



REGIONAL COUNCIL

# **ORDINARY MEETING OF COUNCIL**

## **MINUTES**

**18 DECEMBER 2013**



**ORDINARY COUNCIL  
MEETING MINUTES  
18 DECEMBER 2013**

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## **ORDINARY COUNCIL MEETING MINUTES 18 DECEMBER 2013**

### **ATTENDANCE:**

#### **Councillors Present**

- Cr Steve Jones (Mayor) (Chairperson)
- Cr Tanya Milligan
- Cr Jim McDonald
- Cr Kathy McLean
- Cr Derek Pingel
- Cr Janice Holstein

#### **Officers Present**

- Ian Flint, Chief Executive Officer
- Jason Bradshaw, Executive Manager Governance & Performance
- Mark Piorkowski, Executive Manager Planning & Development Services
- Dan McPherson, Executive Manager Organisational Development & Engagement
- Myles Fairbairn, Executive Manager Infrastructure Works & Services
- David Lewis, Executive Manager Corporate & Community Services
- Jamie Simmonds, Executive Policy Advisor Mayor/CEO
- Jason Cubit, Executive Liaison Officer Mayor/CEO & Coordinator Mayor's Office
- Sarah Fox, Corporate Communications Manager
- Rick Machin, Marketing & Communications Coordinator
- Susan Boland, Council Business Support Officer
- Dave Mazzaferri, Manager Disaster Management (Recovery & Resilience) & Community Engagement (Part of Meeting)
- Leo Jensen, Executive Advisor Projects (Part of Meeting)
- Mark Ryan, Consultant (Part of Meeting)
- Garth Moore, Manager Planning & Environment (Part of Meeting)
- Caitlan Natalier, Solicitor (Part of Meeting)

#### **Apology**

- Cr Peter Friend

*The meeting commenced at 10.01 am*

*The Mayor, Cr Jones as Chairperson opened the meeting and welcomed all present.  
Jason Bradshaw, Executive Manager Governance & Performance led the meeting in prayer following a minute's  
silence for those persons recently deceased.*





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## 2.2 US and Canada - Best Practice Planning Technical Tour

**Date:** 13 December 2013  
**Author:** Mark Piorkowski, Executive Manager Planning & Development Services  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

### Summary:

On 20 June 2013 that in respect to the Local Government Association of Queensland (LGAQ) Best Practice Planning Technical Tour of USA and Canada a resolution was passed that Council support and fund the attendance of Cr Kathy McLean as the relevant Portfolio Councillor and the Chief Executive Officer of his nominated Executive Manager and that the arrangements be made to finalise Council's involvement. Arrangements were made with Cr Kathy McLean and Mark Piorkowski the Executive Manager Planning and Development Services attending the LGAQ Best Practice Planning Technical Tour to west coast of North America from 10-20 November 2013.

**RESOLUTION:**

**THAT Council receive and note the US and Canada – Best Practice Planning Technical Tour Presentation and Report.**

**Moved By:** Cr Holstein                      **Seconded By:** Cr McDonald  
**Resolution Number:** 68

**CARRIED**  
**6/0**

## Report

## 1. Introduction

Lockyer Valley is a dynamic region on edge of Australia's third largest growing urban area that has since amalgamation continued to play a leading role in the South East Queensland Region not only as the major producer and exporter of agricultural and horticultural goods but like the other regional councils represents the coal face for an expanding metropolitan Brisbane.

This potential for residential growth however must be balanced with the regions agricultural and horticultural industry which have a strong future in the new Asian century in terms of supplying high quality food to an increasingly affluent population. Lockyer Valley also has a great future in a diversified economy whereby firms such as logistics and light industries can look to leverage an enviable geographic location on a national highway currently undergoing massive investment with major airport and port facilities in close proximity to the east and now to the west in Toowoomba.

To take advantage of this emerging future it is a sensible decision to look to invest into learning from other regions which have and are experiencing growth of this nature for the benefit of the Lockyer Valley community. The LGAQ Best Practice Planning Technical Tour is an example of this sort of investment.

## **2. Background**

It is important the Lockyer Valley continues to think big and leads with vision and that is why we actively pursue potential opportunities for growth and the sustainability of our region. It is because of this forward thinking, pro-activeness that Lockyer Valley is recognised as a leading voice for rural, regional councils in South East Queensland which is very important when advocating for our community with the State and Commonwealth Governments.

The tour provided an opportunity to visit communities large and small, rural and urban to study how they have changed. Included on the tour were rural, agricultural communities which have recently transformed immensely under the pressure of development from nearby major urban areas and where the tension between maintaining land for agriculture or development is ongoing.

## **3. Report**

### *Tour Overview*

The Local Government Association of Queensland (LGAQ) assisted by Green Shoe Travel (a business run by Buckley Vann Town Planning Consultants and ProMGT) undertook a Best Practice Planning Technical Tour to west coast of North America from 10-20 November 2013. The purpose of the tour was to assist local governments and others involved in planning for communities around Queensland to learn from best practice examples in which are noted, leading examples in the world for various aspects of dealing with growth.

A particular focus of the tour was how they manage residential growth pressures, maintaining viable industries, town and city street design, transport linkages and transit oriented development. The tour ranged widely across all aspects of dealing with development in both urban and rural communities in San Francisco, Portland, Seattle and the Vancouver region. In each location, the tour group heard from local government representatives, the development industry and others involved in planning in those communities; and had the opportunity to inspect first hand many development projects and areas of world renown in these cities.

### *Overview*

The tour demonstrated that the significant differences between the planning system in Queensland and those in the USA and Canada provide opportunities to compare and contrast between these systems, and irrespective of the system, to see firsthand some outstanding planning achievements and to understand how they were active.

Key themes to be explored in the report to be tabled include:

- *Local Government Funding* - A continuing challenge for local governments everywhere dealing with significant growth in their communities is funding of the infrastructure required



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to deliver balanced and well-functioning communities. Funding options not readily encountered or available in Queensland identified included:

- *Tax increment financing;*
  - *Use of bond issues by local government to raise capital for investment;*
  - *Wide use of “bonusing” for development projects; and*
  - *Local improvement districts and similar concepts involving additional charges to specific areas to help fund infrastructure and other community benefits.*
- *Comparisons of development assessment timeframes, infrastructure charging, and system complexity* - For each local government visited effort was made to establish information on topical matters in Queensland, particularly in relation to development assessment timeframes and the level of infrastructure charges available to development.
  - *Tools for Planning* - In the course of the tour the delegates identified a number of planning tools used in the communities visited which are not available in Queensland, and which appeared to provide real opportunities to achieve great outcomes in policy areas of particular interest in our state. These include:
    - *Affordable housing;*
    - *Development bonusing; and*
    - *Land protection for agricultural industries under development pressure.*
  - *Land Use Transit Integration* - The group saw a wide range of very impressive examples of major transit investment integrated with major new development. This generally took the form of new transit investment (including the Skytrain in Vancouver and streetcar/light rail in other cities) and in rural communities where the investment in transport has transformed those communities. Other examples explored included the integration of active transport (cycling and walking) between urban areas and major activity centres such as universities.
  - *Key Ingredients of Success* - The group also identified from the tour a number of ingredients which seemed to be common including:
    - *Establishing a vision and sticking to it over the long term;*
    - *Preparedness to push boundaries, experiment and learn from those experiments;*
    - *Importance of partnerships, particularly between the Council and the private sector;*
    - *Involvement of the community; and*
    - *Importance of great urban design in providing liveable spaces for people.*

#### **4. Policy and Legal Implications**

Policy and legal implications will be addressed in future reports on matters that arise before Council.

#### **5. Financial and Resource Implications**

No further financial or resource implications required.

#### **6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

#### **7. Communication**

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The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

That the report be received as information only.

# North American Best Practice Planning Report

November 2013



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### 1. Background

Lockyer Valley is a dynamic region on the edge of Australia's third largest growing urban area has played a leading role in the South East Queensland (SEQ) Region not only as the major producer and exporter of agricultural and horticultural goods but like other regional SEQ councils represents the coalface for an expanding metropolitan urban Brisbane. At present Lockyer Valley is home to a number of major players in the agricultural and related industries. The 5 top employers in the region are as follows but not in order:

- UQ - approximately 200 employees and an internationally recognised university within the top schools in the world in veterinary, agricultural science and bio-technology.
- Rugby Farms – approximately 350 employees across Australia.
- Nolans – leading food logistics firm nationally with approximately 250 employees.
- Stanbroke Pastoral Company - approximately 350 employees export to 19 countries.
- Mulgowie Farming Company – approximately 300 employees exporting products.
- Pentair - approximately 200 export pumping technologies globally.

Some of the larger farms are now turning over the 50 million dollar mark and have a strong future in the new Asian century in terms of supplying high quality food to an increasingly affluent Asian population. The region's agricultural production needs to be balanced however with the potential for residential and economic growth recognising that the Lockyer Valley also has a great future in a diversified economy. Strong growth potential exists for logistics and light industries that can look to leverage an enviable geographic location on a national highway currently undergoing massive investment with major airport and port facilities in close proximity to the east and now to the west in Toowoomba.

The LGAQ Best Practice Planning Technical Tour is an opportunity for Lockyer Valley to invest into learning from other communities large and small, rural and urban that have already or are currently experiencing growth of this nature for the benefit of the Lockyer Valley community. Included on the tour were rural, agricultural communities that have recently transformed immensely under the pressure of development from nearby major urban areas and where the tension between maintaining land for agriculture or development is ongoing.

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### 2. Tour Overview - Itinerary and Selected Field Notes

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A particular focus of the tour was how they manage residential growth pressures, maintaining viable industries, town and city street design, transport linkages and transit oriented development. The tour ranged widely across all aspects of dealing with development in both urban and rural communities in San Francisco, Portland, Seattle and the Vancouver region. In each location, the tour group heard from local government representatives, the development industry and others involved in planning in those communities; and had the opportunity to inspect first hand many development projects and areas of world renown in these locations.

#### 2.1. San Francisco

Day 1 and Day 2 of the tour were undertaken in the City of San Francisco and surrounding region.

##### *Briefing from Port of San Francisco planning and management*

- Public sector entity responsible for developing government assets at the San Francisco Port (was a self-supporting enterprise).
- Tourism and visitor attraction was also key component of their business strategy.
- Needed meet a number of State and Federal requirements.
- Very complicated approval processes including harmonising with a regional plan.
- Managed strong community interest in engagement in the re-development of public assets.
- Challenges included very poor condition of properties, lack of capital funds, layers of government regulations and higher development costs comparative to other local sites.
- Responses involved development tax incentives captured through State and Federal Governments.
- Public private partnerships including joint ventures to share the costs of redevelopment as a means of getting the initiatives across the line.
- Partnerships with private sector critical to attract capital for projects but required compromises to meet the needs of development sector.
- Adding about 1000 residences with 15-20% affordable housing – affordable housing is tied to development agreements and contributions.
- Planned to 25 years of site through a series of development stages.
- Using pop up restaurants and shops to fill gaps and act as interim uses to create activity.
- Running events to create interest and awareness of the future redevelopment of the pier.
- Made use of a natural disaster to improve community space (decision was made to tear down an earthquake damaged expressway to create public open space).

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### *Briefing from City of San Francisco planning*

- San Francisco is strongly urban with 2/3 living within use of transit.
- Regional growth strategy focusing on intensification.
- Has a very strong economy focused on new-value add manufacturing tied to technology and web-based firms (referred to as the reinventing of manufacturing in the US).
- A historically strong linkage between universities and industries leading to development of new products continues to drive innovation.
- Trend toward people living in San Francisco and commuting to outer areas for work in the surrounding industrial areas (technology companies).
- Strong input influence from the public (emphasis on citizens' rights).
- Long planning approval processes (created significant uncertainty with development industry).
- Intervention has been required on a number of key re-developments by the Mayor to ensure the projects could happen shortening approvals and streamlining processes.
- Public private sector partnerships featured strongly in new projects.



San Francisco (Sausalito) - Activated street fronts with wide streets similar to retail streets in Queensland - Street furniture and landscaping is important to present a quality pedestrian /retail experience.

Port of San Francisco Interactive art - Simple but intriguing art designed by local artists as a temporary outdoor exhibit to attract visitors.



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### 2.2. Portland

Day 3 and Day 4 of the tour were undertaken in the City of Portland and surrounding region.

#### *Briefing from Portland City planning*

- Briefings by City of Portland officials and the Transit Authority (TRIMET).
- Afternoon Touring with a Portland City Representative on the light rail and walking tour including renewal projects of "The Pearl District".
- Major new inner city Riverfront South mixed-use development (complete with aerial tram to the adjoining state medical university).
- Portland operates within a regional planning framework.
- Initially very car-based region focused on road building but benefited from strong federal investment (initially ninety cents on the dollar but now 50/50) for transit and cycling infrastructure.
- Partnering with private sector has been successful to generate housing options including those targeting university students specifically (medical graduates).
- Investment in cycling has been particularly important for the city and has contributed to its reputation as a very liveable community, which is attracting key employers and investment.
- Sets industrial policies with zoning to allow for a wide variety of uses (software and light industrial).
- Restaurants locating in the industrial areas to be close to where produce and products are delivered.
- Portland has a strong relationship with the surrounding agricultural areas particularly as their food culture is emerging and awareness grows of the benefits of fresh local foods.
- Experience with big capital expenditure (ie transport) a "build it and they will come" strategy does not work (need to have a shared risk model with the private sector and to share the rewards).
- Need private / public partnerships to help with the financing and make projects happen.
- Pearl District renewal area was a very good example of an area that is working for the people that have moved into that community (residential top with retail/commercial ground floor).
- Low cost park and public space embellishments (kids splash deck) incorporated together were very successful and popular with residents including those outside of the immediate area.
- Water retention facilities designed to act as public space combining storm water filtration (plants and settling ponds) with access and seating.
- Tour to outer metropolitan areas on the Metropolitan Area Express Light Rail Service to "The Round", Orenco and Hillsboro to investigate design and impacts of rail access.
- Very good examples of design within proximity of rail stations with traditional building styles incorporated into higher density duplex and tri-plex residential developments.
- Innovative designs that while successful now have taken 10 years to fully realise.

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Water retention basin incorporating public space - Portland



Metropolitan Portland - Gresham

Left - Interurban rail station open design low security  
(compare with Q&R stations)



Below - Good design tri-plex

Below left - Good design du-plex with rear apartment

Below right - Pop up food van





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### 2.3. Seattle

Day 5 of the tour were undertaken in the City of Seattle and surrounding region.

#### *Briefing from Seattle City planning*

- Majority of growth happened outside the City of Seattle.
- Trend is the shift back to the urban core with about 20% increase into the city.
- Economy is performing well and attracting increasing private sector investment – really important aspect is the development of technology and bio medical clusters (Microsoft, Amazon).
- Small and medium start up business activity is really driving economic growth (example is gamer company small/medium cluster has developed).
- Seattle is in the midst of a new major infrastructure re-investment (ie light rail and road) that from a local perspective is funded by taxes and levies (local share of total investment).
- The use of a voting ballot is a major mechanism to drive decision making - elected members defer decisions to the ballot particularly when it comes to taxing and levies.
- Growth strategy for the region is concentration into like clusters and in core locations.
- University clusters are really important in economic growth.
- Major relationship with the university of Washington and its focus on global health research.
- The university has very specific requirements regarding codes (spin off economic businesses needed to be supported so the planning scheme had to be very flexible and non-prescriptive).
- Focus on being nimble and flexible as planners and policy makers - talk about frameworks and strategies rather than plans.
- Also need to work on where to leverage the public investment to demonstrate commitment to partnerships with private and university sectors (cycle ways, transit, public housing, public land).
- Neighbour planning has a strong emphasis (referred to as a "City of Neighbourhoods") - local plans were developed by local communities provided with funding as long as they accommodated growth.
- Still very much a blue collar community (Port is very active) - protecting the industrial lands and encourage the diversity in the economy.
- Strong emphasis on retaining a character focused on green and carved out of the wilderness - changing but emphasis is on relationships with surrounding areas including agricultural areas.
- Protection of good agricultural land is linked back to regional plan to manage encroachment on good farmland and high value agricultural production.
- Legislatively enabled farmland / hinterland preservation provides funding to farmers to retain farms (similar environmental offsets) based on fair market rates to lock the land use into farming uses.
- Focus in a regional sense for rural areas is on preserving the farmlands and their production.
- Woodensale is an example of a community benefiting – population of about 11,000 and is part of the Seattle metropolitan area.
- While there is still residential growth it is focused on density within the existing towns and hamlets - tourism to the rural areas is growing with farm visits and buying agricultural products farm direct.
- Noted that with planning and public policy in Seattle that the amount of engagement has led to fatigue on many issues (Seattle is very process heavy - like to talk).
- Now looking to take a different perspective around more actively initiating design (involved more but in a less planning way - children, artists, public branding).
- For their waterfront redevelopment a clear coherent vision was developed – "You won't get

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everything you want but you will get what you need".

- Waterfront is a working space that needed to be recognised and celebrated. Culture and music was part of the engagement. For the community the open space is critical.
- Redevelopment of the Waterfront has three key aspects:
  - First is taking a city wide vision of where it fits in (ie as part of the overall open space network).
  - Second is its relationship with the inter-regional / inter-city.
  - Third is the nature of the activities (strolling, dog walking, sitting, viewing) to happen on the site with heavy emphasis on landscaping, access to the waterfront, furniture for sitting - visuals out to the water is very important.



Pike Place Market – Urban Seattle still maintains a connection to its rural past.

An unusual event in Seattle – Clear skies on a free day.



#### **2.4. Vancouver**

Day 6, 7 and 8 of the tour were undertaken in Vancouver and the surrounding Greater Vancouver Region.

##### **Briefing from Vancouver City planning**

- Accompanied by Gordon Price (former long standing Vancouver City Councillor, internationally renowned commentator on urban affairs and Director of Simon Fraser University's city program).
- Very strong cycling culture with significant amount of road and public land dedicated to cycle right-of-way throughout the city.
- Briefing with City of Vancouver officials followed by public transport and walking tours of Coal Harbour, False Creek, Granville Island and Robson Street and other highlights in the downtown area.
- Vancouver and surrounding region has benefited immensely from hosting major events including Commonwealth Games, the Olympics and Expo.
- Legacy infrastructures in the form of facilities exist across the whole greater Vancouver Region and beyond (major benefit was the pre-event investment boost in housing and transport infrastructure by the provincial and federal governments).
- Density bonuses or density uplift is an important tool to achieve broader development outcomes (planning density and heights are not seen as absolutes but a community set target that can be negotiated as trade-offs for other forms of community benefit/investment).



Vancouver Harbour – Strong density living culture has evolved particularly as a consequence of Asian immigration



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Making use of existing space - Street closed to allow for cycle and pedestrian movement doubling as urban open space



Vancouver Olympic Village – Legacy development and infrastructure following the Olympic Games

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### *Briefing from City of Port Moody*

- Bus tour of Port Moody population of just over 33,000 people guided by Gaetan Rayer, former City of Port Moody General Manager and author of Time for Cities.
- Briefing with City officials and inspection of innovative council office building that combines a theatre and city functions (theatre also doubles as the Council Chambers).
- Site visit to two key transit oriented development (TOD) precincts Newport Village and Suter Brook Village both of which were built ahead of the transit which whilst now confirmed to proceed still saw significant interest in higher density living.
- Innovative design and development solutions including supermarket built over the parking lot with residential town homes constructed on the roof of the retail (reputed to be some of the most sought after residential property in the city).
- The supermarket goes deep within the development but has minimal street frontage which is shared with other retailers to give impression of boutique (acts to break up the street frontage).

### Having fun with public art – Port Moody



Town houses built over retail stores – integrated design that is working well

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### Briefing from City of Coquitlam

- Tour and briefing of City of Coquitlam.
- Perceptible shift in preference and driven by price point to higher density development next to rail stations (within the 40-50min commute to Vancouver).
- Area still has strong agricultural ties, which are recognised by the use of Agriculture Land Reserve (ALR) and urban containment boundary.
- The ALR is a collection of agricultural land in British Columbia in which agriculture is recognised as the priority. The ALR includes private and public lands that may be farmed, forested or are vacant.
- Investment in the new rail line is considered to be a game changer for the municipality (11km at \$1.2b) that will drive the future of that community.
- Development cost charges (infrastructure charges) are linked to Provincial legislation which is in addition to fees and charges.
- Similar to Vancouver also use a value capture process with the density bonuses to negotiate with developers as a means of securing community facilities and infrastructure in trading off additional floor space and densities.
- Incentivised the inclusion of office space and have added an economic development officer to attract more commercial development.
- Community Amenity Contributions (mandatory) and development bonuses (voluntary) are used to capture funding from developers to pay for community infrastructure.



Port Coquitlam

High St and Northern Ave 2011 & 2004

Port Coquitlam

Glen Drive 2011 & 2004



Port Coquitlam 1982 - Similar to Plainlands in 2010



Plainlands 2010 - Approved Development as of current



Port Coquitlam 2010 - Note the density around the road and transport corridors

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### *Briefing from New Westminster planning officials and Elected Members*

- Travel on the Vancouver Skytrain to major TOD and renewal districts at Metrotown and New Westminster with population of about 66,000 people.
- Council has lead renewal in the downtown through its land holdings and push to develop its own land holdings in partnership with the private sector.
- Flagship development is targeting office and public space - Council sponsored but will not contain municipal office use as the market is willing to pay higher rents.
- Rejuvenated waterfront space had good use of local materials (salvaged from the dock and pier) incorporating local history into public spaces (focus on the local amenity along the river).



New Westminster - Public art celebrating local history with photos collected representing different times and people presented as part of an amphitheatre facing the river.



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### *Briefing from City of Surrey planning*

- City of Surrey with population of 468,000 to visit the new town heart they are building, meet with city officials and hear about their plans for new light rail to tie their disparate communities together.
- Whilst still a strong agriculturally focused area residential growth has had a major impact on that community with highly urban development and density driving up the population.
- Predominantly a young population with an increasing South Asian population.
- Relocated city hall to a "Civic Heart" with a strong response by the public centre to join the council there (Simon Fraser University, Royal Canadian Mounted Police, provincial hospital).
- Simon Fraser University has a very large, multi-storey office block within the Civic Heart that it leases from the City of Surrey in partnership with that local government which is now a very successful development that also incorporates renovated 1970's shopping centre on the ground level.
- Agricultural Land Reserve (ALR) also discussed - prohibits urban use on that land.
- Agricultural land is becoming very scarce with very limited available for farming - now sacrosanct.
- Pressure on to develop the ALR from port expansion and for provision of affordable land for residential housing for the growing population of Greater Vancouver.
- Single family home is about \$22k for infrastructure charges.
- Despite the increase in infrastructure investment feel that they are falling behind the infrastructure curve needed to service their growing population.



Above - Development meets traditional agricultural industry - Surrey

Left - Looking from City Hall - Surrey

### 3. Overview of Tour Central Themes – Planning Lessons for Lockyer Valley

The tour demonstrated that the significant differences between the planning system in Queensland and those in the USA and Canada provide opportunities to compare and contrast between these systems, and irrespective of the system, to see firsthand some outstanding planning achievements and to understand how they were achieved.

#### 3.1. Local Government Funding

A continuing challenge for local governments everywhere dealing with significant growth in their communities is funding of the infrastructure required to deliver balanced and well functioning communities. It was evident in the communities visited that local governments in these systems, while also wrestling with this challenge, generally have a wider range of levers and tools to draw upon in their funding options, many of which are not a feature of the Queensland or Australian systems. This range of options provides more flexibility for local government to respond to the needs of communities when dealing with this growth. Funding options not readily encountered or available in Queensland that were identified included:

- Tax increment financing, which is essentially a "value capture" mechanism which allows local government to recoup significant uplift in the land values arising from development opportunities related to major infrastructure investment, particularly transport and transit investment, as a significant source of funding to finance the debt raised by that transport/transit investment.
- In the US in particular sales tax is a commonly used mechanism of local government fund raising, often with specific increases in sales tax earmarked for a particular purpose.
- The use of bond issues by local government to raise capital for these projects.
- Local improvement districts and similar concepts, which allow the imposition of additional charges to specific areas to help fund infrastructure and other community benefits in those areas.
- More general power to raise levies and charges for particular purposes.

Generally speaking a more detailed study of local government funding sources for infrastructure needed to service development, including these types of options, would be a valuable exercise in Queensland. The current state of the development industry is relatively poor and additional imposts in the form of levies or charges would not be on the State's agenda. Mutually agreed charges like local improvement levies have had some use in Queensland and could be employed by agreement with key stakeholders.

#### Learning's for Lockyer

- Like all SEQ local governments there is merit in exploring for Lockyer Valley in time how a "value capture" mechanism might be which allows local government to recoup significant uplift in the land values although likely restricted to higher growth areas such as Mainlands in the longer term.
- Local improvement districts and similar concepts can be implemented at lower scale and locally defined area, which allow the imposition of additional charges to specific areas to help fund infrastructure and other community benefits in those areas are options that could be explored for Laidley or Gatton.

#### Opportunities for the Future for Lockyer

- Discuss use of a local improvement districts and similar concepts with Council and key stakeholders

- such as Lockyer Better Business for Gatton.
- Discuss use of a local improvement districts and similar concepts with Council and key stakeholders such as Laidley Better Business for Laidley potentially aligned with the Laidley Revitalisation / Laidley Futures initiative.

### 3.2. Comparisons – development assessment processes and system complexity

For each local government visited, tour group members were keen to establish some information on topical matters in Queensland, particularly in relation to development assessment timeframes and the level of infrastructure charges available to development. In broad terms, the delegates were strongly of the view that the current performance of the Queensland system in both respects is generally ahead of the systems visited in terms of development assessment timeframes, and that levels of infrastructure charges on a "like for like" basis in the communities visited, were similar or higher than those currently in force in Queensland. Delegates were also interested to learn that infrastructure charging regimes are largely left to local government in the US and Canada rather than regulated on a State basis as is currently the case in Queensland. This provides flexibility for each local government.

Delegates on the tour were also struck by the complexity of the context within which planning systems operate in the US and Canada compared with Queensland. These complexities include many varying roles of state/provincial and local governments, the involvement of additional regional government bodies, features such as popular ballots on planning matters and the concept of "home rule" which enshrines local government zoning as the predominant determinant of development. These are all quite different to the Queensland system and it appeared to add up to a much more complex environment within which to undertake planning and development assessment.

