ownership of all intellectual property developed as a consequence of this work is the property of TSBE
- This agreement is a 12-month commitment for the provision of services as described in this proposal.

WDRC to co-contribute as agreed.

Agreement

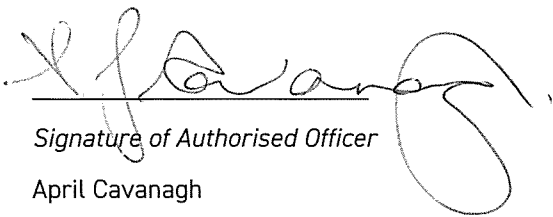
Client Company Name	Western Downs Regional Council (WDRC)
Vendor	Toowoomba Surat Basin Enterprise (TSBE)
Fees (excl. OPE)	As outlined in document in 3. <i>Investment</i>
Client Representatives	Jodie Taylor, CEO
Vendor Representative	April Cavanagh, CEO
Client Address	30 Marble St Dalby, QLD, 4405

Vendor Address	6 Ann Street, Toowoomba, QLD, 4350
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The parties agree that the vendor is to provide the detailed goods and services to the client, executed as an agreement subject to the terms and conditions contained within this proposal.

TSBE

Western Downs Regional Council



Signature of Authorised Officer

April Cavanagh
CEO
TSBE

Signature of Authorised Officer

Jodie Taylor
CEO
Western Downs Regional Council

To be completed by Client:

Purchase Order Number	
Billing Entity Name:	
Billing Entity ABN:	
Project Manager Name:	
Project Manager Email Address:	
Invoicing Officer/Accounts Dept Contact:	
Invoicing Officer/Accounts Dept Address:	

Title	Notice of Motion – Cr Bougoure – Creation of Health Precinct and Healthcare Worker Accommodation within Tara
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Date	5 December 2024
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Responsible Manager	Cr Sophie Bougoure
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Summary

The purpose of this report is to seek Council's formal support to the Tara community in preserving the old hospital for use as a medical precinct adjacent to the new hospital.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- *We aggressively attract business and investment opportunities.*
- *Our business and industry actively live and buy local.*

Strategic Priority: Active Vibrant Community

- *We are a happy, inclusive community, proud of where we live.*
- *Our people of diverse backgrounds and ages are united by social, cultural, and sporting activities.*

Strategic Priority: Quality Lifestyle

- *Our residents are provided with modern infrastructure and quality essential services across our region.*
- *We attract families to live, work, prosper, and play in our region.*

The strengthening of a health precinct and creation of integrated health care related housing throughout the Tara township will enhance business and service attraction, facilitate inclusivity, and potentially attract families to permanently relocate to the region.

Material Personal Interest/Conflict of Interest

There are no material personal interests nor conflicts of interest associated with the consideration of this report.

Officer's Recommendation

That Council resolves to:

- (1) provide support and advocate for the retention of the existing hospital as a health precinct within Tara;
- (2) advise Queensland Health of the recent decision to donate land to St Vicent de Paul for the construction of housing within Tara; and
- (3) request Queensland Health to construct housing on vacant blocks of land within Tara for the long-term provision of housing for employees.

Background Information

The Tara Hospital rebuild has a completion date of December 2024 and is currently on time (refer to Attachment One for further details of the project). Demolition of the old hospital and nurses' quarters is planned to commence in early 2025. The demolition of the current nurses' quarters is needed to allow the pathway to connect the new hospital to the helipad (leaving Tara with no nurses' quarters for a period of time). The old hospital is planned to be demolished to allow room for a nurses' quarters, replacing the current facility.

Report

Alternative Location for Nurses Quarters:

Tara currently has approximately twelve (12) vacant house blocks throughout the township. These blocks are approximately 1,000 square metres. RealEstate.com currently has a house block listed at \$55,000. Queensland Health could purchase these lots for the development of housing. Alternatively, it may wish to partner with St Vincent de Paul to construct additional housing on land provided by Council to address housing within Tara (refer to resolution from Council's ordinary meeting of 21 November 2024).

The benefits to the community of one of these options include:

- (1) keeping the old hospital building will allow Tara to have a health precinct;
- (2) building the nurses' quarters throughout town allows nurses to integrate into the community;
- (3) if Queensland Health or Darling Downs Health were open to the opportunity to build houses as well this would enable families to move to the town;
- (4) open rentals throughout town (as Queensland Health or Darling Downs Health will own homes/ units); and
- (5) allows for permanent staffing rather than relief staff.

The benefits to the community of the Health Precinct include:

- (1) additional room for more allied health services with private rooms;
- (2) emergency ramp and rooms for patients that require close access to the doctor's surgery;
- (3) the town doctor is also the Hospital Doctor and would be just next door;
- (4) community residents would only have to visit one location when requiring health care;
- (5) having extra patient rooms would allow other services to travel and visit Tara;
- (6) it would be less stress on the ambulance service and cost to taxpayer, if required for patient transfer from doctor surgery to hospital;
- (7) additional room for patients from Tarcoola (Age Care Facility) if required for overflow;
- (8) allows for doctor surgery and hospital staff to role share if required and put less stress on an already stressed work force; and
- (9) allows for community/ town growth into the future.

Consultation (Internal/External)

There has been no consultation undertaken in association with this request.

Legal/Policy Implications (Justification if applicable)

There are no legal nor policy implications associated with advocating for the use of vacant land within Tara for the construction of residential accommodation associated with the Tara Hospital and the retention of the existing hospital as a health precinct.

Budget/Financial Implications

There are no budget nor financial implications associated with advocating for the use of vacant land within Tara for the construction of residential accommodation associated with the Tara Hospital and the retention of the existing hospital as a health precinct.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) 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

Demolition of the old Tara Hospital and associated nurses' quarters is planned to commence in early 2025. The retention of the old hospital as a health precinct and creation of integrated health care related housing

throughout the Tara township will enhance business and service attraction, facilitate inclusivity, and potentially attract families to permanently relocate to the region.

Attachments

Attachment One – Darling Downs Health_New Tara Hospital_Fact Sheet

Authored by: S. Bougoure, COUNCILLOR

New Tara Hospital



Key features

-  Funded by the Queensland Government's Building Rural and Remote Health Program
-  Emergency care
-  Palliative care
-  A 12-bed inpatient unit
-  Adult mental health
-  Clinical services
-  Outreach services
-  Construction complete: first half of 2025
-  Managing Contractor: Hutchinson Builders
-  Existing services will continue uninterrupted at the existing Tara Hospital while construction is underway

The new Tara Hospital will provide a wider range of services in a modern facility, improving access to healthcare for residents in Tara and surrounds.

Part of the more than \$1 billion Building Rural and Remote Health Program (BRRHP), construction of the new Tara Hospital is underway and is expected to be completed in the first half of 2025.

The new development is funded by the Queensland Government's BRRHP, which is dedicated to enhancing healthcare services in regional and remote communities.

Due to its age and increasing maintenance burden, the existing Tara Hospital will be demolished following the construction of the new facility.

There will be no disruptions to services at the existing hospital while work is underway.

Benefits

The new Tara Hospital will enable the delivery of modern, high-quality healthcare to residents in Tara and surrounds.

The new facility will offer modern services and updated equipment to support the community for generations to come.



For more information, visit www.darlingdowns.health.qld.gov.au/new-tara-hospital

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