#### Learning's for Lockyer

- Lockyer Valley's infrastructure charges and development approval processes are inline with other Councils in SEQ in terms of development approvals and timing.
- Whilst our planning and approval processes are at times drawn out they are operating by and large more efficiently than those experienced on the tour.
- Planners recognised that universities located in their regions had very specific requirements regarding codes (spin off economic businesses needed to be supported so the planning scheme had to be very flexible and non-prescriptive).
- Flexibility was a critical factor in being able to respond to the market and changing circumstances.
- Focus on being nimble and flexible as planners and policy makers - talk about frameworks and strategies rather than plans.

#### Opportunities for the Future for Lockyer

- Actively engage with other SEQ Councils through the Council of Mayors SEQ (COMSEQ) on the DA monitoring initiative to ensure council's performance is monitored and evaluated over time.
- Continue to road test the business friendly approach of the new planning scheme, which seeks to reduce approvals processes and encourage code, and self-assessable development where it is envisaged in the region.



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- Continue to road test with UQ Gatton that the draft planning scheme's new "UQ Knowledge and Enterprise Precinct" allows for sufficient flexibility to accommodate the range of potential businesses and uses attracted to UQ Gatton.

### 3.3. Tools for Planning

In the course of the tour, delegates identified a number of planning tools used in the communities visited which are not available in Queensland, and which appeared to provide real opportunities to achieve great outcomes in policy areas of particular interest in our state. These include:

### 3.4. Affordable Housing

Because of their economic success and popularity as a living destination, many of the cities visited have considerable pressure on the affordability of their housing. Responses in many locations allow a proportion of affordable housing to be a mandated requirement for development, with some flexibility in how this may be delivered. For example in San Francisco, 15% of the housing in new projects is required to be housing meeting affordability criteria (usually amount of income spent on housing) on an on-going basis; and this can either be provided on the site of the development, as a contribution in lieu of provision, or within 1km of the site of development, at the discretion of the developer.

### 3.5. Development Bonusing

Systems in the countries visited feature widespread use of bonus provisions whereby communities, having identified the level of development they are prepared to accept, allow development above and beyond those limits where a clear and agreed community benefit is provided. This works as follows:

- Local government works with a community to establish the quantum of development (for example through height, floor space ratios or similar) considered acceptable to a local community;
- To provide a transparent and accountable option for development to exceed that acceptable level if a bonus funding is provided for community benefits; and
- To set out the types and quantum of these improvements required to qualify for the bonus development.

On the tour facilities were viewed such as community centres, additional parks and major urban squares, affordable housing and other community attributes provided in this way. Bonusing represents an interesting challenge for the planning system in Queensland whereby the planning scheme is seen not as an absolute but a starting point that the community has set as a desirable benchmark for discussions with the development industry. Developers are free to propose increases in floor space, density and height together and enter into discussions with local councils on what might be provided in compensation or mitigation.

#### Learning's for Lockyer

- Affordable housing can be provided through development agreements for a proportion of the total development but this appears to work only where there is very high demand for residential land use in a particular community.
- Affordable housing in Lockyer Valley will not likely arise from this form of development agreement but if pursued require partnerships with the other spheres of government and with a private or non-

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profit organisation.

- The concept of "bonusing" is attractive in that it sets a starting point for industry to understand where a community through its planning scheme has set a desired level which could be negotiated for broader benefits to the community in the form of infrastructure, financial contributions or assets.

### Opportunities for the Future for Lockyer

- Follow on discussions more broadly with Council of Mayors SEQ (COMSEQ) and other local governments around the applicability of bonusing for SEQ.
- New planning scheme has been developed to be flexible enough to adopt the concept of bonusing but would need to be worked through Council and existing policy settings to formalise.

### 3.6. Agricultural Land Protection

In the metropolitan areas of Seattle and Portland as well as in the Greater Vancouver Region there was significant concern with the encroachment of urban residential development into good agricultural production areas. The response has been legislative and regulatory in nature through their respective State and Provincial Governments with application to uniformly to the whole region. The application appears to have been uniformly supported and backed with good data and mapping.

In the US it was explained that the widespread use of Transferable Development Rights (TDR) in greater Seattle was used to protect major areas of agricultural land, involving the imposition of a requirement on major development in the city to secure agricultural land protection, by purchase at market rates.

In Vancouver the delegates also saw the long standing Agricultural Land Reserve (ALR) put in place in greater Vancouver in the 1970s, which has resulted some of the most productive land in Canada remaining available and in active production in close proximity (and in some cases between) areas of urban development. Even with the ALR in place the Greater Vancouver Area is however struggling to maintain its agricultural lands with ongoing pressure on its edges from residential development and other forms of growth such as golf courses. Critics established that the ALR prevented land owners (particularly in the Lower Mainland region of the province) from realising the potential development of their land and that they are not sufficiently compensated for their property.

Overall however the benefits of the ALR appear to have support both from the electorate and the agricultural community which feel that without the protection arable land would have likely been built on or locked away by speculators waiting to develop the land for profit. There appears to be consensus that the ALR has lead to a strengthening of the agricultural industry but this has been a long term outcome.

Discussions with local governments including the City of Surrey have actively developed economic development and planning policy to support their agricultural industries under the ALR framework. For Surrey agriculture has always been a key component of their economy and community life. Over one third of the City is designated for agriculture in their Official Community Plan, most falling within the Provincial Agricultural Land Reserve.

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Surrey farms produce a wide diversity of crops including dairy products, poultry, berries and grapes, cut flowers and landscape materials, and a range of field-grown and greenhouse vegetables. Surrey's greenhouses contain nearly 450,000 sq. m. of production capacity. Surrey farms support over 3,300 jobs and produce over \$167 million in sales. That Council sees its role as helping reinforce the availability of the ALR land base, as well as those lands designated for agricultural outside of the Reserve, by being proactive in the enforcement of by-laws and by planning adjacent urban areas in such a way that they do not restrict farming activity.

### Learning's for Lockyer

- Agricultural land is becoming very scarce with very limited available for farming in the areas visited as a consequence of rapid development particularly in the last 15-20 years following on from strong migration from Asia.
- Having policy developed by the State/Province has been seen as beneficial for the agricultural industry on the west coast but has not been without controversy with respect to the impingement of property rights.
- These policies are long term in seeing any benefits with the ALR in British Columbia having been in place for over 30 years requiring strong political commitment over successive governments.
- Policies have been in place at a regional level and supported by local government.
- Policies are currently in place to protect strategic cropping land in Queensland but the focus of this is largely on protection from resource development rather than encroaching residential, commercial or industrial development.

### Opportunities for the Future for Lockyer

- Investigate if there merit for policies such as those in the Greater Vancouver Area or Metropolitan Seattle which are targeted at land use taking a long term, strategic view on protecting the best arable land in SEQ particularly in collaboration with together with Somerset and Scenic Rim Councils potentially through the Council of Mayors SEQ (COMSEQ).

### 3.7. Land Use Investment and Transit Integration

The group saw a wide range of very impressive examples of major transit investment integrated with major new development. This generally took the form of new transit investment (including the Skytrain in Vancouver and streetcar/light rail in other cities) but also the integration of active transport (cycling and walking) and other transport options (such as car share schemes) in a number of communities.

The group witnessed many impressive examples of the integration of those facilities into major new development precincts, which also demonstrated the success of mixed use in providing active and inclusive communities, and other examples of targeted density in suburban areas around transit which achieved impressive urban outcomes.

The group also learned the importance of balance in the transport system and witnessed first hand the great city building outcomes that have occurred in a number of cities visited where freeways have been torn down, replaced or not built in the first place; and the focus put on other modes including

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different forms of transit (heavy rail, light rail, streetcar), cycling and walking to provide genuine mobility options to all in the community beyond the private car.

For areas like Coquitlam and Burney with the advance of investment into rail and transit over the last 15-20 years growth in those communities has been exponential as a consequence of their connection to the Vancouver. These communities once predominantly agricultural production and food suppliers have transitioned to residential and commercial centres.

Looking at a more local example and whilst it currently difficult to secure specific figures illustrating the growth of Springfield and the influence the new rail corridor has had on this growth, it is reasonable to conclude that the urban development model and planning based around Transit Orientated Development has been a critical foundation for delivering the infrastructure and growth that Springfield is experiencing. The promotion of higher density in the Springfield development areas is planned to provide:

- population of 105,000 by 2030 with 48,000 dwellings;
- 2009 population was 18,000 this is now 69,000 with an annual growth rate of 6.2% per annum;
- Representing 25% of population growth in Ipswich by 2031; and
- Ranking Springfield 4th in growth SLA areas (in 2011 census) across Australia.

With the existing rail line through the Lockyer Valley there are parallels for the region in terms of growth potential if services were to be increased to Brisbane. Previous studies undertaken by the State have cited significant infrastructure costs associated with upgrading the rail line coupled with a current strong demand for freight make this a longer-term prospect.

However improvements in technology and use of lighter rolling stock (such as light rail) with alternative power sources (gas or fuel rather than electrification) could offer solutions. It could be expected growth potential would be high for urban areas along that existing rail corridor overtime.

### Learning's for Lockyer

- Growth along rail and transit corridors in the areas visited have acted as a massive catalyst for investment and economic growth in those communities.
- The existing rail line running through Lockyer Valley and into its two largest communities Laidley and Gatton represents a very strong future asset and potential catalyst for growth and renewal in both urban areas which have their historic origins in rail connections.
- That whilst there is still strong demand for freight on the rail line and development is generally flat in SEQ in general the presence of the rail line and potential for future growth must be catered to strategically in Council policy decisions and documents such as the planning scheme.
- Efforts to protect the Grandchester to Gowrie line within the region through the new planning scheme is a critical step in protecting that rail corridor for the future prosperity of the region and in particular Laidley and Gatton as the rail infrastructure and stations are already in place.
- There are strong benefits in establishing walk and cycle links between the UQ Gatton Campus and Lockyer Valley's urban areas including Gatton, Forest Hill and Laidley.





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### Opportunities for the Future for Lockyer

- Advocate to the State to re-visit the Gowrie to Grandchester Rail Study to determine if technological advances or future changes in rail freight demand on that corridor would warrant changes to service levels and investment in the rail line.
- Ensure that the strategic opportunity that the rail line presents for Lockyer Valley is recognised and protected strategically.
- Re-visit and assess how cycle connections can be established through a prioritised, staged implementation to link to the UQ Gatton campus to the region's urban areas.

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### 4. Conclusion - Key Ingredients of Success

The group also identified from the tour a number of ingredients that seemed to be common across many of the successful communities visited, including:

- Establishing a vision and sticking to it over the long term. In most cases, the success of these cities was built on an early adoption of a long term vision and then decades of effort to move the city towards that vision, supported by considerable passion and commitment from, in many cases, long serving personnel in the Councils involved in delivering these results.
- A preparedness to push boundaries, experiment and learn from those experiments to continually improve the outcomes being achieved.
- The importance of *partnerships*, particularly between the Council and the private sector, which involves the Council having a relatively sophisticated understanding of the market dynamic and engaging with the private sector to achieve "win win" outcomes that provide a successful development investment for the private sector and great outcomes for the community where the development is located.
- Innovation clusters centred around strong collaboration with universities in San Francisco, Portland, Seattle and the Vancouver Region were all present and generating huge benefits for their local communities. Lockyer Valley has within its region arguably the best veterinary, food and bio-sciences university in Australia in UQ Gatton.

A particular learning for Lockyer Valley in this sense is the need to continue to support the operation of the UQ Gatton and to look to assist where possible in the facilitation of a "Centre of Excellence for Food" which would leverage the relationship with UQ, CSIRO, State Government Departments and private industry in the area. Associated commercial growth could have the potential to act as value add industry to lead new kind of manufacturing targeting emerging market and demand for food.

- The involvement of the community. There was a strong emphasis in places visited about the involvement of the regional and local community in establishing the planning objectives. Particular examples were seen at the Seattle waterfront redevelopment following the undergrounding of the major freeway along there, now underway, but also in the mid market area of San Francisco, and in many locations throughout Portland and Vancouver.
- The importance of great urban design in providing liveable communities which allow for urban density with high amenity and provide an economic dividend to the cities in which they are located. Spectacular examples seen included places like South Lake Union in Seattle, the Olympic Village site in Vancouver, the significant achievements in New Westminster and Surrey in Vancouver, South Waterfront and the Pearl District in Portland.

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### 5. APPENDIX - COUNCIL REPORT

#### US and Canada – Best Practice Planning Technical Tour

**Date:** 11 December 2013  
**Author:** Mark Plorkowski, Executive Manager  
Planning and Development Services  
**Responsible Officer:** Mark Plorkowski, Executive Manager  
Planning and Development Services  
**File No:** Formal Papers  
**Attachment:** To be distributed on the Council meeting day

#### Summary:

On 20 June 2013 that in respect to the Local Government Association of Queensland (LGAQ) Best Practice Planning Technical Tour of USA and Canada a resolution was passed that Council support and fund the attendance of Cr Kathy McLean as the relevant Portfolio Councillor and the Chief Executive Officer of his nominated Executive Manager and that the arrangements be made to finalise Council's involvement. Arrangements were made with Cr Kathy McLean and Mark Plorkowski the Executive Manager Planning and Development Services attending the LGAQ Best Practice Planning Technical Tour to west coast of North America from 10-20 November 2013.

#### Officers Recommendation:

The presentation and tour report to be presented at the Council meeting be accepted.

#### Report

##### 1. Introduction

Lockyer Valley is a dynamic region on edge of Australia's third largest growing urban area that has since amalgamation continued to play a leading role in the South East Queensland Region not only as the major producer and exporter of agricultural and horticultural goods but like the other regional councils represents the coal face for an expanding metropolitan Brisbane.

This potential for residential growth however must be balanced with the region's agricultural and horticultural industry which have a strong future in the new Asian century in terms of supplying high quality food to an increasingly affluent population.

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Lockyer Valley also has a great future in a diversified economy whereby firms such as logistics and light industries can look to leverage an enviable geographic location on a national highway currently undergoing massive investment with major airport and port facilities in close proximity to the east and now to the west in Toowoomba.

To take advantage of this emerging future it is a sensible decision to look to invest into learning from other regions which have and are experiencing growth of this nature for the benefit of the Lockyer Valley community. The LGAQ Best Practice Planning Technical Tour is an example of this sort of investment.

### 2. Background

It is important the Lockyer Valley continues to think big and leads with vision and that is why we actively pursue potential opportunities for growth and the sustainability of our region. It is because of this forward thinking, pro-activeness that Lockyer Valley is recognised as a leading voice for rural, regional councils in South East Queensland which is very important when advocating for our community with the State and Commonwealth Governments.

The tour provided an opportunity to visit communities large and small, rural and urban to study how they have changed. Included on the tour were rural, agricultural communities which have recently transformed immensely under the pressure of development from nearby major urban areas and where the tension between maintaining land for agriculture or development is ongoing.

### 3. Report

#### 1. Tour Overview

The Local Government Association of Queensland (LGAQ) assisted by Green Shoe Travel (a business run by Buckley Vann Town Planning Consultants) undertook a Best Practice Planning Technical Tour to west coast of North America from 10-20 November 2013. The purpose of the tour was to assist local governments and others involved in planning for communities around Queensland to learn from best practice examples in which are noted, leading examples in the world for various aspects of dealing with growth.

A particular focus of the tour was how they manage residential growth pressures, maintaining viable industries, town and city street design, transport linkages and transit oriented development. The tour ranged widely across all aspects of dealing with development in both urban and rural communities in San Francisco, Portland, Seattle and the Vancouver region. In each location, the tour group heard from local government representatives, the development industry and others involved in planning in those communities; and had the opportunity to inspect first hand many development projects and areas of world renown in these cities.

#### 1.1 Overview

The tour demonstrated that the significant differences between the planning system in Queensland and those in the USA and Canada provide opportunities to compare and contrast between these systems, and irrespective of the system, to see first hand some outstanding planning achievements and to understand how they were active.



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Key themes to be explored in the report to be tabled include:

- **Local Government Funding** - A continuing challenge for local governments everywhere dealing with significant growth in their communities is funding of the infrastructure required to deliver balanced and well-functioning communities. Funding options not readily encountered or available in Queensland identified included:
  - Tax increment financing;
  - Use of bond issues by local government to raise capital for investment;
  - Wide use of "bonusing" for development projects; and
  - Local improvement districts and similar concepts involving additional charges to specific areas to help fund infrastructure and other community benefits.
- **Comparisons of development assessment timeframes, infrastructure charging, and system complexity** - For each local government visited effort was made to establish information on topical matters in Queensland, particularly in relation to development assessment timeframes and the level of infrastructure charges available to development.
- **Tools for Planning** - In the course of the tour the delegates identified a number of planning tools used in the communities visited which are not available in Queensland, and which appeared to provide real opportunities to achieve great outcomes in policy areas of particular interest in our state. These include:
  - Affordable housing;
  - Development bonusing; and
  - Land protection for agricultural industries under development pressure.
- **Land Use Transit Integration** - The group saw a wide range of very impressive examples of major transit investment integrated with major new development. This generally took the form of new transit investment (including the Skytrain in Vancouver and streetcar/light rail in other cities) and in rural communities where the investment in transport has transformed those communities. Other examples explored included the integration of active transport (cycling and walking) between urban areas and major activity centres such as universities.
- **Key Ingredients of Success** - The group also identified from the tour a number of ingredients which seemed to be common including:
  - Establishing a vision and sticking to it over the long term;
  - Preparedness to push boundaries, experiment and learn from those experiments;
  - Importance of partnerships, particularly between the Council and the private sector;
  - Involvement of the community; and
  - Importance of great urban design in providing liveable spaces for people.

#### 4. Policy and Legal Implications

Policy and legal implications will be addressed in future reports on matters that arise before Council.

#### 5. Financial and Resource Implications

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No further financial or resource implications required.

6. **Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

7. **Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

8. **Conclusion**

That the report be received as information only.



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### **3.0 CONDOLENCES/GET WELL WISHES**

#### **3.1 Condolences/Get Well Wishes**

**Date:** 10 December 2013  
**Author:** Susan Boland, Council Business Support Officer  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

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

**THAT letters of condolence be forwarded to the families of the recently deceased persons in the Lockyer Valley Region.**

#### **RESOLUTION**

**THAT letters of condolence be forwarded to the families of the recently deceased persons in the Lockyer Valley Region.**

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**4.0 DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST BY COUNCILLORS AND SENIOR COUNCIL OFFICERS**

**4.1 Declaration of Material Personal Interest on any Item of Business**

Pursuant to Section 172 of the *Local Government Act 2009*, a councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees must –

- (a) inform the meeting of the councillor's material personal interest in the matter; and
- (b) leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

**4.2 Declaration of Conflict of Interest on any Item of Business**

Pursuant to Section 173 of the *Local Government Act 2009*, a councillor who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government, or any of its committees must inform the meeting about the councillor's personal interest in the matter and if the councillor participates in the meeting in relation to the matter, how the councillor intends to deal with the real or perceived conflict of interest.

**5.0 CONFIRMATION OF MINUTES**

**7.1 Confirmation of Minutes of the Ordinary Meeting held on 27 November 2013**

**Date:** 10 December 2013  
**Author:** Ian Flint, Chief Executive Officer  
**Responsible Officer:** Ian Flint, Chief Executive Officer  
**File No:** Formal Papers

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**RESOLUTION**

**THAT the Minutes of the Ordinary Meeting held on the 27 November 2013 be hereby confirmed.**



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**7.2 Lockyer Valley Local Disaster Management Group Meeting Minutes  
26 September 2013**

**Date:** 10 December 2013  
**Author:** David Mazzaferri, Manager Disaster Management (Recovery & Resilience) & Community Engagement  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

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**RESOLUTION**

**THAT the Minutes of the Lockyer Valley Local Disaster Management Group of 26 September 2013 be received and adopted as minutes of that meeting.**

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**6.0 MAYORAL MINUTE**

**6.1 Mayoral Minute**

**Date:** 10 December 2013  
**Author:** Jason Cubit, Executive Liaison Officer Mayor/CEO & Coordinator  
Mayor's Office  
**Responsible Officer:** Ian Flint, Chief Executive Officer  
**File No:** Formal Papers

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*Laidley Land Swap*

Another successful meeting was held last week with members of the community from the Laidley South area who have submitted a formal expression of interest to take up a land swap in Laidley. To date Council has already swapped 11 properties in the Laidley South area as part of the Strengthening Grantham Project. There are a further 10 families who have submitted an expression of interest which will leave only 10 properties in that area should a Laidley Land Swap proceed. Member for Lockyer Ian Rickuss attended the latest meeting and was supportive of a swap going ahead. A formal resolution of Council is needed to allow discussions with the community to continue and for Council to identify a suitable site for a Laidley Land Swap in negotiation with the State Government for funds.

**THAT Council delegate authority to the Chief Executive Officer to continue investigations and negotiations with interested Laidley South residents to progress a land swap for those residents.**

**and further;**

**THAT Council identify suitable sites and continue negotiations with the State Government to assist with funding any such land swap.**

**Moved By: Cr Milligan**

**Seconded By: Cr Pingel**

**Resolution Number: 69**

**CARRIED**

**6/0**

*Strengthening Grantham Lunch*

A successful thank you lunch was held on Saturday December 7 to recognise those organisations and individuals who were involved in making the Strengthening Grantham Project a reality. The lunch also served as a recognition of the completion of the project with all 120 blocks in the estate now swapped to flood-devastated Lockyer Valley families. It was an opportunity to reflect on the many awards that the project has received and to thank those who were involved in the historic project.

*LGAQ Flying Fox Forum*

Council hosted a forum at the Lockyer Valley Cultural Centre which was facilitated by LGAQ. Four Mayors from across Queensland were in attendance. As was demonstrated by the motions put through by this Council at the LGAQ Conference in Cairns in October, the majority of Councils are in favour of being allowed the option to cull flying foxes whose numbers are in plaque proportions while roosting near built-up residential areas.



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**THAT Council Officers further investigate all options available to Council to manage flying foxes whose numbers are in plaque proportions in built-up residential areas in the region in particular behind Amaroo Retirement Village, Gatton, including the options available for the removal of vegetation in the area concerned.**

### *Christmas Celebrations throughout the Valley*

Most Christmas celebrations throughout the Lockyer Valley have now taken place with major street parties being held in Laidley, Forest Hill and Gatton as well as carol events in Withcott, Ropehill and Gatton. I have been most impressed with the quality of Christmas light displays and I encourage as many people as possible to get out and have a look at these displays. I wish everyone a happy Christmas and urge people to stay safe travelling on our roads this holiday season.

### *Council's Achievements for 2013*

As a final comment in the Mayoral Minute for 2013, it is timely to reflect on the success that we have achieved this year, and it is not just about winning awards but the progress and decisions that we have made for this community. With the Lockyer Valley Regional Aquatic Facility underway and the commitment to build a Multi-Purpose Sports Centre in Laidley, along with new community centres in Murphy's Creek and the refurbished Grantham Butter Factory, Council continues to progress the region.

2014 looks to be a very exciting year, with emphasis to be placed on improving relations with the State Government and looking to the Premier, Deputy Premier and, the Minister for Local Government to assist with strong leadership to support this Council and its relationship with the local State Member for Lockyer in delivering outcomes for the broader community. Council was cited in the Parliamentary Hansard in October 2013, and Council seeks the support of the State Government in securing positive relations with the local State Member and the Government, so that we can get on with delivering for the people of the Lockyer Valley.

**THAT Council forward correspondence to the Premier of Queensland (Hon Campbell Newman) expressing support for the current direction of the State and recognizing the achievements delivered to date. Further, requesting intervention and support from the State Government, to continue to build positive relations with the local State Member, for improved communication and better performance in achieving outcomes for the Lockyer Valley Communities.**

**Moved By: Cr Jones**

**Seconded By: Cr Pingel**

**Resolution Number: 70**

**CARRIED**

**5/1**

### **Voting**

**For the Motion:** Councillors Holstein, Jones, McDonald, Milligan and Pingel.

**Against the Motion:** Councillor McLean.



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**RESOLUTION:**

It was RESOLVED that the Mayoral Minute be received and noted.

THAT Council forward correspondence to Bishop Signs thanking them for the production of the 'Waste' Stickers for Council use in managing littering and waste signage throughout the region.

**Moved By: Cr Holstein**

**Seconded By: Cr McLean**

**Resolution Number: 71**

**CARRIED**

**6/0**

**7.0 BUSINESS ARISING FROM MINUTES**

*No Business Arising from Minutes*

**8.0 COMMITTEE REPORTS**

*No Receival of Committee Reports*





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THAT Council forward correspondence to the Department of Local Government, Community Recovery and Resilience in response to the recently issued discussion paper on review of Local Government Electoral Act emphasising the retention of the current system of voting for Mayors (ie. First past the post) and retaining the decision for the appointment of the Returning Officer by the Chief Executive Officer.

**Moved By: Cr Holstein**

**Seconded By: Cr Pingel**

**Resolution Number: 74**

**CARRIED**

**6/0**

## **Report**

### **1. Introduction**

This report provides an update on key matters arising and being addressed and on significant items of information since the last report.

### **2. Background**

The previous reports provide the background information in the case of matters ongoing and only progress is being reported during the current reporting period on those matters. This report includes the relevant background information for matters introduced to report in this reporting period.

### **3. Report**

#### **Seqwater**

Notification has been received from Terri Benson, Chief Executive Officer of Seqwater advising that she will finish up with Seqwater on Friday 29 November 2013. Since the establishment of the organisation on 1 January 2013, as a result of a merger between three State-owned water businesses, it has been an incredibly busy and transformational year.

Seqwater achieved some significant milestones in its first year of operations, none more so than the formation of the South East Queensland's first single bulk water authority and one of Australia's largest and most diverse water businesses. Seqwater also successfully managed the region's bulk water assets during extreme weather events in January and March, and in June they launched the largest recreation review ever undertaken of the region's dams and catchments. There has also been significant effort and resources invested in planning for the summer wet season.

With the formation of the new business came a new strategic vision – *Healthy communities, Prosperous region*. This vision challenged Seqwater to work more closely with their stakeholders and communities than ever before, to deliver the best value-for-money model for water delivery, flood mitigation and recreation services.

Seqwater extends their thanks to Council for support and preparedness to work with the new Seqwater. General Manager of Operations Catchments and Raw Water, Mr Peter Dennis has been appointed Acting CEO. Peter has a strong background in the water sector and will ensure a focus is maintained on the organisation's priorities.

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### **Central South-East Queensland Distributor-Retailer Authority trading as Queensland Urban Utilities (QUU)**

Brisbane City Council has nominated Mr John Cotter to be appointed as a new Board Member of the Board of QUU for a term of four (4) years and seeks the support of all Participants in this appointment. Mr Cotter's bio is available in support of his appointment. In accordance with clause 9.3 of the Final Participation Agreement, the Special Majority of the Participants may appoint a Board Member by signing a document stating that they are in favour of the appointment of the Board Member. If Council is in support of the appointment of Mr John Cotter as a new Board Member of QUU for a term of four (4) years, the Participants Resolution is required to be signed and returned.

### **Resilient Australia Awards – CDEI QLD including LVRC Win National Award.**

The Resilient Australia Awards National Ceremony was held in Canberra on Thursday 5 December 2013 and attending on behalf of Council was Deputy Mayor Tanya Milligan. The CDEI program facilitated by LGAQ in partnership with the Queensland Government, of which LVRC was a leading participant, won the National Local Government Award. This recognition was further to the State Award already won. Congratulations to all the LG participants across Queensland for winning this prestigious Award but more so to our own Community Development & Engagement team, who should be deservedly proud of what they have achieved.

### **Conclusion of Strengthening Grantham Project**

A special function to thank those involved in assisting Council with all aspects of the Strengthening Grantham Project now the project is concluded with the completion of the land swap was held on Saturday 7 December 2013 at the Lockyer Valley Cultural Centre. The celebration of what has been a significant achievement was well-received by all in attendance. Thanks to Council representatives Crs Milligan and Holstein, Dan McPherson, Jamie Simmonds, Jason Harm and the CE Team members and Cultural Centre staff for supporting and assisting the Mayor and me on the day.

**Review of Local Government Electoral Act** – A discussion paper was released at the end of November by the Queensland Department of Local Government, Community Recovery and Resilience with comments due by 17 January 2014. Key changes proposed include optional preferential instead of first past the post voting for all Mayoral elections (currently it only applies in divided areas), the option for CEO to be Returning Officer, electronic voting for those with a disability and a review of the postal voting provisions.

With regard to Returning Officer, the discussion paper proposes that the ECQ offer the CEO first opportunity to be the returning officer for the election and if the CEO elects not to be returning officer, then the ECQ will conduct the election. The Local Government Managers Australia Queensland had suggested that it should be a Council determination who the returning officer is and this would include the options for the CEO to conduct the election or to outsource to either the ECQ or another provider.

**Local Disaster Management Group** met on Thursday 5 December 2013. Matters to note included a change to the reporting timeframes upward to State and District to align with State's requirements, and a weather forecast for the season indicating neutral conditions for a warmer and drier summer with a normal storm season.

### **LGAQ Flying Fox Forum 'Culling, Conservation or Co-Existence?'**

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The forum was held on Tuesday 3 December 2013 at the Lockyer Valley Cultural Centre with over 60 delegates attending. A number of presentations were made concerning management options including relocation and culling available to Local Government from local, state and federal government officers. Elected members also had an opportunity to voice their concerns at the end of the event. Council looks forward to working with LGAQ to further the information shared at the Forum and the motion passed at the annual LGAQ conference.

### **Farmgate Packing Facility Opening**

A further significant milestone in the ongoing support to organic produce in the region was realised when the new Farmgate Packing Facility of Bauers Organic Farms at Carpendale was officially opened by the Mayor on Wednesday 4 December.

### **Corporate Christmas Party 19 December 2013, including Employee & Team of the Year**

Councillors and ELT are invited to assist with serving of food and drinks at the Corporate Christmas Party being held at the Cultural Centre next Thursday 19 December. The theme for this year's event is *Let's Get Ridiculously Good to Great*. A program for the afternoon will be separately distributed for your information.

### **Betterment NDRRA**

Betterment projects all lodged with QRA. Betterment funding request \$8,428,610 and Council contribution at \$1,537,831. QRA hopeful of finalising most approvals this year. Large project (three valleys) will need to go to Federal Government for approval.

### **Forest Hill Flood Levee**

The second community information evening was held on 20 November 2013 at Forest Hill. The second round of round face-to-face meetings is now complete. Property valuations are now underway to better inform the project development process. Qld Rail progressing with their flood modelling work following agreement on information sharing protocols. Council and Qld Rail working to integrate potential design solution. An information update letter, including an indication of the draft levee alignment, was recently distributed to the Forest Hill community.

### **Laidley Flood Mitigation Works**

The formal agreement documents have arrived from DSDIP. With regard to the Narda Lagoon flood levee, valuations relating to the property at the Childcare Centre have now been received. Another meeting was held in Melbourne with the property owner and they are considering easement/purchase options. Council is wishing to deliver the Storr Street drain and the Narda Lagoon levee projects together to avoid double-handling of materials and risks associated with the materials. There is a risk of the Forest Hill construction timing overlapping, which could well affect procurement arrangements.

### **CEO Leave**

I will be on leave from 23 December 2013 to 2 January 2014 inclusive and from 10 January 2014 to 13 January 2014 inclusive.

I congratulate the Council / ELT team on the many achievements over the 2013 calendar year and extend the compliments of the season to all as the Christmas / New Year holiday period affords us with the opportunity to enjoy time with our family and friends.

**4. Policy and Legal Implications**

Policy and legal implications will be addressed in future on matters that arise before Council.

**5. Financial and Resource Implications**

Budget implications will continue to be addressed through existing allocation and re-prioritisation as required.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

That the Chief Executive Officer's Report be received and adopted.



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*Cr Tanya Milligan left the meeting, the time being 11:47 AM*

*Cr Tanya Milligan returned to the meeting, the time being 11:48 AM*

### 10.2 Grantham Butter Factory Update

**Date:** 13 December 2013  
**Author:** Leo Jensen, Executive Advisor Projects  
**Responsible Officer:** Ian Flint, Chief Executive Officer  
**File No:** Formal Papers

#### Summary:

This report provides Council with an up-to-date status of the Grantham Butter Factory project since the ceremonial opening on the 30 June 2013. It also further confirms the recommended uses and suggested management model of the facility proceeding forward in 2014.

#### Officer's Recommendation:

**THAT Council note the progress that has been made in preparing the facility as a local and regional community hub and functions facility;**

#### **2. That the Chief Executive Officer is requested to:**

- a) **Prepare an asset management plan for the facility by the end of March 2014, to assist Council in considering financial allocations in the 2014/15 FY budget and beyond;**
- b) **Undertake the necessary community engagement to assist with identifying future users of the community room;**
- c) **Undertake the necessary actions to complete the outstanding disabled access and driveway ramp at the rear of the facility**
- d) **Investigate future community partnering and external funding options to complete the rear courtyard area;**

**And further;**

**THAT Council acknowledges and thanks the numerous personnel from across the organisation, in particular the external teams from Community Facilities, Works, and Parks and Gardens who have assisted with various works over the last 6 months.**

#### **RESOLUTION:**

**THAT Council note the progress that has been made in preparing the facility as a local and regional community hub and functions facility;**

#### **2. That the Chief Executive Officer is requested to:**

- a) **Prepare an asset management plan for the facility by the end of March 2014, to assist Council in considering financial allocations in the 2014/15 FY budget and beyond;**
- b) **Undertake the necessary community engagement to assist with identifying future users of the community room;**
- c) **Undertake the necessary actions to complete the outstanding disabled access**

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- and driveway ramp at the rear of the facility
- d) Investigate future community partnering and external funding options to complete the rear courtyard area;

And further;

THAT Council acknowledges and thanks the numerous personnel from across the organisation, in particular the external teams from Community Facilities, Works, and Parks and Gardens who have assisted with various works over the last 6 months.

**Moved By: Cr Milligan**

**Seconded By: Cr Pingel**

**Resolution Number: 75**

**CARRIED**

**6/0**

## **Report**

### **1. Introduction**

Since the ceremonial opening of the facility on the 30<sup>th</sup> June 2013, there have been a number of ongoing building and site issues and improvements progressed with this facility. Interest in using the facility has been constant; the front area for different events from a range of groups from across the region; and the rear room for a range of community related uses. This interest is particularly pleasing. It is acknowledged that there is a keen political and community desire to have the building fully operational and used. Works since the ceremonial opening have sought to have the facility ready for full operations as soon as practicable, whilst meeting all relevant on site compliances to affect the transfer of title to Council.

A number of outstanding building and site issues have been worked through and managed with Rotary International and the builder – FK Gardner & Sons and Rotary's appointed building certifier.

The report confirms the range of proposed uses for both rooms and a recommended management framework for the facility progressing into 2014 and beyond, in response to recent Councillor workshops that have discussed this issue.

### **2. Background**

*Rotary International (Rotary Club of Toowoomba South Inc.)*

The neglected Grantham Butter Factory became an important part of the Grantham community following the January 2011 flood disaster when the people of Grantham who lost so much in lives, property and possessions needed a location to house the generous donations of clothes and goods from across Australia.

Despite its derelict state, and almost total lack of facilities, its importance from both a historic perspective, and the need of a place for the local people to meet and share the past and the future, was the motivation for the Rotary Club of Toowoomba South Inc. to take on a huge community project.



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It was a long journey, commencing with the purchase of the property funded by a generous donation from the Cotton-On Foundation of \$395,000 in May 2011. The Club subsequently received Donations from various individual Rotary Clubs, Rotary Districts across the country, the YMCA and Young Care of Brisbane, the Rotary District 9630 Southern District Flood Appeal and other Corporations such as Tupperware, Simplot and Dulux. These donations were supplemented by road works/parking, landscaping and storm water drainage being provided by Lockyer Valley Regional Council.

Donations of over \$2.0 million made the project possible.

The Project Board engaged the services of local commercial builders FK Gardner & Sons who initially donated their design and estimating services. By the project's completion it will have a value in excess of \$2.5 Million.

Once the asbestos ceilings were removed it was obvious that the whole of the roof would have to be replaced, together with reinstating the ceiling. In order to be able to carry this out, the whole of the roof support structure had to be supported with steel beams and purlins. The roof structure including beams, purlins, box gutters and an insulated Colorbond acoustic ceiling was replaced.

The floor in the rear section then had to be levelled prior to constructing an amenity facility in the rear section of the building. This facility provides male, female and disabled toilet facilities as well as showers. An airlock was built and has been designed with two purposes in mind:

- (1) To provide amenities to the general public and local members of the community; and,
- (2) To have facilities available in order to create an emergency evacuation centre should another disaster occur at some future time?

The building was totally rewired and new lighting provided throughout. This also required the replacement and upgrading of switch boards as well as new plumbing. The amenities have been connected to two 22,000 litre rainwater tanks donated by the Apex Club of Toowoomba. Due to major problems with concrete cancer in the suspended floor of the old loading dock/office this was demolished.

A mezzanine floor was constructed in the front section of the building over the new commercial kitchen area. The commercial kitchen was designed and equipment supplied by Food Strategy of Enoggera in Brisbane. All of the stainless steel works including benches, range hoods and wall sheeting have been manufactured and fitted out by Oakwood Sheet Metal Works of Bundaberg and Brisbane. The rear half of the building which has a small lockable storage will lend itself to be used as a community meeting space, a place for movies, indoor bowls and other community related activities as time progresses.

The finishing touch internally is the stained timber floor, benches and reception counter constructed from timber donated by Rotary Past District Governor Errol Wildman and wife Jana.

This project commenced with the purchase of a derelict building and surrounds by the Rotary Club of Toowoomba South Inc. at the end of May 2011 and was ceremonially gifted to the Lockyer Regional Council on 30 June 2013, with an official opening ceremony, some 42 years to the day, after the factory closed.



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*(Ceremonial Opening - June 2013)*

The opening ceremony witnessed a hugely successful event attended by over 350 persons during the day. The day commenced with the official opening ceremony by Her Excellency, Ms Penelope Wensley AC, Governor of Queensland, the Mayor and Councillors, Rotary International dignitaries and various sponsor representatives as well as local and other members of the broader Lockyer and regional community. A number of past employees and suppliers to the factory also attended which was pleasing to see. About 270 persons were seated in the front room.

Later in the day, by way of public invitation, the facility was opened to members of the local community to inspect the facility. It is estimated that about 70 persons attended in the afternoon.

The opening of the facility was to assist the outgoing RCTS President who was vacating his Presidency in early July and he wished to ensure he had most of the duties completed prior to his handover. This was achieved; however the facility has had a number of outstanding works to be completed as a result of a funding shortfall at the time, inclement weather during May and June, and identified defects during the opening ceremony which was an excellent test run for the facility and the commercial kitchen.

*Re-scoped Facility*

As a result of structural building issues during the refurbishment phase, the project's initial plans and scope changed. The original area mooted for community meeting rooms located at the topside of the facility were structurally unsound, together with asbestos materials in the deteriorated sub flooring structure. Rotary decided that this part of the project could not proceed due to the extensive costs associated with any remediation. In response, Rotary decided to proceed with completing the rear room and completing the front room with a commercial kitchen facility. It must be noted that this front room was not part of the project's original scope, having been identified as a future project once handed over to Council.

So as the project evolved, this presented both challenges and opportunities to all parties involved.

### **3. Report**

The nearly completed facility now comprises of the following:

1. A front events room area suitable for formal functions such as seminars, forums, community meetings, wedding receptions and other reception functions that require a more upmarket and heritage feel and ambience.

This front room has a fully equipped and operational commercial kitchen, cold room and associated fridges and food preparation area, plus a bar/serving area for drinks and food distribution. It is also fitted out with oiled timber flooring which is a feature of this room. The area also has a mezzanine area with new stairs installed to meet building regulations (noting the spiral stairs did not comply, but will remain as a feature of the room);

2. A rear community room that is quite large in area that could be used for a range of activities by the community and other functions as required. The rear room is larger than the front room, and has concrete floors, a small kitchenette (installation underway in December 2013); and smaller storage area;

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3. A shared toilet and shower facility located between the two rooms catering for able and disabled persons.
4. Landscaping areas at both the front and rear of the building, together with a rear courtyard area that is yet to be completed with formal disabled access to the rear room to allow for the rear area to be used separately and not reliant on accessing via the front room.

*Progress - Outstanding Works and Items*

An outline of the works that have occurred since 1 July 2013 are outlined below.

➤ Defects

A number of building and operational defects were identified in July as part of the pre-building handover inspection process and during the ceremonial event in June.

Inspections revealed a number of non-compliant issues that have been rectified by the builder. Building Compliance issues – disabled access, aisle widths in toilets; drainage in the commercial kitchen; fan isolator switch for cold room blowers; plumbing works on a number of installed commercial kitchen appliances; tactile installation, to name several items. A majority of these items have been addressed with a handful being rectified in December 2013 and January 2014 to achieve final building certification.

➤ Certificate of Classification

The builder's private certifier lodged approved plans last week informing Council's Plumbing and Building Unit that works are progressing and certification is imminent.

Council's EAP has been liaising closely with Rotary to progress these matters as quickly as possible. Once the identified defects have been completed, certification should be achieved allowing for the transfer of title and handover to Council and subsequent public usage of the facility. This will satisfy Council's risk management framework and meet insurance conditions.

➤ Transfer of Ownership

Transfer documents have been prepared by Council and are currently with the Rotary Club of Toowoomba South Inc. for further review and signing. They are awaiting additional paperwork from various trades and final certification to accompany the returned documentation. Rotary is aware of Council's position about the certificate of classification being finalised prior to transfer documents being lodged. Plans have been prepared for the titles office and are waiting in abeyance before proceeding to lodgement. Council's in-house solicitor will be required to finalise this aspect in early 2014, once certification has been received and transfer documents signed.

➤ Security

A back to base security system is now operational on site. It is proposed that the two rooms can be armed, with one or both disarmed at the same time. It is important to note that it is envisaged that the front area can remain armed with the rear room being self-contained for community use if need be and visa-versa. At this stage the whole facility is either armed or disarmed dependent upon usage.

➤ Electrical

Additional lighting and electrical points have been installed within and external to the building to enhance the venue's capacity to cater for a range of uses in the future. Additional security

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lighting has also been installed and day/night sensor timers installed to ensure lighting is as efficient as possible whilst providing adequate lighting for safety and security reasons. The old cold rooms in the front room will be used for storage purposes and required updated lighting as well.

Additional electrical points have been installed in the front and rear rooms to allow greater flexibility for future users of the building. The mezzanine level has also received some additional lighting and points for future in-house use.

➤ **Data and Communications**

The facility is Wi-Fi enabled to allow for various users to connect to the net and allow for improved communications by users of the facility, as required. Access is password protected and will be managed by Council's Facilities Unit. Two phone lines have been installed; one being for the back to base security system; the other for the facility's use in the future. Phone connectivity can be set up in both rooms and secured to manage outgoing calls.

➤ **Survey**

WM Surveys have completed a full survey of the lot. As part of the survey, a small triangular portion of the lower south west corner will be dedicated for road reserve purposes to allow for future realignment of Victor Street. Over time the Victor Street road alignment and width has evolved resulting in the current corner post with the neighbouring land to the west being located literally on the road, posing a risk for both drivers and pedestrians.

If the facility is well patronised with overflow parking on Victor Street, at the present time pedestrians are pushed into the road way with the current alignments and fence. This dedication seeks to resolve this issue over time. This will require the future compulsory acquisition of a portion of the neighbouring land to assist in achieving a safer outcome with a realigned road reserve and footpath area therefore allowing pedestrians to navigate safely to the site and improving general traffic and pedestrian safety in this location. Despite the speed limit being 50km/hour both ways and near a school zone, observations confirm some users do speed through this zone at considerable speed at all times of the day.

Further, a part of the neighbouring lot's backyard area on the topside was within the Grantham Butter Factory lot. The neighbouring owner (McCraw family), are aware of this and Mr McCraw has indicated his cooperation to have the lot boundary and fence lines rectified as part of the current works. New boundary fencing will be installed in early 2014.

➤ **Fencing**

The site is currently fenced along some boundaries and not others. Dilapidated fencing exists along the north-eastern and western property boundaries. In response to a request for quotation, a local fencing supplier will erect various fencing around the facility to assist with boundary identification as well as address a number of on-site safety that have been identified (i.e. fall and safety hazards). This excludes the western property boundary at this time. The service area at the front will also be appropriately screened to hide this area from the main entry. Once landscaping matures near the entry this will also assist in screening this area.

➤ **Drainage works – building perimeter**

Additional onsite drainage was installed in August/September around the rear perimeter of the building and top side to reduce water penetration and rising damp around the building. Rising damp as a result of inadequate drainage over a long period has resulted in damaging the

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building's brickwork. The drainage will assist in maintaining the structural integrity of the building over time.

The issue of underground water seepage from the top side of the building remains of some concern, however the building has not experienced a long wet period since the downpipes and guttering were installed, therefore limiting observations of whether water penetration will be an issue. Some moisture remains on the eastern internal walls, despite it being sealed and painted. It is recommended that no equipment, artworks and the like be hung on the lower half of the eastern internal walls until such time that observations confirm whether moisture will be an issue or not over time.

➤ Disabled Access to Rear room

This is the one last remaining item to achieve full completion and full functioning of the facility as two separate rooms if necessary. Whilst the building is technically compliant with disabled access via the front door, if the future use of the building allows for the rear room to be accessed via the rear to avoid the front room being opened, then separate disabled access is required. Design plans have been completed, and are now in the process of being issued to market to seek quotations to complete these works in early 2014.

➤ Memorabilia

The call for memorabilia in late May/early June 2013 was well received by the community. We received numerous calls from locals and afar responding to the call. As a result we have taken custodianship of numerous old cream cans, photos, old share certificates, and a few other factory related items. In recent months, the EAP has received additional photos and contact from family members whose relatives worked at the factory in the 1930's and so on. These photos are currently being digitised and reprinted and framed to be hung in the facility.

Reproduction and restored prints of the first Queensland Dairy farmers Cooperative Board (1900) and 1938 have been arranged and framed for placement within the refurbished factory. These were kindly provided on loan from dairy farmers DA & M McInnes (Harrisville) and the Harrisville historical society for the ceremonial opening, and have since been returned.

Display cabinets have been ordered by Rotary and will be delivered in February 2014.

➤ Sculpture – Rear Courtyard Area

As part of the Sculpture symposium in 2011, one of the pieces donated to Council named "After the Past" has been placed in the rear courtyard area to be a focal point for an enhanced community and function space.

It is suggested that a timber decking structure be established around the sculpture to hide the uneven concrete surfaces from previous activities on site. The rear courtyard area could incorporate timber planter boxes with attractive feature planting and possibly a couple of shade sails and seating structure to create a place for reflection and relaxation, or to entertain and meet. The sculpture placement was met by the CDEI funding in the 2012/13 budget. Accompanying signage will be erected once works are complete and final plan determined for this area.

Some initial canvassing of whether this may be a community related project or a skills development project with community based groups is one possible option to bring this area to fruition in the shorter term. This is an opportunity for Council's community engagement team

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to progress with Council's Community Facilities Unit in 2014, and members of the local and regional community.

The area under the roof has also been proposed as a decked area (again to hide the uneven concrete surface) with timber seating and BBQ area that is railed with 2-3 steps down to the external storage room. Addressing the rear courtyard will finish off the external appearance of the facility. The end result will be a highly sought after community and events venue to host a range of local and regional public and private functions.

#### Resources

Both rooms will require additional resources to enable it to function properly and suitable for hire and use. A range of event tables, seating and dance flooring system have been ordered for the front events room. Rotary have paid for these resources and delivery is expected before Christmas 2013. This is covered in the Memorandum of Understanding between Rotary and Council.

The rear room (community uses) will also require chairs and tables but not to the same standard as the front room. After the 2011 flood event, various resources such as chairs were donated to the local community for their use, and it is understood that these chairs are currently stored in a container locally in the district. Discussions need to occur with the current custodian of the chairs to see if they can be relocated to the GBF for broader community usage, which is seen as the most appropriate way forward. It is preferable that these resources be secured and utilised to avoid duplication and reduce operational costs.

A small kitchenette is currently being constructed and will be installed the week commencing 16<sup>th</sup> December, in the larger storage area in the rear room. This facility will have a sink, bench space and storage cupboards as well as provision for two microwaves, a large fridge/freezer and smaller fridge and tea/coffee making facilities. Initial plumbing works have been installed and will be completed after the cabinets have been installed. Some tiling and flooring will follow in early 2014.

#### Flooring (front room)

It would have to be said that the donated timber and resultant finish in the front room is a feature that 'wows' most visitors to the facility. Once all the works have been completed and prior to bookings commencing the floor will be attended to, with a further treatment and other works. The opening event was a test and it did receive some reasonable scratches from the movement of equipment and other heavy items. Rotary have indicated they have sufficient finances to cover these works. Rotary are currently trying to progress this aspect.

As part of the resourcing above, a small dance floor system has also been ordered to help protect the floor during functions in the front area. Stilettos can damage softer timber floors and this will help minimise future damage.

#### Future Use & Management Framework

In response to previous conversations at Council and councillor workshops, it is understood that the future uses for this facility are endless. It is clear that the facility will be used by various groups within and outside the Lockyer Valley region.

The end result is a wonderfully refurbished historic building with a rich history with loads of character and charm that may cater for a range of uses.



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It is however important that the upkeep of this refurbished facility is managed well to ensure that it remains a flagship venue for higher end functions in particular the front events room. The facility is able to cater for a broad range of shorter term and longer term uses with two very different rooms under the one roof.

As discussed previously the below table outlines some future uses that the facility may be promoted for. Interest in the facility remains constant.

Front Events Room	Rear Community Room
Reception Room (ie weddings and other special events)	Multi-use facility through bookings system
Seminars & Workshops Venue for local and out of town groups	Local school – extension of space –end of year and other celebrations
Short term Arts and Crafts Displays	Local women’s group – meeting venue
Music Recitals - local and regional schools	Indoor sports – martial arts, table tennis
Static Display on GBF History	Dancing practice studio
(Longer term)	Outdoor and indoor market venue for local producers
• Café & Arts Space (co-mingled)	Community gardens at rear
• Small Boutique Restaurant supporting Lockyer food trail	Meeting space for various groups as needed (charges apply to cover usage)
• Hospitality and skills incubator	Indoor movies
• Co-working space to support small businesses	Council outpost for community development and engagement activities.

### ➤ Commercial Kitchen – Future Use

It is recommended that Council arrange a panel of preferred caterers/operators for the commercial kitchen facility who can be referred work when bookings are made. The kitchen facility is ‘state of the art’ and not for the faint-hearted operator or one off use to bake cakes or make jams, for example. Council has other kitchen facilities in the region that can cater for this type of use by local groups or individuals. A series of operating procedures will need to be established and put in place before, during and after use to ensure the facilities are used correctly and maintained properly. A system and process will need to be established to ensure users clean the facility after use, and appropriate bond monies are collected to cover any damages or non-compliances. This is critical to ensure the asset is looked after well into the future.

A preferred panel would be made up of local and regional caterers/cooks who would be familiar with the kitchen and its equipment so if they are called to function for an event at the GBF, they possess an intimate knowledge of the equipment.

Given the equipment and the need for the facility to be well looked after, it is recommended that the commercial kitchen be solely used for event bookings and other related activities on site that required commercial catering. This will allow Council to monitor and ‘get a feel’ for the

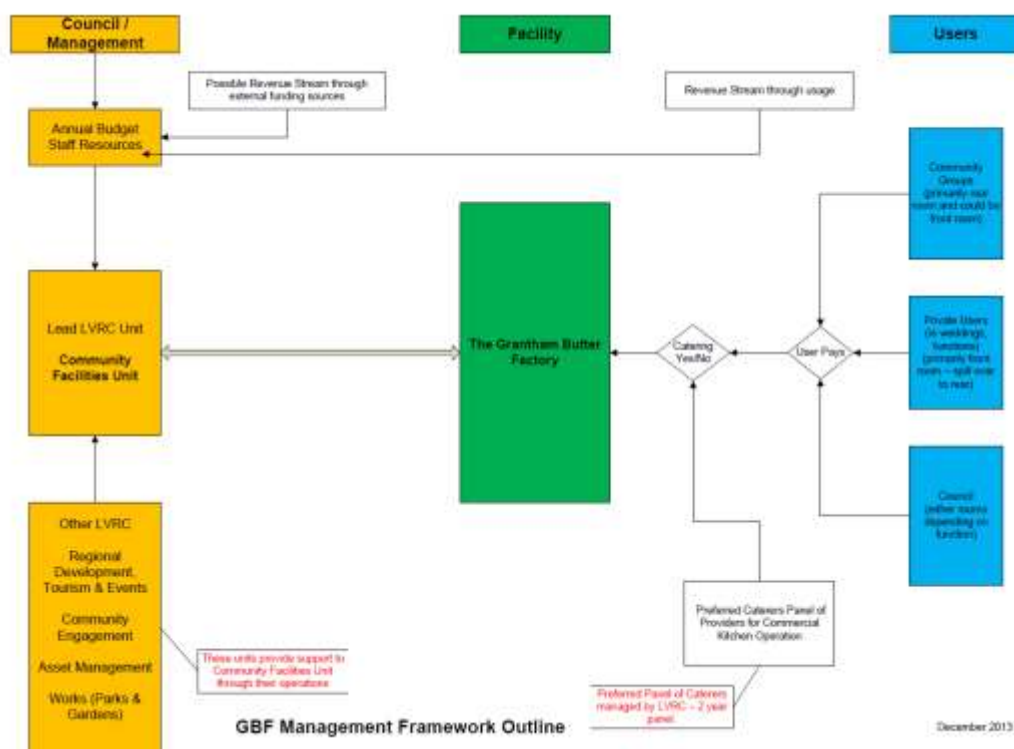


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demand for the facility and to further allow Council some time to explore medium to longer term options for the commercial kitchen and function room (i.e. explore lease options where it may be leased to a caterer as part of a business incubator program or local skills training facility for example), and where they also provide in-house catering to functions booked at the facility. The facility over time must provide a financial return to Council. The memorandum of understanding provides flexibility for this to occur.

### Management Framework

Council's intentions are clear that the future management of the facility will rest with Council and managed with in-house resources. It is acknowledged that this facility coming on line places additional pressures on already stretched human and financial resources of Council. However given the front function room in particular may cater for higher-end users for various events, it is important that the facility is well maintained and kept in good order and appearance to attract prospective users and repeat users to the facility. The below diagram outlines the general framework.



Council will need to consider possible additional resourcing (e.g. 1 FTE role) to not only look after the ongoing management of this asset, but a number of other similar assets across the region. The building's condition, appearance and cleanliness cannot be left to deteriorate or let go like other similar facilities under Council's management. This is an area for opportunity for improved management and processes. Council's Community Facilities Unit will be the lead Unit for the future management.

As part of the resource implications, it will also be critical that Council's community engagement team to work closely with facilities to engage with the various community groups interested in utilising the community room at the rear, and the facility in general. Given there has been limited community involvement during the last 12 months prior to Council's receiving the facility, such dialogue will assist in future planning and usage of the facility.

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*Day to day operations*

This is an area that requires intensive discussion in house as to the best options to manage bookings, check to ensure the facility is operational for events, check the kitchen operations; manage any access for inspections by prospective users and so on. If Council is going to promote the facility as a flagship events venue as well as a regional community hub, then this will be require resourcing.

An additional FTE equivalent person will be required to initially be 'hands on' with the facility which may require work hours spread over a 7 day period to cater for weekend bookings and events. This allows for an opportunity for such a role to manage Council's four key facilities – GBF, Cultural Centre, Laidley Cultural Centre and the Gatton Shire Hall.

**4. Policy and Legal Implications**

Policy and legal implications will be addressed in future reports on matters that arise as the building progresses. Legal implications include the transfer of title once building certification is achieved. Plans and legal documentation have been prepared awaiting progress on the certification process. Council's in-house solicitor is aware of this issue.

**5. Financial and Resource Implications**

Council will need to consider the allocation of additional operational funding for the operation and maintenance of the facility proceeding forward. Normal operational expenses such as utilities and general upkeep will be necessary. Operating expenses should be offset by incoming revenue streams, however initially it is recommended through aggressive promotion to certain markets that increased bookings at attractive pricing should be considered to achieve throughput and build the facility's reputation as an events venue.

From a community room perspective, charges will need to be imposed to cover cleaning and operational costs; however they need to be sensitive to the groups who will seek to use the facility.

Initially it will be necessary to develop up an asset management plan for the building, together with a full inventory of equipment and maintenance schedules to ensure the facility does not fall into a state of disrepair, and can be budgeted for.

Other resource implications are noted in the report.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

**7. Communication**

An update was provided to Council's corporate communication team in November about the ongoing works and progress with the facility and a request to disseminate this information to the general community.

**8. Conclusion**

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The Grantham Butter Factory has progressed since the ceremonial opening at the end of June 2013. Outstanding building compliance matters have delayed the final building certification to then allow the transfer of title to Council. However, these are on track to be completed by the end of January 2014. Within the next 2-3 months it is anticipated that the facility will be ready to take bookings and be utilised for both a local and regional community hub (rear room) and an events room (front room).

In progressing the ongoing management and operation of this new asset coming to Council, it will be necessary for Council to complete an asset management plan for the facility, and allocate sufficient internal human and financial resourcing to ensure the facility is well maintained and operated professionally, and it becomes a flagship community and events facility for the region.

The Grantham Butter Factory is a rare and special historical building that holds a significant place in the region's development, celebrating the importance that the dairying industry had in the region's prosperity. Its refurbishment came about by recent disaster events and subsequent generosity by the Rotary Club of Toowoomba South Inc., and the numerous supporting donors from across the nation. The facility possesses significant importance at a local and regional scale and now presents an opportunity to further promote the region through its community and events functionality into the future.

The Grantham Butter Factory is a special place to meet, celebrate, reflect and enjoy.





## ORDINARY COUNCIL MEETING MINUTES 18 DECEMBER 2013

In July 2013, the Crime and Misconduct Commission released an updated version of the Councillor Conduct Guide which refers to matters directly related to local government Councillors.

Each of these updates has been the catalyst to conduct a review of the key documents in Council relating to the conduct of Councillors and Council meeting practice.

### 3. Report

In line with Council's policy framework and policy development process a range of procedures and guidelines have been revised to ensure Council complies with its obligations and legislative changes to the Local Government Act 2009 and Local Government Regulation 2012.

The following documents have been updated and are presented for adoption:

Document	Summary of Changes
Code of Meeting Practice	updates include Teleconferencing, Declaration of Interests, Order of Business, Agenda Papers, Closed Meetings, Conduct, Audio or Video Recording of a Meeting
Councillor Acceptable Requests Guideline	Managers are included in the list of officers
Councillor Code of Conduct	Updated in line with legislative changes Local Government Regulation 2012
Councillor Confidentiality Procedure	Updated in line with legislative changes Local Government Regulation 2012
Expenses Reimbursement & Provision of Facilities for Councillors Guideline	Updated in line with legislative changes Local Government Regulation 2012

All revised documents were presented and discussed at the Councillor Workshop on 20 November 2013.

### 4. Policy and Legal Implications

The documents presented in this report provide Council compliance with its statutory obligations and best practice governance practices under the Local Government Act 2009, Local Government Regulation 2012, Information Privacy Act 2009 and Integrity Act 2009.

### 5. Financial and Resource Implications

Budget impacts will continue to be addressed through existing budget allocations.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report. The Chief

Executive Officer and Executive Manager Governance & Performance will manage the requirements of these documents in line with existing delegations.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels. All Councillors and staff are to be familiar with the content of this policy.

**8. Conclusion**

The adopted procedures, guidelines, code of practice will be added to the Lockyer Valley Regional Council Policy Register and Procedure/Guideline Register and published on the Council web site and intranet.





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## Code of Meeting Practice

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November 2013

## Document Control

Version	Date	Changed by	Nature of Amendment
1.0	02/05/2012	Corrin Bischoff	Initial Draft
1.1	11/08/2012	Corrin Bischoff	Further revisions
1.2	05/09/2012	Corrin Bischoff	Further revisions after feedback Adopted by Council 12/09/2012 Resolution Number 2670
2.0	19/11/2013	Corrin Bischoff	Formal review conducted and revisions made

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## Introduction

### 1 Legislation

Part 2, Division 1 of the *Local Government Regulation 2012* provides the core requirements for the conduct of meetings of the local government and the committees of the local government.

### 2 Principles

This Code of Practice complements the provisions of the Local Government Act 2009 and the Local Government Regulation 2012. Together these provide procedures and standards for the proper conduct of business by Council at its meetings.

The council has an obligation to act in accordance with the local government principles set out at Section 4 of the Local Government Act 2009, namely

- (a) transparent and effective processes, and decision-making in the public interest
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services
- (c) democratic representation, social inclusion and meaningful community engagement
- (d) good governance of, and by, local government; and
- (e) ethical and legal behaviour of councillors and local government employees.

### 3 Scope

The Code of Meeting Practice applies to all meetings of Lockyer Valley Regional Council, including meetings of committees, and all participants in those meetings. Any provision of the Code may be suspended by resolution of any meeting.

## Meetings

### Ordinary Meetings:

#### 4 Times and places of Ordinary Meetings

The local government may, by resolution, fix dates and times for its ordinary meetings. If there is no resolution fixing the date and time for an ordinary meeting, the chief executive officer must fix the date and time for the meeting and if practicable, consult with the mayor about the proposed date and time for the meeting. Council meetings must not start before the time provided in the notice of the council meeting.

#### 5 Special meetings

The chief executive officer must call a special meeting of the local government if the special meeting is required by a resolution of the local government or a written request for the special meeting is lodged with the chief executive officer.

A written request for a special meeting of the local government must be signed by the mayor or three or more councillors, specify the business to be conducted at the special meeting and propose a day and time for the holding of the special meeting.

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**6 Agenda for meeting**

A list of the items to be discussed at a meeting of the local government must be open for inspection at the time the agenda for the meeting is made available to councillors.

The agenda for a meeting must include—

- (a) items required under the Act to be included on the agenda
- (b) items required under these standing orders to be included on the agenda
- (c) items that are by resolution of the local government to be included on the agenda; and
- (d) each item whose inclusion on the agenda is requested by a councillor.

A councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the chief executive officer at least 2 days before the notice of meeting is given. Business not on the agenda or arising from the agenda must not be considered at the meeting unless council agrees to admit such business at the meeting. At a Special Meeting only the matters listed on the agenda may be considered.

**7 Chairperson**

The Mayor (or at the request or in the absence of the Mayor, the Deputy Mayor) or appointed Chairperson will preside at any of council's meetings.

If the Mayor and Deputy Mayor are absent, a Councillor may be elected to the chair by the Councillors present at the meeting.

If at the time designated for holding the meeting no Chairperson is present, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

**8 Duties of the Chairperson**

The Chairperson has a duty to preserve order and ensure proceedings are conducted in a proper manner by:

- determining that the meeting is properly constituted and a quorum is present
- informing Councillors as to the business and objectives of the meeting
- formulating for discussion and decision any proposed resolution (motion) that has been moved for consideration of the meeting
- deciding whether proposed resolutions and amendments are in order
- deciding points of order and other incidental matters that require a decision
- facilitating an exchange of views and ideas on key issues before the meeting
- confining discussion to within the scope of the meeting and within reasonable limits of time
- preserving order at the meeting
- focussing on serving the public interest
- putting relevant questions to the meeting and conducting a vote (and where authorised, giving a casting vote)
- declaring the result
- ensuring a division is taken if properly requested
- ensuring the record of minutes of the meeting is maintained
- adjourning the meeting when circumstances justify that course
- declaring the meeting closed when its business is complete.

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**9 Post-Election Meeting**

The Chief Executive Officer will conduct the Post-Election meeting until the Mayor completes his/her declaration.

**Committee Meetings:****10 Times and places of committee meetings**

A committee may, by resolution, fix dates, times and places for its meetings. If there is no resolution fixing the date, time and place for a committee meeting, the chief executive officer may fix the date, time and place for the meeting. The chief executive officer must, if practicable, consult with the chairperson of the committee regarding the date, time and place of meetings.

**11 Special Committee meetings**

The chief executive officer must call a special meeting of a committee if the special meeting is required by a resolution of the local government; or a written request for the special meeting is lodged with the chief executive officer.

A written request for a special meeting of a committee must be signed by the chairperson or 3 or more members of the committee; specify the business to be conducted at the special meeting and propose a day, time and place for the holding of the special meeting.

**12 Notice of meetings and agenda**

The chief executive officer must give written notice of a committee meeting setting out the date, time and place of the meeting, and the business to be considered at the meeting, to each member of the committee. The notice must be given, if practicable, at least 2 days before the day of the meeting. A list of the items to be discussed at a meeting of a committee must be open to inspection at the time the agenda for the meeting is made available to the members of the committee.

**13 Chairperson**

The chairperson of a committee must preside at a meeting of a Lockyer Valley Regional Council committee.

**14 Procedure at meetings**

The procedure of a committee for dealing with business must be in accordance with procedural directions given to the committee by resolution of Lockyer Valley Regional Council; or if there is no procedural direction governing a particular matter, this Code of Meeting Practice.

**Code of Practice****15 Application**

This Code of Meeting Practice (the Code) provide rules for the conduct of meetings of the Lockyer Valley Regional Council (other than a post-election meeting) and where applicable,

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committee meetings of the local government. The Code shall apply to a post-election meeting of the local government as far as practicable.

Provisions of the Code may be suspended by separate resolution of a meeting of Lockyer Valley Regional Council outlining the duration and the application of the suspension.

Where a matter arises at a meeting which is not provided for in the Code, it may be dealt with via resolution to the meeting without notice.

### Procedures for meetings:

#### 16 Order of business

The order of business must be determined by resolution of Lockyer Valley Regional Council from time to time. The order of business may be altered for a particular meeting where the councillors at the meeting pass a motion. Such a motion may be moved without notice.

The regular order of business will be:-

##### Ordinary meetings:

- Opening Prayer
- Attendance
- Apologies
- Leave of Absence
- Deputations
- Condolences/Get Well Wishes
- Declaration of Material Personal Interest and Conflict of Interest
- Confirmation of Minutes
- Mayoral Minute
- Councillor Reports
- Business Arising from Previous Minutes
- Reception and Consideration of Officers' Reports
- Items for information
- Confidential items

##### Special meetings and Committee meetings:

- Attendance
- Apologies
- Reception of Deputations by Appointment
- Reception and Consideration of Officers' Reports.

The minutes of the preceding meeting (*previous minutes*) not previously confirmed may be taken into consideration as the first business of an ordinary meeting, in order that the previous minutes may be confirmed and no discussion shall be permitted with respect to the previous minutes except with respect of the accuracy of the previous minutes as a record of the proceedings.

Admission of deputations, invitees and visitors shall be at the discretion of either of mayor or council. The time for receipt of petitions shall be at the discretion of the local government.

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**17 Meeting agenda**

The chief executive officer must prepare or have prepared a meeting agenda for each meeting. The agenda must, where practicable, be made available to councillors two days prior to the meeting. A meeting agenda shall include, but not be limited to—

- (a) matters requiring attention from a previous meeting
- (b) officers' reports and correspondence relating to officers
- (c) matters or recommendations referred to the local government by a committee
- (d) copies of inwards correspondence for consideration
- (e) copies of inwards correspondence for information purposes
- (f) any other business the local government determines should be included in the meeting agenda.

**18 Agenda Papers**

Reports included in the agenda paper may include personal information only to the extent such is necessary to reflect the issue to be discussed without rendering the report meaningless, subject to Council's obligations under the Information Privacy Act 2009 (Queensland).

Any agenda paper information provided to an individual Councillor for his/her use will also be provided to all other Councillors.

**19 Petitions**

Any petition presented to a meeting of the local government must be in legible writing or typewritten and contain a minimum of ten signatures.

A petition may be presented to a meeting by a councillor who must become familiar with the subject matter of the petition if possible. The councillor must state the nature of the petition and read the petition. No debate on or in relation to the petition shall be allowed.

A motion may be moved to receive the petition and give it consideration a future meeting or for the petition be received and referred to a committee or the chief executive officer for consideration or that the petition not be received.

**20 Deputations**

A deputation wishing to attend and address a meeting must do so by appointment with the chief executive officer. The chief executive officer must notify the mayor who must determine whether the deputation may be heard and inform the deputation of the decision. An approved deputation will be provided with a convenient time and location and will be given an adequate opportunity to explain their issue. Where three or more people are in the deputation party, only two may be heard unless council determines otherwise.

The chairperson of a meeting may terminate an address by a person in a deputation at any time if the allotted time has elapsed or the chairperson is satisfied that the issue has been explained or the person uses insulting or offensive language.

**21 Closed Meetings**

The council has limited powers under the Local Government Act 2009 and Local Government Regulation 2012 to close council meetings to the public.

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The Council cannot resolve that a meeting be closed to the public if any person is to take part in the meeting by teleconferencing. A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.

Only procedural resolutions may be made during a closed meeting. The meeting must be re-opened before any substantive resolution on the matter is made.

When the Council resolves to close the meeting to the public, the Chairperson may direct all persons other than Councillors and the Chief Executive Officer to leave the Council Chambers. The Chairperson may allow additional persons (including officers of the council, and legal and technical advisers) to remain in the meeting. All other persons must immediately leave the Council Chambers.

A person failing to comply with a direction to leave the Council Chambers may be removed from the Council Chambers using reasonably necessary force. For the purpose of effecting the removal the Chairperson may call upon the assistance of a member of the Police Service.

Unless the council, upon the resumption of its open meeting, resolves to the contrary, all matters discussed in a closed meeting must be kept confidential.

## Motions:

### 22 Motions

A motion brought before a meeting in accordance with the Act or this Code may be received and put to the meeting by the chairperson. The chairperson may require a motion or an amendment to a motion to be stated in full or recorded in writing before permitting it to be received.

The chairperson will generally call the motions in the order as per the agenda. Where there is no objection to a motion, the chairperson may put the motion to the vote without discussion.

An item on the meeting agenda must not be removed from the agenda where a councillor at the meeting objects to its being removed.

When a motion has been moved and seconded, it becomes subject to the control of the local government and must not be withdrawn without the consent of both the mover and the seconder.

### 23 Absence of the mover of motion

Where a councillor who has given notice of a motion is absent from the meeting where the motion is to be considered, the motion may be moved by another councillor at the meeting, or deferred to the next meeting.

### 24 Motion to be seconded

A motion or an amendment to a motion must not be debated at a meeting unless or until the motion or the amendment is seconded, with the exception of a procedural motion. If such a motion is not seconded it lapses. However, a councillor who moves a motion or an amendment to a motion may, with the permission of the chairperson, speak in support of the

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motion or amendment before it is seconded.

## 25 Amendment of a motion

An amendment to a motion must retain the identity of the motion and not negative the motion. Not more than 1 motion or 1 proposed amendment to a motion may be put before a meeting at any one time.

Where an amendment to a motion is before a meeting, no other amendment to the motion can be considered until after the first amendment has been put.

Where the original motion is amended by another motion the original motion cannot be repeated as an amendment the second motion. A councillor who proposes or seconds a motion must not propose or second an amendment to the motion.

## 26 Speaking to motions and amendments

The mover of a motion or amendment must read the amendment and state that the amendment is so moved, and may only speak in support of the amendment before it is seconded with the permission of the chairperson and may speak in support of the amendment after it is seconded.

A councillor may request further information from the chairperson before or after the motion or the amendment to the motion is seconded.

Following the seconding of a motion or an amendment of a motion, the first speaker must be in favour of the motion or the amendment and each subsequent speaker alternatively against and in favour of the motion or amendment, unless the chairperson in his or her discretion rules otherwise.

The mover of a motion has the right of reply. The mover of an amendment to a motion has no right of reply.

Each councillor must speak not more than once to the same motion or the same amendment except as a right of reply unless the chairperson in his or her discretion rules otherwise.

Each speaker is restricted to not more than five minutes unless the chairperson in his or her discretion rules otherwise.

Where two or more councillors attempt to speak at the same time, the chairperson is to determine who is entitled to priority.

## 27 Method of taking vote

Before any matter is put to the vote, the chairperson may direct that the motion or amendment be read again by the chief executive officer.

The chairperson must, in taking the vote on a motion or an amendment, put the question, first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.

The Councillors will vote by a show of hands or as otherwise directed by the chairperson. Any Councillor present that fails to vote is taken to have voted in the negative.

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In the event of an equality of votes, the Chairperson has a casting vote. The chairperson must advise the meeting that he/she is exercising their right to use the casting vote.

Any councillor may call for a division or a question in relation to the taking of a vote immediately following the chairperson declaring the result of the vote.

If a division is taken, the chief executive officer must record—

- (a) the names of the councillors voting in the affirmative; and
- (b) the names of the councillors voting in the negative.

The chairperson must declare the result of a vote or a division as soon as it has been determined.

Councillors may request that their names and how they voted be recorded in the minutes for voting other than by division.

## 28 Repealing or amending resolutions

A resolution of the local government must not be repealed or amended unless notice of the motion is given in accordance with the requirements of the Act.

Where a motion (a relevant motion) to repeal or amend a resolution is defeated, a motion to the same, or like effect, must not be moved until at least three months after the date on which the relevant motion was defeated. Councillors may defer consideration of the relevant motion for not more than three months. Where more than three months has passed the previous resolution is amended or repealed to the extent that it is inconsistent with the later resolution.

## 29 Procedural motions

A Councillor may, during the debate of a matter, without the need for a seconder, move one of the following procedural motion:

- (a) that the question/motion be now put to the vote; or
- (b) that the motion and amendment now before the meeting be adjourned; or
- (c) that the meeting proceed to the next item of business; or
- (d) that the question/motion lie on the table; or
- (e) a point of order; or
- (f) a motion of dissent against a point of order; or
- (g) that a report or document be tabled; or
- (h) to suspend the rule requiring that ...; or
- (i) that the meeting stand adjourned.

The chairperson may put a procedural motion to the vote without debate, subject to the motion being moved and seconded and no dissent being voiced by the councillors present.

## 30 Motion that debate be adjourned

A procedural motion that another motion or an amendment before a meeting be adjourned, may specify a time and date, to which the debate is to be adjourned. Such a motion under must not adjourn debate on a matter the subject of a motion for more than 2 months after the date of the procedural motion.

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**31 Motion to proceed to next item of business**

Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter the subject of the motion must cease. However, debate on the matter of the motion may be considered again on the giving of notice in accordance with the Code of Meeting Practice.

**32 Motion that the motion lie on the table**

A procedural motion that a motion or question lie on the table, can only be moved where the chairperson or a councillor requires additional information on the matter.

If such a motion is passed the local government must proceed with the next matter on the agenda or another procedural motion that the matter be taken from the table may be moved at the meeting at which the first procedural motion was carried or at a later meeting.

**33 Points of order**

A councillor may ask the chairperson to decide a point of order where it is believed that another councillor has failed to comply with proper procedures; or is in contravention of the Code of Meeting Practice or the Act; or is beyond the jurisdictional power of the local government.

Where a point of order is raised, consideration of the matter about which the councillor was speaking may be suspended and not re-commenced until the chairperson determines whether the point of order is upheld. The councillor raising the point of order may speak to it. A point of order cannot be used as a means of contradicting a statement made by a councillor speaking about a matter.

**34 Motion of dissent**

A councillor can without notice move a motion of dissent in relation to a ruling of the chairperson on a point of order to suspend further consideration of any matter until after the procedural motion is determined.

Only the mover of the procedural motion, then the chairperson, may speak to the procedural motion, no other member may speak.

The chairperson must put the procedural motion under consideration to a vote, the chairperson shall proceed as though that ruling had not been made; or if lost, the ruling of the chairperson shall stand.

**35 Motion that a report be tabled**

A motion that a report or document be tabled may be used by a councillor to introduce a report or other document to a meeting.

**36 Motion to suspend requirements of a rule**

A procedural motion to suspend the requirements of a rule may be made by a councillor in order to permit some action that otherwise would be prevented by the Code of Meeting Practice. Such a motion must specify the duration of the suspension.

**37 Motion that meeting stands adjourned**

A procedural motion that a meeting stands adjourned may be moved by a councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a councillor's time

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for speaking to the matter, and must be put without debate. Such a motion must specify the time for the resumption of the meeting and on the resumption of the meeting the business will be continued at the point at which it was suspended.

### Mayoral minute:

#### 38 Mayoral minute

The mayor may direct the attention of council to a matter or subject not on the agenda by a minute signed by the mayor without notice on any matter or topic that is within the jurisdiction of the council or of which the council has official knowledge.

The mayoral minute must be delivered to the chief executive officer and when introduced, take precedence over all business before council.

A motion comprising the mayoral minute may be put by the mayor without being seconded and at any stage of the meeting. If the motion comprising the mayoral minute is passed, the mayoral minute becomes a resolution of the local government.

Amendments to mayoral minutes that are consistent with the intent of the terms of the minute are permitted, provided such amendments have the agreement of the mayor

### Conduct during meetings:

#### 39 Conduct during meetings

After a meeting of the local government has been formally constituted and the business commenced, a councillor must not enter or leave the meeting without first notifying the chairperson.

A councillor must address the chairperson while—

- (a) moving any motion or amendment; or
- (b) seconding any motion or amendment; or
- (c) taking part in any discussion; or
- (d) placing or replying to any question; or
- (e) addressing the local government for any other purpose.

Councillors must address each other during a meeting by their respective titles, “mayor” or “councillor”, and in speaking of or addressing officers must designate them by their respective official or departmental title; and confine their remarks to the matter then under consideration.

Councillors must remain seated and silent while a vote is being taken except when calling for a division. A councillor must not make personal reflections on or impute improper motives to another councillor or any officer of the local government. A councillor must not interrupt another councillor who is speaking except upon a point of order being raised either by the chairperson or the councillor. If the chairperson intervenes during the process of a debate, any councillor then speaking or offering to speak, and each councillor present, must preserve strict silence so that the chairperson may be heard without interruption.

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Councillors are to ensure their conduct at Council Meetings is in accordance with the Councillor Code of Conduct. Specifically, Councillors must demonstrate respect for fellow councillors, council staff and other members of the public and refrain from harassing, bullying or intimidating fellow councillors, council staff or other members of the public.

Councillors are not provided with rights, powers and immunities from the law to fulfil their duties. A councillor can be sued or prosecuted for anything they say in a meeting and therefore should be mindful of their conduct at Council Meetings.

#### 40 Disclosures of Interest

Councillors must disclose any material personal interest or conflict of interest arising from any matters to be considered at the meeting and comply with sections 172 and 173 of the Local Government Act 2009.

A councillor's material personal interest applies if a matter is to be discussed at a meeting of a local government, or any of its committees; and the matter is not an ordinary business matter; and a councillor has a material personal interest in the matter.

A councillor has a material personal interest in the matter if any of the following persons stands to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting—the councillor;

- (a) a spouse of the councillor;
- (b) a parent, child or sibling of the councillor;
- (c) a partner of the councillor;
- (d) an employer (other than a government entity) of the councillor;
- (e) an entity (other than a government entity) of which the councillor is a member;
- (f) another person prescribed under a regulation.

A councillor does not have a material personal interest in the matter if the councillor has no greater personal interest in the matter than that of other persons in the local government area.

The councillor must inform the meeting of the councillor's material personal interest in the matter; and leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

The Local Government Act outlines circumstances where the Minister may, by signed notice, approve a councillor taking part in the meeting, or being in the chamber where the meeting is being conducted.

The following information must be recorded in the minutes of the meeting the name of the councillor who has the material personal interest, or possible material personal interest, in a matter; the nature of the material personal interest, or possible material personal interest, as described by the councillor; whether the councillor took part in the meeting, or was in the chamber during the meeting.

A councillor's conflict of interest at a meeting may be a matter is to be discussed at a meeting of a local government or any of its committees; and the matter is not an ordinary business

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matter; and a councillor at the meeting has a real or perceived conflict of interest.

A conflict of interest is a conflict between a councillor's personal interests; and the public interest that might lead to a decision that is contrary to the public interest.

A councillor does not have a conflict of interest in a matter merely because of:

- (i) an engagement with a community group, sporting club or similar organisation undertaken by the councillor in his or her capacity as a councillor; or
- (ii) membership of a political party; or
- (iii) membership of a community group, sporting club or similar organisation if the councillor is not an office holder for the group, club or organisation; or
- (iv) the councillor's religious beliefs; or
- (v) the councillor having been a student of a particular school or the councillor's involvement with a school as parent of a student at the school or
- (vi) If the councillor has no greater personal interest in the matter than that of other persons in the local government area.

The councillor must deal with the real conflict of interest or perceived conflict of interest in a transparent and accountable way. The councillor must inform the meeting of the councillor's personal interests in the matter. If the councillor participates in the meeting in relation to the matter, how the councillor intends to deal with the real or perceived conflict of interest.

Nonparticipation in the meeting is not the only way the councillor may appropriately deal with the real or perceived conflict of interest in a transparent and accountable way.

If a quorum at the meeting cannot be formed because the councillor proposes to exclude himself or herself from the meeting the councillor may participate (including by voting, for example) in the meeting in relation to the matter if the attendance of the councillor, together with any other required number of councillors, forms a quorum for the meeting.

It must be recorded in the minutes of the meeting the name of the councillor who has the real or perceived conflict of interest; the nature of the personal interest, as described by the councillor; how the councillor dealt with the real or perceived conflict of interest; if the councillor voted on the matter—how the councillor voted on the matter; how the majority of persons who were entitled to vote at the meeting voted on the matter.

## Questions:

### 41 Questions

At a meeting a councillor may ask a question for reply by another councillor or an officer of the local government regarding any matter under consideration at the meeting. A person asked the question may request that the question be taken on notice for the next meeting.

A councillor who asks a question at a meeting, whether or not upon notice, is deemed not to have spoken to the debate of the motion to which the question relates. The chairperson may disallow a question which he or she considers is inconsistent with good order. A councillor may move a motion that such a ruling of the chairperson be disagreed with, and if such motion is carried, the chairperson must allow the question.

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**Disorder and business:****42 Disorder**

Where disorder arises at a meeting, the meeting may be adjourned. On resumption of the meeting, the chairperson must move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the chairperson must declare the meeting closed, and any outstanding matters must be referred to a future meeting.

**43 Business of objectionable nature**

At a meeting, if the chairperson or a councillor considers that a matter or motion before the meeting is of an objectionable nature or outside the powers of the local government, the chairperson or the councillor may declare on a point of order, that the matter not be considered further.

**Attendance and non-attendance:****44 Quorum and lapse of a Quorum**

A quorum of local government is a majority of its Councillors. A quorum of a Committee is the number fixed by the local government or by the Committee.

If during the conduct of a meeting, the Chairperson becomes aware that a quorum is no longer present, the meeting will be adjourned for thirty (30) minutes. If after thirty minutes a quorum is still not present, the meeting will be adjourned to a date and time to be determined by the Chairperson but no later than fourteen (14) days from the date of the adjournment, recommencing at the point of the meeting at which the loss of quorum occurred.

**45 Teleconferencing**

A councillor is allowed to take part in a meeting by teleconferencing in accordance with section 276 of the Local Government Regulation 2012. A councillor is taken to have attended the meeting if teleconferencing arrangement is approved by the local government and the councillor is simultaneously in audio contact with each other person at the meeting.

The Council cannot resolve that a meeting be closed to the public if any person is to take part in the meeting by teleconferencing.

**46 Attendance of public and media at meetings**

An area must be made available at the place where a meeting is to take place for members of the public and representatives of the media to attend the meeting and as many people as can reasonably be accommodated in the area must be permitted to attend the meeting.

If the local government resolves that a meeting be closed to the public, the public and representatives of the media must be excluded from the meeting.

Each member of the public present at a meeting of the local government must sign his or her name in a book to be kept for that purpose by the chief executive officer.

**47 Public participation at meetings**

The chairperson may invite a member of the public to take part in the proceedings of a

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meeting. During debate on a motion, the chairperson may invite submissions, comments or questions from members of the public provided it is not irrelevant, offensive or unduly long.

For matters arising from a member of the public, the local government may:

- (a) refer the matter to a committee; or
- (b) deal with the matter immediately; or
- (c) place the matter on notice for discussion at a future meeting; or
- (d) note the matter and take no further action.

Any person invited to address a meeting must stand, act and speak with decorum; and frame any remarks in respectful and courteous language.

### Committees:

#### 48 Reports by committees

All committee reports must be submitted to a meeting of the local government under the signature of the chief executive officer or a delegate of the chief executive officer and if a report of a committee makes distinct recommendations, the local government may make a separate decision on each recommendation.

#### 49 Attendance at committee meetings

Any councillor may attend a meeting of a committee and may address the committee in accordance with the procedures established by the chairperson of the committee.

#### 50 Public participation at committee meetings

At a committee meeting, a person who is not a councillor or a member of the committee must not take part in the meeting unless invited by the committee chairperson.

Any person wishing to be heard personally or as a deputation on any matter relevant to a committee, may make an appointment with the chief executive officer and the committee will determine if the matter is to be heard. The address will not exceed ten minutes and no more than two members of the deputation will speak.

### Record of Meetings:

Minutes of the ordinary meeting and the reports of the proceedings of Committees must include:

- the names of Councillors or committee members present at the meeting
- the name of Councillors moving and seconding a motion and the outcome of that motion at Council meetings
- recommendations agreed, by majority at committee meetings
- if a division is called on a question – the names of all persons voting on the question and how they voted
- any disclosure of material personal interest or conflict of interest
- reasons for decisions required under section 273 of the Local Government Regulation 2012.

At each Ordinary Meeting, the minutes of the previous meeting must be confirmed by the Councillors present and signed by the person presiding at the latter meeting.

A copy of the minutes of each meeting must be available for inspection by the public at the local

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government office and on the website ten (10) days after the end of the meeting and when confirmed must be available for purchase.

**Audio or Video Recording of a Meeting:**

An audio or video recording of a meeting of the local government or a local government committee may be made for the purpose of verifying the accuracy of the minutes of the meeting.

An audio or video recording made may only be used for the purpose of verifying the accuracy of the minutes of the meeting by the local government and after being used for that purpose, must be destroyed or dealt with as directed by the local government.

**Councillor Workshops or Briefing Sessions:**

The Chief Executive Officer may conduct workshops or briefing sessions for Councillors on various matters. The Chairperson for the workshops or briefing sessions will be the Chief Executive Officer or an officer appointed by the Chief Executive Officer. The objective of these workshops or briefing sessions is to provide direction on matters not make decisions.

**Procedure not provided for:****51 Procedure not provided for**

If method of dealing with a matter is not provided for in the Code of Meeting Practice, the matter may be determined by resolution by a motion which may be put without notice in conformity with the Code.

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## **Councillor Acceptable Requests Guidelines**

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November 2013

## Introduction

These guidelines have been developed to provide councillors and officers with a clear understanding of their roles and responsibilities with regard to seeking information and provision of advice within the principles and provisions of the Local Government Act 2009.

## Legislation

Section 13(3) of the Local Government Act 2009 provides that the chief executive officer has, the following responsibility to comply with requests from councillors under section 170A:

- I. for advice to assist the councilor carry out his or her role as a councilor; or
- II. for information, that the local government has access to, relating to the local government.

## Part A Requirements - Advice to Assist a Councillor Carry Out His or Her Role as a Councillor

In order to carry out their role, councillors are able to seek advice from Council officers.

A councillor cannot seek information:

- (a) that is a record of the regional conduct review panel
- (b) if disclosure of the information to the council would be contrary to an order of the court or tribunal; or
- (c) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.

A councillor need not make a request for information if they are able to obtain the information from publically available sources.

Councillors may request advice to assist them to carry out their roles, from the following employees:

POSITION	AREA OF RESPONSIBILITY
<b>Chief Executive Officer</b>	All
Executive Assistants	Office of Mayor and CEO
Executive Liason Officer Mayor/CEO & Coordinator	Office of Mayor and CEO
Executive Policy Advisor Mayor/CEO	Office of Mayor and CEO
<b>Executive Manager</b>	Corporate Governance; Corporate Planning;

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<b>Governance and Performance</b>	Corporate Policy Development; Council Meetings Support; Internal Audit; Risk Management; Corporate Communications; Legal Services; Elected Members Support; Executive Support; Disaster Management; Organisational Performance; Business Unit Reviews; Records Management
Council Business Support Officer	Council Meetings
Manager Corporate Communications	Media and communications
Manager Business Improvement & Program Performance	Business Unit Reviews and Program Management
Manager Administration & Executive Operations	Legal Services, Records Management; Community Grants
Manager Disaster Management (Recovery & Resilience) & Community Engagement	Disaster Management and Community Engagement
<b>Executive Manager Organisational Development &amp; Engagement</b>	Organisational Reform; Change Management; Workforce Planning; Organisational Development; Workforce Culture; Human Resources Services; Learning & Development; WH&S / Rehabilitation; Employee Relations; Business Unit – Staging Post Café; Recovery and Resilience; Community Engagement & Development Youth & Multicultural
Manager Organisation & People Development	Human Resources Services; Learning & Development; WH&S / Rehabilitation; Employee Relations
<b>Executive Manager Planning &amp; Development Services</b>	Strategic Planning; Corporate Strategy; Regional Collaboration; Regional Development & Tourism; Inter-Governmental Relations; Events Coordination; Economic Development; Business Support; Master Regional Planning; Property Management; Development Engineering & Assessment; Building Certification; Plumbing Certification & Design; Regulatory Plumbing & Building; Land Use Compliance; Environmental Planning & Policy
Manager Regional Development	Regional Collaboration; Regional Development & Tourism; Inter-Governmental Relations; Events Coordination; Economic Development
Manager Planning & Environment	Master Regional Planning; Property Management; Development Engineering & Assessment; Land Use Compliance; Environmental Planning & Policy
Manager Plumbing & Building	Building Certification; Plumbing Certification &

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POSITION	AREA OF RESPONSIBILITY
	Design; Regulatory Plumbing & Building
<b>Executive Manager Corporate &amp; Community Services</b>	Financial Services; Financial Planning; Financial Sustainability; Customer Service / QGAP; Procurement & Contract Management; Information, Communication & Technology; GIS; Corporate Software; Facilities Management / Maintenance; Environmental Health; Local Laws Regulation; Natural Resource Management; Pest Management; Animal Control; Libraries, Art and Culture; Childcare Services; Waste Management
Manager Customer Service	Customer Service / QGAP
Manager Community Facilities	Facilities Management / Maintenance
Manager Information Services	Information, Communication & Technology; GIS
Manager Finance	Financial Services; Financial Planning; Financial Sustainability; Procurement & Contract Management
Manager Cultural, Health & Regulatory Services	Environmental Health; Local Laws Regulation; Natural Resource Management; Pest Management; Animal Control; Libraries, Art and Culture; Childcare Services
<b>Executive Manager, Infrastructure, Works &amp; Services</b>	Strategic Asset Management; Roads, Transport & Traffic; Stormwater & Flood Mitigation; Parks & Open Spaces; Fleet, Plant & Depots; Works Planning & Programming; Emergency Response; Technical Design & Survey; Capital Works Recoverable Works Restoration Works
Manager Infrastructure Planning Services	Transport & Traffic; Stormwater & Flood Mitigation
Manager Asset & Fleet Management	Strategic Asset Management; Fleet, Plant & Depots
Manager Infrastructure Delivery	Parks & Open Spaces

Councillors' request for advice to assist them to carry out their roles must be made in accordance with the following:

- Councillors' request for advice must be in writing (e.g. email, letter, memo or facsimile) unless the officer receiving the request agrees to accept the request orally.
- Councillors' requests for advice must not take the form of an attempt to direct or pressure an officer to prepare a response in a certain manner
- Councillors' must forward a copy of all requests for advice under these guidelines to the chief executive officer.

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- Councillors' must inform the chief executive officer if they believe an officer has not appropriately responded to a request.

## Part B Requirements – Access to Information

The following Council officers are to deal with councillors's requests for provision of information:

POSITION	AREA OF RESPONSIBILITY
<b>Chief Executive Officer</b>	All
Executive Assistants	Office of Mayor and CEO
Executive Liason Officer Mayor/CEO & Coordinator	Office of Mayor and CEO
Executive Policy Advisor Mayor/CEO	Office of Mayor and CEO
<b>Executive Manager Governance and Performance</b>	Corporate Governance; Corporate Planning; Corporate Policy Development; Council Meetings Support; Internal Audit; Risk Management; Corporate Communications; Legal Services; Elected Members Support; Executive Support; Disaster Management; Organisational Performance; Business Unit Reviews; Records Management
Council Business Support Officer	Council Meetings
Manager Corporate Communications	Media and communications
Manager Business Improvement & Program Performance	Business Unit Reviews and Program Management
Manager Administration & Executive Operations	Legal Services, Records Management; Community Grants
Manager Disaster Management (Recovery & Resilience) & Community Engagement	Disaster Management and Community Engagement
<b>Executive Manager Organisational Development &amp; Engagement</b>	Organisational Reform; Change Management; Workforce Planning; Organisational Development; Workforce Culture; Human Resources Services; Learning & Development; WH&S / Rehabilitation; Employee Relations; Business Unit – Staging Post Café; Recovery and Resilience; Community Engagement & Development Youth & Multicultural
Manager Organisation & People Development	Human Resources Services; Learning & Development; WH&S / Rehabilitation; Employee Relations
<b>Executive Manager Planning &amp; Development Services</b>	Strategic Planning; Corporate Strategy; Regional Collaboration; Regional Development & Tourism;

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POSITION	AREA OF RESPONSIBILITY
	Inter-Governmental Relations; Events Coordination; Economic Development; Business Support; Master Regional Planning; Property Management; Development Engineering & Assessment; Building Certification; Plumbing Certification & Design; Regulatory Plumbing & Building; Land Use Compliance; Environmental Planning & Policy
Manager Regional Development	Regional Collaboration; Regional Development & Tourism; Inter-Governmental Relations; Events Coordination; Economic Development
Manager Planning & Environment	Master Regional Planning; Property Management; Development Engineering & Assessment; Land Use Compliance; Environmental Planning & Policy
Manager Plumbing & Building	Building Certification; Plumbing Certification & Design; Regulatory Plumbing & Building
<b>Executive Manager Corporate &amp; Community Services</b>	Financial Services; Financial Planning; Financial Sustainability; Customer Service / QGAP; Procurement & Contract Management; Information, Communication & Technology; GIS; Corporate Software; Facilities Management / Maintenance; Environmental Health; Local Laws Regulation; Natural Resource Management; Pest Management; Animal Control; Libraries, Art and Culture; Childcare Services; Waste Management
Manager Customer Service	Customer Service / QGAP
Manager Community Facilities	Facilities Management / Maintenance
Manager Information Services	Information, Communication & Technology; GIS
Manager Finance	Financial Services; Financial Planning; Financial Sustainability; Procurement & Contract Management
Manager Cultural, Health & Regulatory Services	Environmental Health; Local Laws Regulation; Natural Resource Management; Pest Management; Animal Control; Libraries, Art and Culture; Childcare Services

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POSITION	AREA OF RESPONSIBILITY
<b>Executive Manager, Infrastructure, Works &amp; Services</b>	Strategic Asset Management; Roads, Transport & Traffic; Stormwater & Flood Mitigation; Parks & Open Spaces; Fleet, Plant & Depots; Works Planning & Programming; Emergency Response; Technical Design & Survey; Capital Works Recoverable Works Restoration Works
Manager Infrastructure Planning Services	Transport & Traffic; Stormwater & Flood Mitigation
Manager Asset & Fleet Management	Strategic Asset Management; Fleet, Plant & Depots

Councillors may request information in accordance with the following:

- A *Councillor Access to Information* request form is to be completed and given to the appropriate officer identified in the above table. A copy of the request must also be forwarded to the office of the chief executive officer.
- In completing the request form, the councillor will indicate the information required and the reason for seeking access.
- Where a councillor is unsure as to what information to request, he or she should contact the appropriate officer for assistance.
- Upon receipt of the request, the appropriate officer must determine if the councillor has a right to access the information (as per section 170A (3) of the Local Government Act 2009).

If it is appropriate to provide access, the appropriate officer must:

- Record the information to which access is available on the *Councillor Access to Information* request form
- Ensure that the requesting councillor is provided with access to all relevant information
- Explain any issues in the information which relate to confidentiality or other sensitive matters
- If appropriate, provide any other information necessary to place the information being accessed in context

If it is not appropriate to provide access, the officer must advise the councillor as to the reasons for this decision and record these reasons on the *Councillor Access to Information* request form. Completed *Councillor Access to Information* request forms must be forwarded to the Executive Assistant (Executive Office) for filing.

In accessing the information, councillors are reminded of their obligations under section 171 of the Local Government Act 2009 and Council's Confidentiality Procedure adopted under section 171(3). Refer to the Appendix for further details.

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## Appendix A

### Legislation: Part A Requirements - Advice to Assist a Councillor Carry Out His or Her Role as a Councillor

Section 13(3) of the Local Government Act 2009 provides that the chief executive officer has, inter alia, the following responsibilities:-

- (f) complying with requests from councillors under section 170A -
- (i) for advice to assist the councillor carry out his or her role as a councillor; or
  - (ii) for information, that the local government has access to, relating to the local government.

Further, section 170A of the Local Government Act 2009 states:

- (1) A councillor may ask a local government employee provide advice to assist the councillor carry out his or her responsibilities under this Act.
- (2) A councillor may, subject to any limits prescribed under a regulation, ask the chief executive officer to provide information, that the local government has access to, relating to the local government.

Example of a limit prescribed under a regulation—

A regulation may prescribe the maximum cost to a local government of providing information to a councillor.

- (3) Subsection (2) does not apply to information—
  - a) that is a record of the regional conduct review panel or the tribunal; or
  - b) if disclosure of the information to the councillor would be contrary to an order of a court or tribunal; or
  - c) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.
- (4) A request of a councillor under subsection (1) or (2) is of non effect if the request does not comply with the acceptable requests guidelines.
- (5) Subsection (4) does not apply to—
  - a) the mayor; or
  - b) the chairperson of a committee of the council if the request relates to the role of the chairperson.
- (6) The acceptable requests guidelines are guidelines, adopted by resolution of the local government, about—

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- a) the way in which a councillor may ask a local government employee for advice to help the councillor carry out his or her responsibilities under this Act; and
- b) reasonable limits on requests that a councillor may make.

(7) In this section a local government employee includes a person prescribed under a regulation.

(8) The chief executive officer must make all reasonable endeavours to comply with a request under subsection (2).

Maximum penalty for subsection (8)—10 penalty units.

## Legislation: Part B Requirements – Access to Information

Section 171 provides that a

- (1) A person who is, or has been, a councillor must not use information that was acquired as a councillor to—
  - a) gain, directly or indirectly, a financial advantage for the person or someone else; or
  - b) cause detriment to the local government.

Maximum penalty—100 penalty units or 2 years imprisonment.

- (2) Subsection (1) does not apply to information that is lawfully available to the public.
- (3) A councillor must not release information that the councillor knows, or should reasonably know, is information that is confidential to the local government.

171A Prohibited conduct by councillor in possession of inside information

- (1) This section applies to a person (the *insider*) who is, or has been, a councillor if the insider—
  - a) acquired inside information as a councillor; and
  - b) knows, or ought reasonably to know, that the inside information is not generally available to the public.
- (2) The insider must not cause the purchase or sale of an asset if knowledge of the inside information would be likely to influence a reasonable person in deciding whether or not to buy or sell the asset.

Maximum penalty—1000 penalty units or 2 years imprisonment.

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- (3) The insider must not cause the inside information to be provided to another person the insider knows, or ought reasonably to know, may use the information in deciding whether or not to buy or sell an asset.

Maximum penalty—1000 penalty units or 2 years imprisonment.

(4) In this section—

**cause**, in relation to an action, includes the following—

- (a) carry out the action;
- (b) instigate the action;
- (c) direct, or otherwise influence, another person to carry out or instigate the action.

**corporate entity** means a corporation that is owned by the local government.

**inside information**, in relation to a local government, means information about any of the following—

- (a) the operations or finances of the local government (including any business activity of the local government) or any of its corporate entities;
- (b) a proposed policy of the local government (including proposed changes to an existing policy);
- (c) a contract entered into, or proposed to be entered into, by the local government or any of its corporate entities;
- (d) a tender process being conducted by or for the local government or any of its corporate entities;
- (e) a decision, or proposed decision, of the local government or any of its committees;
- (f) the exercise of a power, under a Local Government Act, by the local government, a councillor or a local government employee;
- (g) the exercise of a power, under an Act, by the State, a Minister, a statutory body or an employee of the State or statutory body, that affects the local government, any of its corporate entities or land or infrastructure within the local government's area;
- (h) any legal or financial advice created for the local government, any of its committees or any of its corporate entities.

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Unit: NA  
Approved: Ordinary Meeting (Resolution Number XXXX)  
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**Appendix B: Councillor Access to Information Request Form**

<b>Councillor Access to Information Request Form</b>	
<b>To:</b>	<i>Officer from which information is being requested and role</i>
<b>From:</b>	<i>Name of Councillor making the request</i>
<b>Date of Request:</b>	<i>dd/mm/yyyy</i>
<b>CC:</b>	Chief Executive Officer

**COUNCILLOR TO COMPLETE****Information required:**


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**Reason for seeking access to this information:**


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**Date information is required by:** \_\_\_\_\_**OFFICER TO COMPLETE****Available Information related to request:**


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**Confidentiality or other sensitive matters related to the information:**


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**Additional information required for context (if applicable):**


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## **Councillor Code of Conduct Guideline**

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November 2013

## Introduction

This Code of Conduct sets out the standards of behaviour expected of councillors of the Lockyer Valley Regional Council.

The requirements of this code are in addition to the roles, responsibilities and obligations of councillors, as set out in the Local Government Act 2009.

Council considers this code to be a procedure, as per section 176(4) of the Local Government Act 2009 (see below).

## Key Ethical and Behavioural Obligations

Councillors must:

- ensure their personal conduct at all times does not reflect adversely on the reputation of the Council
- demonstrate respect for fellow councillors, council staff and other members of the public
- refrain from harassing, bullying or intimidating fellow councillors, council staff or other members of the public
- not communicate with the public or media on behalf of the Council, unless expressly authorised by the Council to make that communication
- when communicating with the public or the media, make it clear when they are expressing a personal opinion, and when they are speaking on behalf of Council
- when communicating with the public or the media to express a personal opinion about a Council resolution, respect the democratic process by first acknowledging that Council resolutions represent the majority view of Council.

## Consequences of Failing to Comply with this Code

Section 176(4) of the *Local Government Act 2009* provides: -

*(4) **Inappropriate conduct** is conduct that is not appropriate conduct for a representative of a local government, but is not misconduct, including for example—*

*(a) a councillor failing to comply with the local government's procedures;  
or*

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Group: Governance & Performance  
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Date Approved: 27/11/2013

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Effective Date: 01/12/2013  
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*(b) a councillor behaving in an offensive or disorderly way in a meeting of the local government or any of its committees.*

A failure to comply with this code by a councillor (other than by the mayor or deputy mayor) will be inappropriate conduct (as defined in section 176(4)(a) of the *Local Government Act 2009*) and render a councillor liable to disciplinary action prescribed by section 181) of that Act.

*(1) If the chief executive officer refers a complaint to the mayor, the mayor may make either or both of the following orders that the mayor considers appropriate in the circumstances—*

*(a) an order reprimanding the councillor for the inappropriate conduct;*

*(b) an order that any repeat of the inappropriate conduct be referred to the department's chief executive as misconduct.*

A failure to comply with this code by the mayor or deputy mayor will be considered misconduct and referred to the Chief Executive of the Department of Local Government (section 176C(3)(a)(i) of the *Local Government Act 2009*).

The mayor or department's chief executive may make either or both of the following orders that the mayor or department's chief executive considers appropriate in the circumstances—

(a) an order reprimanding the councillor for the inappropriate conduct;

(b) an order that any repeat of the inappropriate conduct be referred to the regional conduct review panel as misconduct.

If the mayor or the department's chief executive makes three of the above orders about the same councillor within the 1 year, the mayor or the department's chief executive must refer the repeated inappropriate conduct by the councillor to a regional conduct review panel or the tribunal.

If the mayor or the department's chief executive refers repeated inappropriate conduct by the councillor to a regional conduct review panel or the tribunal:

(a) the matter is taken to be a complaint about misconduct

(b) the panel or tribunal must conduct a hearing of the complaint

(c) sections 178 to 180 apply for the hearing of the complaint

(d) the repeated inappropriate conduct by the councillor is taken to be misconduct.

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If inappropriate conduct happens in a meeting of the local government or its committees, the chairperson of the meeting may make any one or more of the following orders that the chairperson considers appropriate in the circumstances:

- (a) an order that the councillor's inappropriate conduct be noted in the minutes of the meeting
- (b) an order that the councillor leave the place where the meeting is being held (including any area set aside for the public), and stay out of the place for the rest of the meeting
- (c) if the councillor fails to comply with an order made under paragraph (b) to leave a place—an order that the councillor be removed from the place

## References

The Councillor Conduct Guide July 2013 – Crime and Misconduct Commission

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## **Councillor Confidentiality Procedure**

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November 2013

## Introduction

This procedure provides guidance to councillors in complying with section 171(3) of the Local Government Act 2009 (LGA) regarding the proper handling of confidential information. This procedure aims to assist Council in determining what might be considered confidential information and how this information should be handled.

It is accepted that councillors will be in receipt of confidential information that may or may not be part of a formal Council meeting. Councillors must use Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.

This procedure aims to support councillors in balancing the right and duty to inform the Public and consult with constituents about Council business with the interest Council has in preventing disclosure of confidential information.

This procedure does not override an individual councillor's statutory obligations in respect of the use of information, nor does it override Council's obligations under the Local Government Act 2009 or any other legislation or subordinate legislation to disclose or publish information where this is required by law.

This procedure applies to confidential information held by Council and councillors.

## Legislative and policy context

Section 171(3) of the Local Government Act sets out provisions relating to the release of confidential information by councillors. It states:

*A councillor must not release information that the councillor knows, or should reasonably know, is information that is confidential to the local government.*

## Definitions

Councillor briefing sessions/workshop - are non-decision making forums convened by councillors, the CEO and, as directed by the CEO, other Council officers that create an opportunity for councillors and officers to discuss matters of proposed policy or other strategic or community sensitive issues, as well as providing a forum for councillors to be made aware of issues of significance to the organisation and/or to the community.

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Information - comes in any number of forms including letters, reports/documents, facsimiles, attachments, tapes, emails, electronic media, and/or other forms of information including discussions during meetings.

## Confidential Information

Council operates in an environment of public accountability in which it seeks to inform the public of issues under consideration and the nature of decisions made by Council and its committees. Therefore, information should ordinarily be released to the public unless there are compelling reasons which indicate that this is not in the public interest.

At the same time, Council is conscious of the need to handle Council information in a way that promotes and maintains the public's trust and confidence in the integrity of the local government.

It is accepted that councillors will be in receipt of confidential information that may or may not be part of a formal Council meeting. It is Council's responsibility to ensure that such information is treated confidentially, so as not to harm, prejudice or compromise the interests of Council or any individual or organisation, or enable any individual or organisation to gain a financial advantage.

Whilst endeavouring in the interests of public accountability to limit the number of matters which are considered in confidential sessions, Council acknowledges that it is appropriate to consider certain matters in closed meetings.

## Responsibilities of Councillors

Councillors must be aware of their responsibilities and agree they should:

- exercise due care when handling or using information acquired in their role as a councillor
- acknowledge that there will be information that must be treated as confidential because to release it would reduce public trust and confidence in the integrity of the Council
- acknowledge that disclosure of confidential information constitutes a breach of the LGA;
- if uncertain, presume information is confidential, and seek advice from the CEO prior to any release of it
- undertake not to disclose, and to use their best endeavours to prevent disclosure of, confidential information to any person or organisation, specifically:
  - avoid discussing confidential Council information with family, friends and business associates; and
  - ensure documents containing confidential information are properly safeguarded at all times – including materials stored at private or business residences.

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## What is confidential information?

The following types of information shall be deemed to be confidential to Council unless or until Council resolves to the contrary in a particular instance:

- Commercial in confidence information — including where the release of information would affect a third party's competitive advantage; this is particularly relevant in a competitive tender situation.
- Information derived from government departments or ministers that have been classified as confidential.
- Information of a personal nature or about personal affairs, for example the personal details of councillors or council staff.
- Information relating to a property disposal or acquisition process where release of the information may prejudice Council (see also section 171(1) of the LGA).
- Financial and legal analysis where the disclosure of that information may compromise Council or someone else.
- Information that could result in action being taken against Council for defamation.
- Information involving legal advice to Council or a legal issue or a matter before the courts.
- Information that is expressly given to councillors in confidence.
- Information examined or discussed at councillor briefing sessions, unless the CEO declares that such information (or part thereof) is not confidential.
- Information about:
  - the appointment, dismissal or discipline of employees
  - industrial matters affecting employees
  - the Council's budget
  - rating concessions
  - contracts proposed to be made by Council
  - starting or defending legal proceedings involving Council
  - any action to be taken by the local government under the Sustainable Planning Act 2009, including deciding applications made to it under that Act.

It is acknowledged that some of the above classes of information may need to be disclosed from time to time for legal proceedings or in accordance with the Right to Information Act 2009.

Nevertheless, this procedure deems that as a minimum:

- The CEO may make a declaration that information concerning a specific matter is to be treated as confidential to Council, and the information will remain confidential unless or until Council resolves to the contrary.
- An item on a Council or committee meeting agenda – and the information contained in the documentation or supporting material – that is declared confidential by the CEO is to remain confidential unless or until Council or the committee resolves to the contrary.

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- If the mayor or a councillor in a meeting asks that a matter be treated as confidential, Council will formally resolve as to whether all information concerning the matter is confidential.
- If a meeting of a committee resolves that an item – and the information contained in the documentation or supporting material – is to be confidential it remains confidential unless or until Council resolves to the contrary.
- If Council exercises its powers under section 275 of the Local Government Regulation 2012 to close its meeting to members of the public, all information in relation to the matters discussed during that closed meeting or the closed portion of the meeting is confidential, unless and until the Council resolves to the contrary.
- Confidential information shall be clearly identified as confidential.
- Any information of a type deemed to be confidential is to be presumed by councillors to be confidential to Council and must not be released without seeking advice from the CEO.
- If a councillor has any doubt as to whether Council considers information to be confidential, the councillor is to act on the assumption that Council does so intend until the doubt is resolved at a subsequent meeting of Council.

### Consideration of confidential material—council meetings

The following procedures will apply to the preparation of an agenda and material for consideration at meetings of the council:

1. If it is considered by the Chief Executive Officer (CEO) that the council should consider a matter in a closed meeting, the CEO will clearly indicate such recommendation on the agenda.
2. The CEO will make a declaration that all information contained in the documentation and associated material is information confidential to the council.
3. The CEO will ensure that the documentation and material is clearly marked as confidential.
4. The reason for the recommendation will be set out in the material.

The following procedures will apply to a recommendation by the CEO that a matter be considered in a closed meeting:

1. Council will consider the recommendation in open session unless to do so would result in the public release of the information concerning the matter.
2. Council shall determine by resolution whether the matter is confidential or not for the purposes of declaring that a meeting should be a closed one.
3. Upon moving that an issue be dealt with in a closed meeting, the mover must clearly state the reason for the motion.
4. Council will resolve that:
  - the matter is to be considered in a closed meeting, and all information relating to that matter is confidential to Council, or
  - the matter will be considered in open session.

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Information considered at a closed meeting of Council shall remain confidential unless or until Council resolves otherwise.

## Release of confidential information

Any release of confidential information for any purpose to any person or organisation (other than those who are entitled to the information, such as other councillors or council staff) is a breach of section 171(3) of the LGA.

Release includes:

- orally telling any person about the information or any part of the information providing the original or a copy of documentation or any part of the documentation that is marked confidential
- paraphrasing – putting into your own words – any confidential information and providing that in writing or orally.

## Breach of this procedure

Where a complaint about a Councillor's conduct has been received by the local government, a preliminary assessment will be undertaken by the Council's Chief Executive Officer (CEO) in accordance with section 176B of the Act. The exception to this is where a complaint is made by the CEO or Mayor, in which case it must be referred to the Department of Local Government, Community Recovery and Resilience CEO (Department CEO) for preliminary assessment.

The Department CEO may refer the matter to the regional conduct review panel which may make any one or more of the following orders or recommendations that it considers appropriate in view of the circumstances relating to the misconduct:

- a. an order that the councillor be counselled about the misconduct, and how not to repeat the misconduct;
- b. an order that the councillor make an admission of error or an apology;
- c. an order that the councillor participate in mediation with another person;
- d. a recommendation to the department's chief executive to monitor the councillor or the local government for compliance with the Local Government Acts;
- e. an order that the councillor reimburse the local government;
- f. a recommendation to the Crime and Misconduct Commission or the police commissioner that the councillor's conduct be further investigated;
- g. an order that the councillor pay to the local government an amount of not more than the monetary value of 50 penalty units.

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However, if the regional conduct review panel considers that more serious disciplinary action should be taken, the regional conduct review panel must report the matter to the tribunal for the tribunal to take disciplinary action. The tribunal may make any order or recommendation that it considers appropriate in view of the circumstances relating to the misconduct.

### Related Documents

Information Privacy Policy SG 03

Right to Information Policy SG 04

Code of Meeting Practice – November 2013

Councillor Code of Conduct Procedure – November 2013

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## **Expenses Reimbursement & Provision of Facilities for Councillors Guideline**

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November 2013

## 1.0 Introduction

### 1.1 Approval and Reimbursement

Council has delegated approval of all expenses for the Mayor and Councillors to the Chief Executive Officer (CEO). The CEO must approve all mandatory and discretionary training and travel accommodation for the Mayor. The approval of the Mayor is required for attendance by Councillors at any mandatory training or conference in Australia and for attendance by a Councillor at any event as a delegate or representative of Council. Council approval by resolution is required for the attendance and travel by the Mayor or Councillors to any training, conference or event outside Australia.

### 1.2 Council Business

Council Business is defined as activities conducted on behalf of, and approved by, Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements or achieve business objectives for the Council. Council business should result in a benefit being achieved either for the local government and/or the local community. This includes:

- Preparing for, attending and participating in Council Meetings, committee meetings, workshops, deputations and inspections.
- Preparing for and attending meetings of associated bodies (i.e. LGAQ, UDIA, etc);
- Attending civic ceremonies and community events such as representing Council at Anzac Day ceremonies or opening a school fete, where they have been formally invited in their capacity as Councillor to undertake the official duty;
- Attending public meetings, annual meetings or presentation dinners where invited as a Councillor;
- Attending meetings of community groups (Scout Associations, Progress Associations, etc) where invited to speak about Council programs or initiatives;
- Private meetings with constituents (residents, ratepayers, community groups, developers etc), where arranged through official council channels and details of discussions are documented in official records or diaries.

## 2.0 Expenses

The following expenses refer to actual expenses deemed necessary for Council business. Councillors are only entitled to the expenses contained in the categories listed below:

### 2.1 Professional Development

#### 1.1.1 Mandatory Training

Councillors must attend training where the Mayor approves that all councillors or a class of councillors (newly elected) are to attend training courses or workshops for skill development related to a councillor's role. Council will meet all costs.

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#### 1.1.2 Discretionary Training

Where a Councillor wishes to attend a conference, workshop or training to improve skills relevant to their role as a councillor (other than mandatory training) Mayoral approval is required. Council will meet all costs.

### 2.2 Travel Costs

Councillors are entitled to be reimbursed for all travel costs when representing Council on Council business subject to Council approval.

All approved Councillor travel will be booked and paid by Council. Economy class is to be used where possible, although business class may be considered in certain circumstances (e.g. flight over 3 hour duration). Airline tickets will not be transferrable.

### 2.3 Accommodation

Councillors are entitled to stay at a motel/hotel accommodation (4 star or equivalent as available) when it is considered necessary to attend to Council business. When attending conferences or workshops, accommodation will be booked and paid for by Council.

Where accommodation is provided outside the region, Council may pay an additional Incidental Daily Allowance of \$20.00 to cover additional incidental costs (phone calls, newspapers, laundry/dry cleaning etc) incurred while away.

### 2.4 Meals

Councillors are entitled to be reimbursed for meal expenses incurred when travelling or attending Council business outside the region. Expenses up to a maximum of \$35 for breakfast, for \$35 lunch and \$70 for dinner will be reimbursed on the submission of documentation. The Councillor must incur the cost personally. A meal must not have been provided as part of the event, during the flight or as a part of an accommodation package. Reasonable alcoholic beverages are able to be included only with evening meals.

### 2.5 Hospitality Expenses

Councillors are entitled an allowance (\$500 for Councillors and \$4 000 for the Mayor per year) to entertain dignitaries. The allowance will be paid in two equal instalments in June and December each year.

### 2.6 Cab Charge and Public Transport

Councillors are entitled to be reimbursed for transfer costs associated with travelling for Council business e.g. rail, ferry, bus, cab etc.

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## 2.7 Events

Where Councillors attend events which constitute council business and partners are included on the invitation, Council will pay expenses associated with the partner's attendance in accordance with this policy. However, if the partner is not included on the invitation received by the Councillor, payment of expenses associated with the attendance of the partner at the event will be the responsibility of the Councillor.

## 3.0 Facilities

### 3.1 Administrative Tools and Office Amenities

Councillors are entitled to use the following facilities:

- Secretarial support – the Mayor is provided with a full time personal assistant under Council's standard terms and conditions of employment. Councillors are provided with a full time personal assistant as a group under Council's standard terms and conditions of employment. Relief staff will be provided as deemed necessary by the CEO.
- Computer for business use, either a desktop or laptop computer with internet access.
- Mobile phone or smart phone (with or without hands free kit) with internet access if relevant
- Home Office facilities
- Stationery for official purposes
- Printer, Photocopier, Paper Shredder
- Access to publications including legislation required to undertake the duties of a Councillor
- Office space and access to facilities: Council provides accommodation and access to meeting rooms for Councillors. The standard of office accommodation is as approved by Council.

### 3.2 Maintenance Costs of any Council Owned Equipment

Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council-owned equipment that is supplied to Councillors for official business use. This includes the replacement of any facilities that fall under the Council's asset replacement program.

### 3.3 Name Badge and Uniforms

Councillors will be entitled to receive an identity card, access card, name badge and all necessary safety equipment (to the standard supplied to employees). Councillors will have access to the corporate uniform and may be provided with a yearly allocation.

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### 3.4 Motor Vehicles, Fuel and Parking

The Mayor will be provided with a fully maintained motor vehicle of appropriate standard for use on Council business and for private purposes. The Mayor will be provided with car parking at the rear of the Gatton office. Council will meet all operating costs and provide fuel cards for the Mayor's Council-owned vehicle.

The Deputy Mayor will be provided with a fully maintained motor vehicle of appropriate standard for use on Council business and for private purposes. Council will meet all operating costs and provide fuel cards for the Mayor's Council-owned vehicle.

Councillors, excluding the Mayor, will be paid the amount of \$350 per fortnight to cover the cost of fuel and other expenses (including depreciation) for the private vehicle of the councillor.

Council will make available a Council vehicle of suitable standard for use by Councillors on Council business in the region and for travel outside the area.

### 3.5 Telecommunications

The Mayor will be provided with a mobile phone for Council and private purposes and Council will meet all costs associated with the provision of this facility.

Council will contribute \$175 per fortnight to each Councillor (excluding the Mayor) to cover the costs involved with the use of their private landline, internet costs and as a contribution towards the costs involved in the operation of their mobile phone.

### 3.6 Legal Costs and insurance cover

Council has included Councillors in its Workers Compensation coverage (Local Government Self Insurance Scheme – LGW) that provides for the level of the benefits substantially the same as for the employee of council with the exception that elected members can not bring a common law damages action against council under the Worker's Compensation & Rehabilitation Act 2003.

Council has included Councillors under its Professional Indemnity Policy (Local Government Mutual – LGM).

### 3.7 Credit card

The Mayor will be provided with a corporate credit card for use in charging costs and expenses associated with the duties of Mayor.

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## 4.0 Claims and Reports

All claims for reimbursement of expenses are to be made on a Councillor Reimbursement Claim Form and submitted with original receipts. Claims are to be made within three (3) months of incurring the expense. Claims will be paid on a monthly basis. Councillors are to accept full responsibility for the accuracy of each claim.

Councillors attending professional development courses or conferences shall report in writing to Council on the event.

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**ORDINARY COUNCIL  
MEETING MINUTES  
18 DECEMBER 2013**

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**3. Report**

The report has been compiled by Corporate Communications with content provided from across the Council organisation on the achievements of each department throughout the year. These have been reported against the activities of the corporate and operational plans over the last 12 months. The form of the document builds on the success of last year's Annual Report and meets Council's statutory obligations. It also remains one of the key documents published by Council each year.

**4. Policy and Legal Implications**

In order to meet the requirements of the Local Government Regulations 2012, Council was required to seek an extension from the Minister and this was granted to the 20 December 2013. This extension is based on the late completion of the Audit of the Financial Statements from the Queensland Audit Office and the delays in finalising the financial statements from 2012/2013.

**5. Financial and Resource Implications**

The Annual Report has been produced within approved budgets and is a significant change in style from previous years with a more professional and story based approach to encourage readership.

**6. Delegations/Authorisations**

Should any further amendments be required, the Chief Executive Officer is authorised to make these changes in the finalisation of the production of the Annual Report.

**7. Communication**

When the final report is complete it will be published on Council's website and hard copies will be available for inspection and purchase.

**8. Conclusion**

That the Annual Report is to be received and adopted, subject to any minor adjustments, further that the Chief Executive Officer be delegated to finalise.



**Date:** 13 December 2013  
**Author:** David Mazzaferri, Manager Disaster Management (Recovery & Resilience) & Community Engagement  
**Responsible Officer:** Dan McPherson, Executive Manager Organisational Development & Engagement  
**File No:** Formal Papers

As a result of the devastating 2013 flood events and in consultation with Councillors and ELT Lockyer Valley Regional Council has adopted the Recovery & Resilience Model based on task force and fortnightly reporting. A monthly report has been generated using the compiled fortnightly reports.

**THAT Council review and adopt the attached Recovery and Resilience Monthly Report  
8 November 2013 – 6 December 2013.**

**Moved By: Cr McDonald                      Seconded By: Cr Milligan**  
**Resolution Number: 78**

- Estimated construction completion of 2010/11 works is June 2014.
- Rockmount Road realignment and bridge contract has gone to tender to close 20 November 2013.
- Thistlethwaite Bridge contract has gone to tender to close on 27 November 2013.
- Thornton School Road (Clark Bridge) bridge to be tendered in January 2014.

### **Community Engagement**

- Letters to be sent to residents before Christmas regarding Walnut Drive, Hatton Vale Extension.
- 1 block remaining in Land Swap declined by 2 people.
- Meetings with 67 Forest Hill residents has found most in favour of levee

### **Regional & Economic Development**

- Working with DAFF and local farmers to explore interest in working on a resilience plan for supply chain identification and contingency sales for damaged produce.

### **Environment and Regulatory**

- DNRM report that the asbestos illegally dumped in Lockyer Creek has been removed by a licensed contractor and safely disposed of.
- Arrangements have been made with QUU to install the final 18 water meters at Grantham estate.
- Safety demonstration of equipment and distribution of chemical to 19 landholders from the Junction View and Mt Sylvia area under the Herbicide Subsidy Program

### **Disaster Management**

- The Grantham Flood Early Warning System (Siren) has been installed at Christopher Street, Grantham on 27 November 2013 and audible testing undertaken on 29 November 2013. The community within approximate 3km radius were informed by Australia Post letter box drop, along with placement of key information at the Grantham shops and garage. Grantham Local Disaster Community Coordination Committee (LDCCC) also engaged to assist in informing the community of the siren and testing. Some community members were door knocked on Thursday 28 November 2013. Meeting was conducted with the Principal of Grantham State School on Wednesday 27 November 2013 to enable the school community to be appropriately prepared for the system testing.
- Annual maintenance of Rainfall & River Height Gauges undertaken by LVRC & BoM

### **3. Policy and Legal Implications**

There are no new policy implications for this report and the ongoing reporting of the progress with recovery and resilience support Council's obligations under the Disaster Management Act. Where issues are discovered that require additional input from State agencies these matters will be referred in consultation with Council – especially where amendments to legislation may be a proposed action.

### **4. Financial and Resource Implications**

The recovery and resilience structure is resourced from Council's existing organisation and funding where not provided in Council's budget will sort through the Natural Disaster Relief and Recovery arrangements (NDRRA) or other submissions to State and Federal Government. Where external resources are required these may be acquired in consultation with other agencies, including state government departments where it is beyond Councils capacity to fund or resolve.

### **5. Delegations/Authorisations**



**ORDINARY COUNCIL  
MEETING MINUTES  
18 DECEMBER 2013**

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No additional delegations are required. All existing delegations should support the current operations and will be reported where an exception.

**6. Communication**

Following the initial communications there has been periodic updates addressed through Council regular communication channels and back through the agencies or the LDMG. It is proposed that more communications be provided to community and corporate communications will produce regular articles and updates.

**7. Conclusion**

That this report be received by Council and that any further issues that councillors have identified through this report be referred back in the first instance to the respective taskforce for progressing. Further reports will be provided on a monthly basis.

**Attachments**

- 1 [View](#) Recovery & Resilience
- 2 [View](#) Recovery & Resilience



Recovery & Resilience 2013 - Fortnightly Report  
Period ended 25th November, 2013

Group	Active Type	2013 Description	Work Completion	End Date	Responsible	Status	Applied for	Matched	2013 Forecast	Comments
Infrastructure Works & Services	Flood Event	The estimated construction completion of the 2013/14 works is June 2014. Rockpoint Road realignment and bridge contract has gone to tender. Tenders close 20 November. Design to start in November & Construction anticipated to start in February 2014. Construction of works by Council Day Labour Workforce is ongoing. Final seal of a large number of roads to be commenced shortly. Contract for Asphalt works to be awarded next week.	11/11/13	Ongoing	NIWRA Team	On Track				
	2013 Flood Event	The majority of the 2013 Flood Recovery works have been scoped and submitted to QIRRA for approval. The estimated construction completion of the 2013 Construction works is February 2015. QIRRA Workforce on 2013 Flood Recovery works is ongoing. Thirloway Bridge contract has gone out to tender. Tenders close 27 November. Design to start in December & Construction anticipated to start in January 2014. Thornton School Road Bridge to be tendered in January 2014 and construction complete in November 2014. Three va lleys concept designs have been discussed in Council Workshop. A Number of realignment and upgrading options to make roads more resilient for the same cost have been considered feasible. Several other projects have been submitted for funding as part of the Petition Scheme.	11/11/13	Ongoing	NIWRA Team	On Track				
	Emergent Works	A small amount of work is still to be submitted to QIRRA (less than \$5,000) for reimbursement. Most of the submitted Emergent works costs have been reimbursed by QIRRA. The 2013 submissions are being reviewed by QIRRA now and we are responding to questions.	11/11/13	Ongoing	NIWRA Team	On Track				

Category	Item	Project Description	Start Date	End Date	Lead	Status	Notes	Comments
Community Engagement	Betterment	Projects submitted for Betterment are being discussed with QIRDA and other Betterment needs to be resolved by them before end of November. As indicated above an additional project has been lodged for Betterment funding with QIRDA in the last week. The works are on the three valleys roads and involve realignment and upgrading options to make roads more resilient. The works have a total project value of over \$11 million.	11/11/13	Ongoing	MDRBA Team	On track		
	Waste Management	The CE team has worked closely between the Mayor's office to organise a community information and demonstration day for Friday 28 November at Junction View at which time chemicals will be distributed, the spray trailer demonstrated, and a program overview explained.	1 Sept 13	Dec 2013	Liam Sullivan	On track	Mayor, EMV Corporate Services, Local Policy Advisor aware of ongoing PR options.	Potential for Councils to attend and determine ongoing PR options.
	Human & Social Agency Capability & Review	Held last 19 Nov with 6 agencies and 14 people attending. A report from Dept of Community Development to the Mayor's office of State funding into HRS recovery and a greater expectation on agencies and individuals to meet their own needs. Minutes of the HRS and CE Taskforce meetings contain more detail.	1 Nov 13	Nov 2013	Neil Williamson	On track	Nil	Nil
	Community Engagement Taskforce	CE Taskforce met Tuesday 19 November to review the earlier HRS Capability Review. A number of actions have been identified for follow up - please refer to the CE Taskforce minutes for more information.	Ongoing		Neil Williamson	On track	No political issues expected	No media issues expected
	Wairarapa QIR HV Road Closure - Extension Project	CE team is providing community engagement advice to WVS with a focus around Cresswood Estate residents having emergency access in/out should a flood occur during estate development. CE team is drafting letters for residents on behalf of WVS.	1 Nov 13	Feb 2013	Neil Williamson	On track	Potential political issues being considered through community engagement plan. No action at this stage.	Letters to affected residents to be finalised and sent. Other engagement activities to be planned in detail.
	Forest Hill Flood Leave	Public meeting held Wed 20 Nov, attended by approx 55 people including Council and agencies. QR and DIRM gave presentations, along with the Mayor and Quentin. Community responses seemed generally favourable.	1 Sept 13	Ongoing	Parvati Poole	On track	Refer to Jamie S	Refer to Jamie S
								Ongoing consultations

Category	Activity	Frequency	Responsible	Start Date	End Date	Frequency	Frequency	Frequency	Frequency
Regional & Economic Development	General	Regional Development Strategic Advisory Panel to meet on 26/11/13 any recovery and resilience matters raised by the group will be noted.	11/11/13	Nov 2013	Regional Development Team	None			
		Waiting with DAF and local farmers to explore interest in working on a resilience plan for supply chain identification and contingency sales for damaged produce	11/11/13	11/11/13	Regional development team	None			
		Taskforce meeting scheduled for 02/12	11/11/13	11/11/13	Regional Development Team	None			
	General	Ongoing meetings with key stakeholders following taskforce workshop.	18 November	Ongoing	Richard Collins	None			Meeting with SED Water scheduled for 20 November.
Environment & Regulatory		HEA taskforce meeting on 22 November 2013		Ongoing	Richard Collins	None			None
		Preparation of presentation for Councilor's workshop 20 November 2013.		Nov 2013	Richard Collins	Councillor attended	None	Scheduled	None
		Arrangements have been made with QLU to install the local 18 water meters at the Grantham estate	18/11/13	Dec 2013	L. Kjaerwold		None	On target	None
	General	Electronic Warning System Grantham Stream. Installation to be completed in 2 stages. Stage 1: Pole & siren with manual capability to be installed on 27 November 2013. Stage 2: telemetry installation to enable full remote capability to be completed by mid December 2013. Stage 2 will commence post testing of the telemetry equipment. Community Engagement to inform community on siren and usage to be undertaken.	11/11/2013	Ongoing	Brooke de Jong	Mayor requested to request a launch	Nil	On target	
Disaster Management and Coordination		Get Ready Campaign - Disaster Preparedness Workshop held with Ladies' Women's Group 18/11/2013. 18 ladies in attendance and well received							
		Disaster Preparedness Engagement Activities in partnership with LOCCC/Multicultural learn prior to Women's Under the Stars to be undertaken	11/11/2013	Ongoing	Brooke de Jong		Nil		
		Proposed Dams							
		o CALD to be advised o Murphys Creek 14/12/2013 o Grantham Jan 2014 o Forest Hill to be advised o Mt Snyal/Junction View to be advised							
		Guardian Train The Trainer attended by Dave Hazelden enabling better utilisation of Guardian system	15/11/2013	22/11/2013	Dave Maculicchi				

### Infrastructure, Maintenance & Service

Event	Activity Type	Event Description	Week Commencing	End Date	Req. Holder	Status	Referral Status	Weekly Review	3 Day Review	Comments
Barrenet	Barrenet	Projects submitted for Barrenet are nearing finalisation with QURA including Barrenet needs to be resolved by them before end of November. As indicated above an additional 4 projects have been referred for Barrenet funding with QURA in the last week. The works are on the three to six weeks and needs realignment and upgrading actions to make works more cost effective. The works have a total project value of over \$11m O1.	23/11/2013	Ongoing	NJIRA Team	On Track				
Woolah Drive	Woolah Drive	Options for projects in Woolah Drive are being finalised. I am in the process of meeting with QURA to discuss the projects and the works to be done. I am also in the process of meeting with QURA to discuss the projects and the works to be done.	23/11/2013	Finalised	NJIRA Team	On Track				
Barrenet	Barrenet	Options for projects in Barrenet are being finalised. I am in the process of meeting with QURA to discuss the projects and the works to be done. I am also in the process of meeting with QURA to discuss the projects and the works to be done.	23/11/2013	Ongoing	NJIRA Team	On Track				
Barrenet	Barrenet	Options for projects in Barrenet are being finalised. I am in the process of meeting with QURA to discuss the projects and the works to be done. I am also in the process of meeting with QURA to discuss the projects and the works to be done.	23/11/2013	Ongoing	NJIRA Team	On Track				
Barrenet	Barrenet	Options for projects in Barrenet are being finalised. I am in the process of meeting with QURA to discuss the projects and the works to be done. I am also in the process of meeting with QURA to discuss the projects and the works to be done.	23/11/2013	Ongoing	NJIRA Team	On Track				

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<p><b>ORDINARY COUNCIL MEETING MINUTES 18 DECEMBER 2013</b></p>
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**10.0 CORPORATE AND COMMUNITY SERVICES REPORTS**

**11.0 GOVERNANCE AND PERFORMANCE REPORTS**

*No Governance and Performance Reports at time of print run*

**12.0 ORGANISATIONAL DEVELOPMENT AND ENGAGEMENT REPORTS**

*No Organisational Development and Engagement Reports at time of print run*

**ORDINARY COUNCIL  
MEETING MINUTES  
18 DECEMBER 2013**

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## **13.0 CORPORATE AND COMMUNITY SERVICES REPORTS**

### **12.1 Summary of Council Actual Financial Performance vs Budget - 30 November 2013**

**Date:** 11 December 2013  
**Author:** Tony Brett, Manager Finance  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

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#### **Summary:**

In accordance with Section 204 of the *Local Government Regulation 2012*, a financial report summarising the progress of Council's actual performance against budgeted performance is to be presented to Council.

This report provides a summary of Council's financial performance against budget for the five months to 30 November 2013.

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

**THAT Council resolves to receive and note the Summary of Council Actual Financial Performance versus Budget to 30 November 2013.**

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#### **RESOLUTION:**

**THAT Council resolves to receive and note the Summary of Council Actual Financial Performance versus Budget to 30 November 2013.**

**Moved By: Cr Pingel**

**Seconded By: Cr Holstein**

**Resolution Number: 79**

**CARRIED**

**6/0**

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#### **Report**

##### **1. Introduction**

In accordance with Section 204 of the *Local Government Regulation 2012*, a financial report summarising the progress of Council's actual performance against budgeted performance is to be provided to Council.

##### **2. Background**

Monthly reporting of Council's financial performance is a legislative requirement and reinforces sound financial management practices throughout the organisation.

##### **3. Report**



## **ORDINARY COUNCIL MEETING MINUTES 18 DECEMBER 2013**

The following report provides a summary of Council's financial performance against budget to 30 November 2013.

The Project to upgrade the financial reporting system to One Council went live on 28 October 2013. As the monthly report for October only accounted for actual transactions up to the 24 of the month, the November report includes transactions from 25 October to 30 November. This has resulted in some variances to the budgets which are related to timing differences.

Overall expenditure for the year to date is practically on budget with a 1% variance. This variance may be more of a timing issue due to the additional expenditure from the end of October. Year to date financial results will be more closely monitored over the next two months to determine if there will be an impact on the end of year result.

The 2012/13 Financial Statements have been finalised with the Queensland Audit Office issuing an unmodified audit opinion.

### **Operating Revenue - Target \$39.9 million Actual \$44.7 million or 112%**

At 30 November 2013, operating revenue for the year to date is above the year to date budget. This is a result of receiving a grant from the Queensland Reconstruction Authority for \$17.1 million (inclusive of GST) in July 2013.

The first rates issue for the 2013/14 financial year was completed in August. Budgeted rates revenue for the 2013/14 financial year is \$32.3 million and at 30 November the net rate revenue generated was \$15.4 million. Reminder notices have been sent out to those who are yet to pay and recovery action has commenced where appropriate. The second and final rates issue will be completed in January 2014.

Operating grants and subsidies received equal \$26.6 million or 55.3% of the annual budgeted revenue amount. The majority of these grants are an advance for Restoration works. As the funds are an advance payment, it is important that the expenditure of these grants is closely monitored to ensure that it meets the Value for Money requirements of the Queensland Reconstruction Authority.

With the exception of interest revenue, at 30 November 2013, all revenue lines are forecast to meet annual budgeted amounts. A review of interest revenue which includes interest on debt assigned to Queensland Urban Utilities will be conducted during the December quarter to determine the effect of continuing low interest rates on estimated revenue and if a budget adjustment is required.

### **Operating Expenditure - Target \$37.6 million Actual \$38.1 million or 101%**

At 30 November 2013, overall operating expenditure for the year to date has slightly exceeded the budget, mainly in the goods and services area. The month of November saw \$2.6 million expenditure on Recovery related activities.

Finance costs and depreciation costs have been recognised on a straight line basis in line with the annual budget for the 2013/14 financial year.

While total employee costs were slightly under budget, goods and services costs are ahead of the budget for the year to date. Total expenditure for both these items is over budget by \$0.3 million, with year to date expenditure of \$32.7 million against a year to date budget of \$32.4 million.

**ORDINARY COUNCIL  
MEETING MINUTES  
18 DECEMBER 2013**

million. Total expenditure will be monitored over the next quarter to ensure that it meets budget outcomes and that transactions related to flood recovery have been correctly allocated to the recovery cost centre.

**Capital Revenue - Target \$3.6 million Actual \$1.0 million or 28%**

Overall capital grants and subsidies revenue is well below budget for the year to date with \$1.0 million received to date. However the timing of capital grants and subsidies remains largely dependent upon the completion of the annual capital works program. Further work will be done on anticipated cash flows to try and better align the income and expenditure.

**Capital Expenditure – Target \$14.7 million Actual \$4.9 million or 33%**

To 30 November 2013, Council has expended \$4.9 million on its capital works program with the main expenditure being \$2.8 million within Corporate and Community Services with a further \$1.2 million within Infrastructure, Works and Services. The capital expenditure includes \$1.3 million on the Gatton Aquatic Centre, \$1.0 million on roads and streets, \$0.3 million on the Gatton SES Building and \$0.3 million on waste disposal capital works.

A detailed schedule of capital expenditure by program and job is attached to this report.

**4. Policy and Legal Implications**

There are no policy or legal implications associated with this report.

**5. Financial and Resource Implications**

Council's financial results remain largely dependent upon further advance payments from the Queensland Reconstruction Authority, the completion of the capital works program and the financial impact of the 2013 flood events. Significant restoration costs are expected to be incurred throughout the 2014 financial year and due to the fluctuating nature of this income and expenditure there is a risk that budget targets may be exceeded. The allocation of costs to the Recovery program is being reviewed to ensure that all applicable expenditure is accounted for in the correct cost centre. The financial reports from January 2014 will separate the Recovery Program from Infrastructure, Works and Services to provide a clearer picture of the costs associated with recovery activities.

Efficiency targets of \$1.7 million have been imbedded within Council's 2013/2014 Budget, with \$1.3 million allocated to employee costs and a further \$0.4 million to goods and services. Strategies are currently being developed to achieve these targets and regular reporting against the targets was planned to commence in September 2013. Due to delays in the implementation of the One Council system, this has not occurred. However, Council is now carefully managing its FTE establishment and through this process and work priorities, employee costs are currently \$0.7 million under budget. As such, it could be argued that Council has effectively realised \$0.5 million of its employee efficiency dividend.

Improved phasings for operation income and expenditure are being developed to enable a better analysis of Council's financial position as the year progresses. With year to date expenditure being 1% over budget, the coming months will be critical in setting the scene for the remainder of the financial year and whether or not the budgeted targets will be met.

**6. Delegations/Authorisations**



## ORDINARY COUNCIL MEETING MINUTES 18 DECEMBER 2013

There are no delegation or authorisation issues associated with this report.

### 7. Communication

There is no communication required as a result of this report.

### 8. Conclusion

In accordance with Section 204 of the *Local Government Regulation 2012*, a financial report summarising the progress of Council's actual performance against budgeted performance is to be provided to Council.

At the end of November 2013, Council's overall revenues and expenditures are still within tolerable levels but will be reviewed over the coming quarter to identify potential issues or trends which will impact on budgeted result. As in previous months, restoration income and expenditure require ongoing monitoring to ensure that the financial risk to Council is managed appropriately.

### Attachments

1	Statement of Income & Expenses - Whole Council	4 Pages
2	WIP Capital	6 Pages
3	Progress at a Glance	4 Pages
4	Graphs	5 Pages

**Lockyer Valley Regional Council**  
**Statement of Income & Expenses**

For the year to date:

**30 November 2013**

**Whole of Council**

	Note	Original Budget 2013/2014	Forecast Result 2013/2014	Actuals November 2013	Budget November 2013	Actuals YTD	Budget YTD	YTD Variance %
<b>Operating Revenue</b>								
Rates and Utility Charges (Gross)		32,841,540	32,841,540	1,203	0	15,038,266	16,420,770	-8%
Discount		(1,115,030)	(1,115,030)	(101,194)	0	(857,156)	(857,156)	18%
Charges and Fees		4,793,239	4,793,239	442,908	399,437	2,056,558	1,997,183	3%
Interest		3,475,000	3,475,000	52,722	289,583	661,140	1,447,917	-54%
Operating Grants and Subsidies	3	48,119,660	48,119,660	1,638,248	4,009,972	26,552,299	20,049,858	33%
Operating Contributions and Donations		0	0	0	0	10,000	0	100%
Revenue - Contract/Recoverable Works		630,000	630,000	129,998	52,500	388,364	262,500	48%
Other Revenue		723,300	723,300	(306,257)	60,275	510,974	301,375	80%
<b>Total Operating Revenue</b>		<b>89,466,739</b>	<b>89,466,739</b>	<b>1,777,798</b>	<b>4,811,767</b>	<b>44,890,415</b>	<b>39,921,603</b>	<b>12%</b>
<b>Operating Expenses</b>								
Employee Costs		31,037,052	31,037,052	3,217,501	2,586,421	12,262,567	12,932,105	5%
Goods and Services	1	46,604,751	46,604,751	3,335,290	3,883,729	20,532,098	19,418,846	-6%
Finance costs	2	1,614,100	1,614,100	134,510	134,508	708,454	672,542	-5%
Depreciation		11,002,305	11,002,305	916,859	916,859	4,584,292	4,584,294	0%
Administration Charges		0	0	0	0	0	0	0%
Other Expenses		1	1	(3,193)	0	0	0	100%
<b>Total Operating Expenses</b>		<b>90,258,209</b>	<b>90,258,209</b>	<b>7,602,067</b>	<b>7,521,517</b>	<b>38,067,411</b>	<b>37,607,587</b>	<b>-1%</b>
<b>Operating Surplus/(Deficit) Before Capital Items</b>		<b>(791,470)</b>	<b>(791,470)</b>	<b>(824,269)</b>	<b>(709,750)</b>	<b>6,503,004</b>	<b>2,314,016</b>	<b>-185%</b>
<b>Capital Revenues and Expenses</b>								
Capital Grants, Subsidies and Contributions		4,733,406	8,086,687	(187,824)	674,724	994,985	3,373,620	71%
Profit (Loss) on Disposal of Non Current Assets		0	0	0	0	0	0	0%
Other Capital Items		550,000	550,000	0	45,833	0	229,167	0%
Abnormal or Extraordinary Items		0	0	0	0	0	0	0%
<b>Operating Surplus/(Deficit) After Capital Items</b>		<b>4,491,936</b>	<b>7,855,217</b>	<b>(8,213,093)</b>	<b>(3,589,154)</b>	<b>7,597,989</b>	<b>5,916,802</b>	<b>28%</b>
<b>Sources and Applications of Capital Funding</b>								
<b>Capital Funding Sources</b>								
Loans		5,000,000	6,890,000	0	0	0	0	100%
Disposal Proceeds of non Current Assets		595,000	595,000	0	49,563	0	247,917	100%
Contributed Asset		0	0	0	0	0	0	100%
Net Transfers to (from) Capital Reserves		11,002,305	11,002,305	0	916,859	0	4,584,294	100%
Funded Depreciation		0	0	1,277,628	0	4,864,211	0	-100%
<b>Total Capital Funding Sources Used</b>		<b>16,597,305</b>	<b>18,397,305</b>	<b>1,277,628</b>	<b>966,442</b>	<b>4,864,211</b>	<b>4,832,210</b>	<b>-1%</b>
<b>Capital Funding Applications</b>								
Capital Expenditure		5,291,922	5,291,922	0	440,994	0	2,204,968	100%
Capital Expenditure Upgrade / New		17,380,549	28,676,624	1,226,816	2,389,719	4,813,199	11,948,593	60%
Contributed Assets		550,000	550,000	0	45,833	0	229,167	100%
Loan Redemption		841,100	841,100	0	70,092	0	350,458	100%
<b>Total Capital Funding Applications</b>		<b>24,063,571</b>	<b>35,359,646</b>	<b>1,226,816</b>	<b>2,946,637</b>	<b>4,813,199</b>	<b>14,733,186</b>	<b>67%</b>
<b>Total Reserve Movements</b>		<b>2,974,330</b>	<b>9,107,124</b>	<b>6,162,083</b>	<b>3,969,369</b>	<b>(7,648,704)</b>	<b>3,984,173</b>	<b>-292%</b>

**Notes**

1 Finance costs: 1/12th of the adopted budget have been accrued

2 Depreciation expenses: 1/12th of the adopted budget have been accrued

3 \$17M was received as a lump sum from the Queensland Reconstruction Authority in July 2013

**Lockyer Valley Regional Council**  
**Statement of Income & Expenses**

**For the year to date:**

**30 November 2013**

**Total Business Units**

Note	Original Budget 2013/2014	Forecast result 2013/2014	Actuals November 2013	Budget November 2013	Actuals YTD	Budget YTD	YTD Variance %
<b>Operating Revenue</b>							
Rates and Utility Charges (Gross)	5,614,400	5,614,400	(293)	0	2,691,555	2,807,200	-4%
Discount	(134,465)	(134,465)	0	0	(67,132)	(67,132)	0%
Charges and Fees	2,195,000	2,195,000	145,199	182,917	819,260	914,683	-10%
Interest	0	0	7,320	0	7,320	0	#DIV/0!
Operating Grants and Subsidies	867,000	867,000	72,431	72,250	314,061	361,250	-13%
Operating Contributions and Donations	0	0	0	0	0	0	0%
Revenue - Contract/Recoverable Works	630,000	630,000	129,998	52,500	374,755	282,500	43%
Other Revenue	50,000	50,000	0	4,167	0	20,833	0%
<b>Total Operating Revenue</b>	<b>9,222,400</b>	<b>9,222,400</b>	<b>354,955</b>	<b>311,833</b>	<b>4,139,645</b>	<b>4,299,367</b>	<b>-4%</b>
<b>Operating Expenses</b>							
Employee Costs	2,679,495	2,679,495	355,123	225,291	1,206,755	1,116,456	-8%
Goods and Services	5,450,486	5,450,486	773,154	454,207	1,307,101	2,271,036	16%
Finance costs	106,500	106,500	8,874	8,875	45,272	44,375	-2%
Depreciation	311,282	311,282	25,940	25,940	129,701	129,701	0%
Administration Charges	525,800	525,800	0	43,817	0	219,083	100%
Other Expenses	404,519	404,519	0	33,710	0	186,550	100%
<b>Total Operating Expenses</b>	<b>9,478,062</b>	<b>9,478,062</b>	<b>1,163,091</b>	<b>769,840</b>	<b>3,290,829</b>	<b>3,949,201</b>	<b>17%</b>
<b>Operating Surplus/(Deficit) Before Capital Items</b>	<b>(255,662)</b>	<b>(255,662)</b>	<b>(808,136)</b>	<b>(457,907)</b>	<b>848,816</b>	<b>350,166</b>	<b>-142%</b>
<b>Capital Revenues and Expenses</b>							
Capital Grants, Subsidies and Contributions	0	0	0	0	0	0	100%
Profit (Loss) on Disposal of Non Current Assets	0	0	0	0	0	0	0%
Other Capital Items	0	0	0	0	0	0	0%
Abnormal or Extraordinary Items	0	0	0	0	0	0	0%
<b>Operating Surplus/(Deficit) After Capital Items</b>	<b>(255,662)</b>	<b>(255,662)</b>	<b>(808,136)</b>	<b>(457,907)</b>	<b>848,816</b>	<b>350,166</b>	<b>-142%</b>
<b>Sources and Applications of Capital Funding</b>							
<b>Capital Funding Sources</b>							
Loans	385,000	385,000	0	0	0	0	100%
Disposal Proceeds of non Current Assets	0	0	0	0	0	0	0%
Contributed Assets	0	0	0	0	0	0	0%
Depreciation Utilised	311,282	311,282	0	25,940	0	129,701	100%
General Revenue Sources	0	0	(12,765)	0	354,980	0	-100%
<b>Total Capital Funding Sources Used</b>	<b>696,282</b>	<b>696,282</b>	<b>(12,765)</b>	<b>25,940</b>	<b>354,980</b>	<b>129,701</b>	<b>-174%</b>
<b>Capital Funding Applications</b>							
Capital Expenditure Renewal	15,000	15,000	0	1,250	0	6,250	100%
Capital Expenditure Upgrade / New	370,000	1,130,986	(12,765)	94,247	354,980	471,236	25%
Contributed Assets	0	0	0	0	0	0	0%
Loan Redemption	55,600	55,600	0	4,633	0	23,167	100%
<b>Total Capital Funding Applications</b>	<b>440,600</b>	<b>1,201,566</b>	<b>(12,765)</b>	<b>100,131</b>	<b>354,980</b>	<b>500,653</b>	<b>29%</b>
<b>Total Reserve Movements</b>	<b>0</b>	<b>760,966</b>	<b>808,136</b>	<b>552,197</b>	<b>(506,164)</b>	<b>20,786</b>	<b>-100%</b>

**Notes**

1. Finance costs: 912% of the adopted budget have been accrued

2. Depreciation expenses: 412% of the adopted budget have been accrued

**Lockyer Valley Regional Council**  
**Statement of Income & Expenses**

For the year to date:

**30 November 2013**

**Recovery Activities (includes Infrastructure Services)**

	Note	Original Budget 2013/2014	Amended Bgt 2013/2014	Actuals November 2013	Budget November 2013	Actuals YTD	Budget YTD	YTD Variance %
<b>Operating Revenue</b>								
Rates and Utility Charges (Gross)		1,332,000	1,332,000	0	0	809,633	666,000	22%
Discount		0	0	0	0	0	0	0%
Charges and Fees		236,338	236,339	(82,951)	19,695	84,091	98,475	-15%
Interest		0	0	0	0	0	0	0%
Operating Grants and Subsidies	3	43,688,100	43,688,100	1,145,793	3,640,675	25,070,128	18,203,375	38%
Operating Contributions and Donations		0	0	0	0	0	0	0%
Revenue - Contract/Recoverable Works		0	0	0	0	13,609	0	136083900%
Other Revenue		379,200	379,200	(111,117)	31,600	61,424	158,000	-61%
<b>Total Operating Revenue</b>		<b>45,635,639</b>	<b>45,635,639</b>	<b>666,705</b>	<b>3,691,970</b>	<b>26,038,885</b>	<b>19,125,850</b>	<b>36%</b>
<b>Operating Expenses</b>								
Employee Costs		14,461,910	14,461,910	1,101,015	1,205,159	4,513,984	6,025,796	20%
Goods and Services	1	32,791,944	32,791,944	774,239	2,732,662	12,357,403	13,863,310	10%
Finance costs	2	301,000	301,000	25,085	25,083	125,435	125,417	0%
Depreciation		8,755,600	8,755,600	729,633	729,633	3,648,166	3,648,167	0%
Administration Charges		295,500	295,500	0	24,625	0	123,125	100%
Other Expenses		(1,202,513)	(1,202,513)	0	(1,202,513)	0	(1,202,513)	-100%
<b>Total Operating Expenses</b>		<b>44,576,143</b>	<b>44,576,143</b>	<b>2,629,972</b>	<b>3,714,679</b>	<b>20,944,988</b>	<b>18,573,393</b>	<b>-13%</b>
<b>Operating Surplus/(Deficit) Before Capital Items</b>		<b>1,059,496</b>	<b>1,059,496</b>	<b>(1,963,267)</b>	<b>(1,022,709)</b>	<b>5,093,897</b>	<b>552,457</b>	<b>622%</b>
<b>Capital Revenues and Expenses</b>								
Capital Grants, Subsidies and Contributions		4,723,406	8,086,687	(1,087,024)	673,391	163,511	3,369,453	-95%
Profit (Loss) on Disposal of Non Current Assets		0	0	0	0	0	0	0%
Other Capital Items		550,000	550,000	0	45,833	0	229,167	0%
Abnormal or Extraordinary Items		0	0	0	0	0	0	0%
<b>Operating Surplus/(Deficit) After Capital Items</b>		<b>6,332,902</b>	<b>9,696,183</b>	<b>(2,350,093)</b>	<b>697,015</b>	<b>5,257,408</b>	<b>4,151,076</b>	<b>27%</b>
<b>Sources and Applications of Capital Funding</b>								
<b>Capital Funding Sources</b>								
Loans		3,910,000	5,710,000	0	0	0	0	0%
Disposal Proceeds of non Current Assets		306,000	306,000	0	25,500	0	127,500	0%
Contributed Assets		0	0	0	0	0	0	0%
Depreciation Utilised		8,755,600	8,755,600	0	729,633	0	2,648,167	0%
General Revenue Sources		0	0	(663,548)	0	1,193,723	0	100%
<b>Total Capital Funding Sources Used</b>		<b>12,971,600</b>	<b>14,771,600</b>	<b>(663,548)</b>	<b>755,133</b>	<b>1,193,723</b>	<b>3,775,667</b>	<b>68%</b>
<b>Capital Funding Applications</b>								
Capital Expenditure		4,201,922	4,201,922	0	360,160	0	1,750,801	0%
Capital Expenditure Upgrade / New		13,923,880	22,834,957	(663,548)	1,902,914	1,193,723	9,514,570	87%
Contributed Assets		550,000	550,000	0	45,833	0	229,167	0%
Loan Redemption		628,700	628,700	0	52,392	0	261,958	0%
<b>Total Capital Funding Applications</b>		<b>19,304,502</b>	<b>28,215,589</b>	<b>(663,548)</b>	<b>2,351,299</b>	<b>1,193,723</b>	<b>11,756,495</b>	<b>90%</b>
<b>Total Reserve Movements</b>		<b>0</b>	<b>3,747,806</b>	<b>2,360,093</b>	<b>899,151</b>	<b>(5,057,408)</b>	<b>3,829,752</b>	<b>100%</b>

**Notes**

1 Finance costs: 112th of the adopted budget have been accrued

2 Depreciation expenses: 112th of the adopted budget have been accrued

3 \$17M was received as a lump sum from the Queensland Reconstruction Authority in July 2013



**Lockyer Valley Regional Council**  
**Statement of Income & Expenses**

For the year to date:

**30 November 2013**

**Rest of Council**

Note	Original Budget 2013/2014	Amended Bgt 2013/2014	Actuals November 2013	Budget November 2013	Actuals YTD	Budget YTD	YTD Variance %
<b>Operating Revenue</b>							
Rates and Utility Charges (Gross)	25,895,140	25,895,140	1,496	0	11,537,078	12,947,570	-11%
Discount	0	0	101,194	0	510,830	431,000	20%
Charges and Fees	2,361,900	2,361,900	360,360	196,625	1,153,207	984,125	17%
Interest	3,475,000	3,475,000	45,402	289,583	653,820	1,447,917	-55%
Operating Grants and Subsidies	3,564,560	3,564,560	420,024	297,047	1,266,110	1,485,233	-15%
Operating Contributions and Donations	0	0	0	0	10,000	0	>100%
Revenue - Contract/Recoverable Works	0	0	0	0	0	0	0%
Other Revenue	294,100	294,100	27,880	24,508	479,550	122,542	291%
<b>Total Operating Revenue</b>	<b>34,608,700</b>	<b>34,608,700</b>	<b>754,138</b>	<b>807,963</b>	<b>14,511,885</b>	<b>16,496,367</b>	<b>-12%</b>
<b>Operating Expenses</b>							
Employee Costs	13,895,647	13,895,647	1,761,363	1,157,971	6,238,828	5,789,853	-8%
Goods and Services	8,362,321	8,362,321	1,787,897	896,860	6,267,594	3,484,300	-80%
Finance costs	1,206,600	1,206,600	100,551	100,550	537,747	502,750	-7%
Depreciation	1,935,423	1,935,423	161,285	181,285	806,425	806,426	0%
Administration Charges	11,625,293	11,625,293	0	0	0	0	-100%
Other Expenses	0	0	0	0	866,774	4,843,872	100%
<b>Total Operating Expenses</b>	<b>36,203,984</b>	<b>36,203,984</b>	<b>3,809,003</b>	<b>3,016,999</b>	<b>13,851,594</b>	<b>15,084,993</b>	<b>8%</b>
<b>Operating Surplus/(Deficit) Before Capital Items</b>	<b>(1,595,284)</b>	<b>(1,595,284)</b>	<b>(3,054,865)</b>	<b>(2,209,036)</b>	<b>560,291</b>	<b>1,411,393</b>	<b>53%</b>
<b>Capital Revenues and Expenses</b>							
Capital Grants, Subsidies and Contributions	10,000	10,000	0	833	831,474	4,167	19855%
Profit (Loss) on Disposal of Non Current Assets	0	0	0	0	0	0	0%
Other Capital Items	0	0	0	0	0	0	0%
Abnormal or Extraordinary Items	0	0	0	0	0	0	0%
<b>Operating Surplus/(Deficit) After Capital Items</b>	<b>(1,595,284)</b>	<b>(1,595,284)</b>	<b>(3,054,865)</b>	<b>(2,209,036)</b>	<b>1,491,765</b>	<b>1,415,560</b>	<b>-5%</b>
<b>Sources and Applications of Capital Funding</b>							
<b>Capital Funding Sources</b>							
Loans	705,000	705,000	0	0	0	0	100%
Disposal Proceeds of non Current Assets	289,000	289,000	0	24,063	0	120,417	100%
Contributed Asset	0	0	0	0	0	0	0%
Depreciation Utilised	1,935,423	1,935,423	0	181,285	0	806,426	100%
General Revenue Sources	0	0	1,953,161	0	3,315,508	0	-100%
<b>Total Capital Funding Sources Used</b>	<b>2,929,423</b>	<b>2,929,423</b>	<b>1,953,161</b>	<b>185,369</b>	<b>3,315,508</b>	<b>926,843</b>	<b>-258%</b>
<b>Capital Funding Applications</b>							
Capital Expenditure	1,075,000	1,075,000	0	88,583	0	447,917	100%
Capital Expenditure Upgrade / New	3,086,669	4,710,691	1,902,149	392,558	3,264,495	1,962,785	-66%
Contributed Assets	0	0	0	0	0	0	0%
Loan Redemption	156,800	156,800	0	13,067	0	65,333	100%
<b>Total Capital Funding Applications</b>	<b>4,318,469</b>	<b>5,942,491</b>	<b>1,902,149</b>	<b>495,208</b>	<b>3,264,495</b>	<b>2,476,038</b>	<b>-32%</b>
<b>Total Reserve Movements</b>	<b>2,974,330</b>	<b>4,598,362</b>	<b>3,003,853</b>	<b>2,518,041</b>	<b>(1,542,777)</b>	<b>133,635</b>	<b>-1254%</b>

**Notes**

1. Finance costs: 1/12th of the adopted budget have been accrued

2. Depreciation expenses: 1/12th of the adopted budget have been accrued

3. Variance being investigated further to determine the amount of recovery costs being charged to other Council cost centres and the allocation of on-costs and overheads which may be included in this amount.

Lockyer Valley Regional Council  
Final Capital Works Summary as at 30 November 2013

SCHEDULE OF CAPITAL WORKS	2012/2013 Carry Over Budget	2013/2014 BUDGET	2013/2014 AMENDED BUDGET	YEAR TO DATE \$ CAPITAL EXPENDITURE
<b>Corporate and Community Services</b>				
Information Technology	1,108,977	2,003,000	3,111,977	830,448
Animal Control	42,032	-	42,032	9,100
Arts and Culture	-	-	-	2,615
Community Facilities Management	170,000	250,000	420,000	139,410
Civic Halls	-	1,230,000	1,230,000	48,334
Public Conveniences	20,000	-	20,000	37,786
Sport & Recreational Facilities	3,834,274	5,830,000	9,664,274	1,385,433
Gatton Child Care Centre	12,184	-	12,184	30,647
Waste Disposal	743,782	385,000	1,128,782	316,162
Waste Minimisation	-	-	-	4,660
Council Properties	175,000	250,000	426,000	23,552
Public Order & Safety	214,000	-	214,000	-
Community Housing	42,000	-	42,000	-
<b>TOTAL CORPORATE &amp; COMMUNITY SERVICES 2013 - 2014</b>	<b>6,363,249</b>	<b>9,948,000</b>	<b>16,311,249</b>	<b>2,828,146</b>
<b>Executive Office</b>				
Major Projects	-	289,000	289,000	275,938
<b>TOTAL EXECUTIVE OFFICE 2013 - 2014</b>	<b>-</b>	<b>289,000</b>	<b>289,000</b>	<b>275,938</b>
<b>Governance and Performance</b>				
Disaster Management	-	30,000	30,000	16,370
SES	50,000	539,669	589,669	357,292
Administration & Executive Operations	93,000	210,000	303,000	-
Information Management	225,905	160,000	385,905	38,723
<b>TOTAL GOVERNANCE &amp; PERFORMANCE 2013 - 2014</b>	<b>368,905</b>	<b>939,669</b>	<b>1,306,574</b>	<b>412,385</b>
<b>Infrastructure Works and Services</b>				
Transport Infrastructure	-	-	-	-
Storm water & Drainage	146,535	235,103	381,638	-
Parks and Open Spaces	26,303	99,000	125,303	3,851
Capital Program Delivery	3,482,398	8,899,802	12,382,200	965,893
Infrastructure Recovery	105,000	-	105,000	41,176
Depot	49,250	50,000	99,250	487
Fleet	1,240,191	1,172,000	2,412,191	166,515
<b>TOTAL INFRASTRUCTURE WORKS &amp; SERVICES 2013 - 2014</b>	<b>5,049,677</b>	<b>10,455,905</b>	<b>15,505,582</b>	<b>1,177,921</b>
<b>Organisational Development &amp; Engagement</b>				
Staging Post Café / Restaurant	5,000	-	5,000	3,511
<b>TOTAL ORGANISATIONAL DEVELOPMENT &amp; ENGAGEMENT 2013 - 2014</b>	<b>5,000</b>	<b>-</b>	<b>5,000</b>	<b>3,511</b>
<b>Planning and Development Services</b>				
Planning & Development Executive Management	-	140,000	140,000	-
Regional Development Management	98,180	-	98,180	96,766
Tourism Initiatives	5,960	-	5,960	12,704
Old Transport Museum	-	-	-	28
Environment Resilience & Recovery	-	300,000	300,000	-
Economic Development	-	-	-	5,800
Events & Promotional	5,000	-	5,000	-
<b>TOTAL PLANNING &amp; DEVELOPMENT SERVICES 2013 - 2014</b>	<b>109,140</b>	<b>440,000</b>	<b>549,140</b>	<b>115,298</b>
<b>GRAND TOTAL ALL PROGRAMS 2013 - 2014</b>	<b>11,895,971</b>	<b>22,072,574</b>	<b>33,968,545</b>	<b>4,813,199</b>

Lockyer Valley Regional Council  
Final Capital Works Detailed as at 30 November 2013

SCHEDULE OF CAPITAL WORKS	2012/2013 Carry Over Budget	2013/2014 BUDGET	2013/2014 AMENDED BUDGET	YEAR TO DATE \$ CAPITAL EXPENDITURE
<b>Corporate and Community Services</b>				
<b>Information Technology</b>				
Budget Savings	150,000	-	150,000	-
Business Enterprise Sys. \$1.6M Total	115,679	850,000	965,679	682,130
Data Centre Environ Monitoring Total	192,885	500,000	692,885	23,018
End Point Security Total	-	10,000	10,000	13,261
Web Filter, Reporting, Firewall Total	57,981	-	57,981	116
Service Desk Implementation Total	-	-	-	162
Radius Total	18,195	-	18,195	233
Windows 7	318,867	-	318,867	106,659
Software Deployment & Monitoring Tool Total	61,217	-	61,217	162
MS Audit/Software Library Development & Management	145,563	-	145,563	-
NAS Storage Total	-	-	-	1,500
Exchange set up	40,000	-	40,000	1,056
Back Up Process	25,000	-	25,000	812
Large File Transfer	-	-	-	417
Software Deployment	-	-	-	923
Website Joomla Upgrade	17,853	200,000	217,853	-
GIS Consolidation - Exponare/MapInfo	6,000	-	6,000	-
Server Upgrade to 2008	10,000	-	10,000	-
ESX Upgrades	14,116	-	14,116	-
Unified Communications-Preliminary Scoping	25,000	75,000	100,000	-
Printer Strategy & Consolidation	100,000	-	100,000	-
Large Format Platter	-	8,000	8,000	-
High Resolution Aerial Photography	-	40,000	40,000	-
Desktop Infrastructure Replacement	-	100,000	100,000	-
Wireless Network	80,000	20,000	100,000	-
iPhone/iPad Replacement	-	45,000	45,000	-
DMZ	15,000	-	15,000	-
PD Online	15,621	-	15,621	-
Back Up Process	-	100,000	100,000	-
SAN Fabric Replacement	-	25,000	25,000	-
Virtual Desktop Infrastructure	-	30,000	30,000	-
Scanners	-	-	-	-
<b>Total Information Technology</b>	<b>1,108,977</b>	<b>2,003,000</b>	<b>3,111,977</b>	<b>830,448</b>
<b>Animal Control</b>				
Laidley Saleyards Stage 3 LGGSP	42,032	-	42,032	9,100
<b>Total Animal Control</b>	<b>42,032</b>	<b>-</b>	<b>42,032</b>	<b>9,100</b>
<b>Arts and Culture</b>				
Lockyer Valley Cultural Centre	-	-	-	2,511
Cultural Heritage Register	-	-	-	105
<b>Total Arts and Culture</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,615</b>
<b>Community Facilities Management</b>				
Gatton Donations Building	60,000	-	60,000	-
Helidon Donations Building	10,000	-	10,000	-
Laidley Multi Purpose Community Centre	-	-	-	3,610
Laidley Cultural Centre Refurbishment	100,000	200,000	300,000	132,347
Laidley Swimming Pool Refurbishment	-	-	-	2,218
Lake Apex Master Plan Implementation	-	-	-	185
Gatton Administration Building-Lift installation	-	-	-	1,050
Buildings & Facilities Asset Management	-	50,000	50,000	-
<b>Total Community Facilities Management</b>	<b>170,000</b>	<b>250,000</b>	<b>420,000</b>	<b>139,410</b>
<b>Civic Halls</b>				
Laidley Cultural Centre	-	-	-	35,293
Gatton Shire Hall	-	10,000	10,000	9,442
Laidley Multipurpose Community	-	1,070,000	1,070,000	3,600
Lockyer Valley Cultural Centre	-	50,000	50,000	-
Grantham Butler Factory	-	100,000	100,000	-
<b>Total Civic Halls</b>	<b>-</b>	<b>1,230,000</b>	<b>1,230,000</b>	<b>48,334</b>
<b>Public Conveniences</b>				
Glenore Grove Village Toilets	20,000	-	20,000	18,792
Lake Apex Toilets \$150K Total	-	-	-	18,994
<b>Total Public Conveniences</b>	<b>20,000</b>	<b>-</b>	<b>20,000</b>	<b>37,786</b>
<b>Sport &amp; Recreational Facilities</b>				
Springbrook Park Sports Field - New Car Park	75,000	-	75,000	-
Progress Park - Helidon	-	-	-	5,328
Ropehill Community Centre Oval Fence	43,000	-	43,000	4,089
Gatton Aquatic Centre Complex	-	-	-	716,474
Lake Dyer Amenities \$20K	33,000	-	33,000	17,268
Lake Dyer Storage Shed	-	-	-	7,640
Laidley Swimming Pool Complex	-	50,000	50,000	26,800
Laidley Recreation Reserve	-	-	-	2,100
Gatton Aquatic Centre Complex	3,673,274	5,710,000	9,383,274	601,894

SCHEDULE OF CAPITAL WORKS	2012/2013 Carry Over Budget	2013/2014 BUDGET	2013/2014 AMENDED BUDGET	YEAR TO DATE \$ CAPITAL EXPENDITURE
Lake Dyer Amenity Building	-	-	-	3,841
Cahill Park Netball Courts Refurbishment	-	50,000	50,000	-
Cahill Park-new Storage Building (subject to contrib)	5,000	-	5,000	-
Cahill Park-Upgrade Power & Lighting to storage Building	5,000	-	5,000	-
Implementation of Sport & Recreation Recommendations	-	20,000	20,000	-
<b>Total Sport &amp; Recreational Facilities</b>	<b>3,834,274</b>	<b>5,830,000</b>	<b>9,664,274</b>	<b>1,385,433</b>
<b>Council Properties</b>				
Gatton Regional Office Refurbishment	15,000	50,000	65,000	24
Gatton Regional Centre Renovations	161,000	200,000	361,000	21,087
Emergency Helipad Lake Clarendon	-	-	-	2,442
<b>Total Council Properties</b>	<b>176,000</b>	<b>250,000</b>	<b>426,000</b>	<b>23,552</b>
<b>Waste Minimisation</b>				
Waste Minimisation-Other Asset	-	-	-	4,660
<b>Total Waste Minimisation</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,660</b>
<b>Waste Disposal</b>				
Gatton Landfill	408,192	-	408,192	1,795
Gatton Landfill - Landscaping	-	-	-	8,044
Gatton Landfill Plant & Storage Shed	30,000	-	30,000	3,415
Tip Shop Gatton L/Fill	29,000	-	29,000	2,177
Transfer Bins & Infra - Road Base	-	-	-	22,255
Transfer Bins & Infra - Construction	-	-	-	54,802
Gatton Landfill Roadworks	246,778	50,000	296,778	223,673
Grantham Sewerage Treatment Plant	-	75,000	75,000	-
Lookrose Transfer Station	-	100,000	100,000	-
Fencing for Transfer Stations	-	50,000	50,000	-
Laidley Transfer Station - new monitoring bore	-	15,000	15,000	-
Gatton Recycling Shop	-	10,000	10,000	-
LVRG Signage	9,517	20,000	29,517	-
Transfer Stations Landscaping	20,295	35,000	55,295	-
Transfer Station Upgrades	-	30,000	30,000	-
<b>Total Waste Disposal</b>	<b>743,782</b>	<b>385,000</b>	<b>1,128,782</b>	<b>316,162</b>
<b>Gatton Child Care Centre</b>				
WIP - Gatton Child Care	12,184	-	12,184	30,647
<b>Total Gatton Child Care Centre</b>	<b>12,184</b>	<b>-</b>	<b>12,184</b>	<b>30,647</b>
<b>Public Order &amp; Safety</b>				
New Laidley CCTV System	214,000	-	214,000	-
<b>Total Public Order &amp; Safety</b>	<b>214,000</b>	<b>-</b>	<b>214,000</b>	<b>-</b>
<b>Community Housing</b>				
Frome Street Crisis Care House - Renewal Bathroom/Landry	14,000	-	14,000	-
Clarkes Lane Units - Renew Bathroom & Paint Landings	10,000	-	10,000	-
Cochrane Street Units - Install Reinforced Concrete Drain	18,000	-	18,000	-
<b>Total Community Housing</b>	<b>42,000</b>	<b>-</b>	<b>42,000</b>	<b>-</b>
<b>TOTAL CORPORATE &amp; COMMUNITY SERVICES 2013 - 2014</b>	<b>6,363,249</b>	<b>9,948,000</b>	<b>16,311,249</b>	<b>2,828,146</b>
<b>Executive Office</b>				
<b>Major Projects</b>				
Grantham Estate Sewerage Stage 1	-	-	-	25
Grantham Estate Works Stage 2A	-	-	-	12,785
Grantham Estate Water Stage 2B	-	-	-	400
Land Acquisition - Grantham	-	289,000	289,000	262,727
<b>Total Major Projects</b>	<b>-</b>	<b>289,000</b>	<b>289,000</b>	<b>275,933</b>
<b>TOTAL EXECUTIVE OFFICE 2013 - 2014</b>	<b>-</b>	<b>289,000</b>	<b>289,000</b>	<b>275,933</b>
<b>Governance and Performance</b>				
<b>Disaster Management</b>				
Disaster Management Equipment	-	-	-	120
Grantham Electronic Warning System	-	30,000	30,000	16,250
<b>Total Disaster Management</b>	<b>-</b>	<b>30,000</b>	<b>30,000</b>	<b>16,370</b>
<b>SES</b>				
Improvements to S.E.S. Headquarters	-	454,869	454,869	357,292
Air Conditioner Forest Hill	-	3,000	3,000	-
Laptop Laidley	-	2,000	2,000	-
Furniture Laidley	-	5,000	5,000	-
Lockers Laidley & Forest Hill	-	5,500	5,500	-
Street Signs & Building Signs	-	2,000	2,000	-
Fit out Donated Van	-	5,000	5,000	-
Flammable Liquid Cupboard	-	2,500	2,500	-
Block/Concrete Sand Bays x 3	-	4,500	4,500	-
Mobile Phones	-	1,500	1,500	-
Forest Hill SES Building Improvement	-	20,000	20,000	-

SCHEDULE OF CAPITAL WORKS	2012/2013 Carry Over Budget	2013/2014 BUDGET	2013/2014 AMENDED BUDGET	YEAR TO DATE \$ CAPITAL EXPENDITURE
River Gauges	-	20,000	20,000	-
Mobile Depot Command Centre	-	5,000	5,000	-
Tool Kit, Satellite Phone Car Kit, Signage Coordination Centre	-	8,800	8,800	-
Building Improvements Laidley SES	50,000	-	50,000	-
<b>Total SES</b>	<b>50,000</b>	<b>539,669</b>	<b>589,669</b>	<b>357,292</b>
<b>Information Management</b>				
Upgrade Records Management System Stage 2	218,905	100,000	318,905	38,723
Records Clean Up	-	60,000	60,000	-
Information System - Capital Purchases	7,000	-	7,000	-
<b>Total Information Management</b>	<b>225,905</b>	<b>160,000</b>	<b>385,905</b>	<b>38,723</b>
<b>Administration &amp; Executive Operations</b>				
Laidley Administration Office	93,000	200,000	293,000	-
Disaster Coordination & Training Centre Fit out	-	10,000	10,000	-
<b>Total Administration &amp; Executive Operations</b>	<b>93,000</b>	<b>210,000</b>	<b>303,000</b>	<b>-</b>
<b>TOTAL GOVERNANCE &amp; PERFORMANCE 2013 - 2014</b>	<b>368,905</b>	<b>939,669</b>	<b>1,306,574</b>	<b>412,395</b>
<b>Infrastructure Works and Services</b>				
<b>Parks and Open Spaces</b>				
Jean Biggs Parks Withcott	2,170	-	2,170	11
Lake Apex Park Gattton	4,133	-	4,133	3,839
Lake Apex Master plan	-	75,000	75,000	-
Parks & Infrastructure Replacement Program	-	20,000	20,000	-
Forest Hill Recreation Reserve	-	4,000	4,000	-
Gattton CBD Streetscape - replace Lights	20,000	-	20,000	-
<b>Total Parks and Open Spaces</b>	<b>26,303</b>	<b>99,000</b>	<b>125,303</b>	<b>3,851</b>
<b>Capital Program Delivery</b>				
Footpath Renewal	15,000	-	15,000	-
North Street - Footpath	3,000	-	3,000	-
Western Drive	-	118,000	118,000	37,002
Patrick St - Footpaths	-	15,000	15,000	11,685
John St South Footpath Renowal	-	16,800	16,800	23,069
William Street - Footpaths	16,600	-	16,600	19,724
Spencer Street - Footpaths	18,300	-	18,300	18,724
Airforce Road (0-0.25km) - 239/LGSR/5	192,544	-	192,544	65,765
Brightview Road	-	-	-	15,413
Long Gully Road	70,000	84,000	154,000	73,940
Old Toowoomba Road	-	125,776	125,776	10,181
Huntingdale Crescent	-	84,361	84,361	3,633
Hogers Road	-	3,740	3,740	386
Ropeley Rockside Road	-	194,100	194,100	41,556
Flagstone Creek Road	-	207,700	207,700	33,918
Spa Water Road	-	198,325	198,325	30,996
Glenore Grove State School Bus Set Down - 239/LGSH/18	25,938	-	25,938	10,370
Response Trailers Signs	32,000	-	32,000	31,813
Sign & Line marking	35,000	-	35,000	-
DA1673 Summer Street	40,000	-	40,000	-
Hickey Street Pathway & Lighting LGGSP	-	-	-	15,515
Brightview Road - Rehab&Widen TID (C-12km) 239/LGRS/8	96,705	-	96,705	62,026
Gehrke Road - Rehab&Widen TIDS	-	-	-	13,653
Woodlands Road - Rehab & Widening (10.80-12km) - 239/LGRS/3	61,805	-	61,805	47,356
Rosewood - Laidley Road - 238/LGSJ/7 - Black spot	202,880	-	202,880	-
Victor Street	10,000	-	10,000	10,422
Victor St - Car park Butter Factory	230,000	-	230,000	35,656
Patrick Street Footpath New	-	27,500	27,500	26,509
John Street South Footpath	-	25,500	25,500	11,113
Spatial Definition of Urban Flow Paths (LGGSP 10046-07-048)	36,295	-	36,295	30,213
Lakes Drive Drainage Upgrade	51,413	-	51,413	913
Douglas McInnes Drive Drainage Upgrade	116,575	-	116,575	1,075
Summer Street Drainage Upgrade	-	-	-	978
Forest Hill Levee LGGSP Flood-further investigation and design Ref 10046-07-050	307,874	3,172,880	3,480,754	3,520
Forest Hill Flood Study (NDRP Ref 2123)	34,990	-	34,990	-
Challenge Avenue Mitigation (LGFRS 10046-01-054)	200,000	-	200,000	-
Laidley Breakout Levee Feasibility LCGSP Ref 10046-07-051	465,300	-	465,300	40,512
Creek Capacity Improvement Withcott LGGSP	-	521,000	521,000	5,237
Laidley Main Drainage System LGGSP-Laidley Flood Master plan (LGFRS 101046-01-054)	154,894	300,000	454,894	21,721
Drainage Easement Program	-	250,000	250,000	-
East Egypt Road	-	-	-	10,701
Thistlewait Bridge	650,000	650,000	1,300,000	7,291
Jones Road Culvert	-	200,000	200,000	-
Wiggins Streets New Footpath	-	-	-	10,930
Tenthill Creek Road Asphalt Surfacing	-	-	-	77,368
Patrick Street Footpath	-	-	-	97
Flagstone Creek Road Reseal	-	-	-	756
Spa Water Road Reseal	-	-	-	1,073
Hickey Street Pathway & Lighting LGGSP	-	-	-	48,643
Creek Capacity Improvement Withcott LGGSP	-	-	-	960
Laidley District State School Car Park	-	-	-	625
Lockyer High Bus Set Down Facility Extension	-	103,000	103,000	341
Ropeley Rockside Road Reseal	-	-	-	2,052

SCHEDULE OF CAPITAL WORKS	2012/2013 Carry Over Budget	2013/2014 BUDGET	2013/2014 AMENDED BUDGET	YEAR TO DATE \$ CAPITAL EXPENDITURE
Sandy Creek Road Reseal	-	-	-	725
Old Toowoomba Road Reseal	-	-	-	1,104
Tenthill Road Intersection	72,285	-	72,285	-
Walnut Drive Extension - RTR	-	-	-	1,256
Storr Street Drain - LGGSP	-	-	-	899
Narda Levee - LGGSP	-	-	-	11,480
Quigleys Road Upgrade - Contribution	-	-	-	35,000
Laidley District State School Car Park	-	232,000	232,000	-
Jones Road	-	50,000	50,000	-
Crescent Street Gatton	-	320,000	320,000	-
William Street Gatton	-	200,000	200,000	-
Lakeview Accommodation Precinct Civil Works	-	1,030,000	1,030,000	-
Hartz Road Iredale	-	77,000	77,000	-
Fifteen Mile Road Fifteen Mile	-	117,000	117,000	-
Sandy Creek Road Grantham	-	105,000	105,000	-
Jones Road Withcott	-	78,000	78,000	-
William/North Street Gatton	-	50,000	50,000	-
Gehrike Road/Mountain View Road Intersection	-	35,000	35,000	-
Jamieson Road Gatton	-	34,920	34,920	-
Sandy Creek Road Grantham	-	133,200	133,200	-
Guardrail upgrade Program	-	140,000	140,000	-
Blackduck Creek Road Floodway Widening	150,000	-	150,000	-
Flagstone Creek Road Culvert Extensions	43,000	-	43,000	-
Peters Bridge	30,000	-	30,000	-
Stockyard Creek Road Widening	90,000	-	90,000	-
Rockmount Road	30,000	-	30,000	-
<b>Total Capital Program Delivery</b>	<b>3,482,398</b>	<b>8,899,802</b>	<b>12,382,200</b>	<b>965,893</b>
<b>Infrastructure Recovery</b>				
Emergency Helipad Lake Clarendon	105,000	-	105,000	39,951
Infrastructure Recovery Furniture & Fittings	-	-	-	1,225
<b>Total Infrastructure Recovery</b>	<b>105,000</b>	<b>-</b>	<b>105,000</b>	<b>41,176</b>
<b>Stormwater &amp; Drainage</b>				
Holendale Road, Table Drain & Main Channel	10,000	235,103	245,103	-
Regency Downs Flood Study (LGGSP Ref 10046-07-049)	124,035	-	124,035	-
Gatton Trunk Drainage Study (NRP 1826)	12,500	-	12,500	-
<b>Total Stormwater &amp; Drainage</b>	<b>146,535</b>	<b>235,103</b>	<b>381,638</b>	<b>-</b>
<b>Depot</b>				
Two-way Radio/UHF Radios	24,136	-	24,136	-
Gatton Depot Fuel Tank	25,114	-	25,114	41
Shelter Structures for Workmen	-	-	-	447
Gatton Depot Security Fencing	-	40,000	40,000	-
Relocation of ULP Bowser	-	25,000	25,000	-
Loose Tools & Equipment	-	10,000	10,000	-
Budgets Savings	-	25,000	25,000	-
<b>Total Depot</b>	<b>49,250</b>	<b>50,000</b>	<b>99,250</b>	<b>487</b>
<b>Fleet</b>				
Individual Plant Purchases	1,226,555	-	1,226,555	139,206
Excavation Welfare Trailer	-	10,000	10,000	-
4x2 Truck fitted with flocon type body and spreader	-	350,000	350,000	-
Crew cab tipper 8,000kg RGVM (Parks & Open Spaces)	-	85,000	85,000	-
Crew cab tipper 8,000kg RGVM (Infra Delivery)	-	85,000	85,000	-
4wd Backhoe	-	180,000	180,000	-
80hp 4wd Cab Tractor	-	85,000	85,000	-
Mowing & Slashing Equipment	-	50,000	50,000	-
Dual cab 4wd style Side Ute	-	39,000	39,000	-
Dual cab 4wd style Side Ute - Roads Forman	-	39,000	39,000	-
Dual cab 4wd style Side Ute - Roads Ganger	-	38,000	38,000	-
4 cylinder Auto Hatch	-	23,000	23,000	-
4 cylinder Auto Hatch	-	23,000	23,000	-
Communication Equipment	-	5,000	5,000	-
9m3 6x4 Tip Truck fitted with towing equipment	-	270,000	270,000	-
9m3 6x4 Tip Truck fitted with towing equipment	-	270,000	270,000	-
Fit out Fx Fire Truck P429	-	-	-	24,561
Emergency Signage Trailer 741	-	-	-	1,217
Emergency Signage Trailer 742	-	-	-	891
Pramac Generator - Depot	-	-	-	283
Pramac Generator - Cultural Centre	-	-	-	268
300KVA Diesel powered backup Generator for Gatton Office	13,636	-	13,636	-
Small Plant - Infrastructure Delivery	-	10,000	10,000	-
Small Plant - Parks & Open Spaces	-	10,000	10,000	-
Budget Savings	-	400,000	400,000	-
<b>Total Fleet</b>	<b>1,240,191</b>	<b>1,172,000</b>	<b>2,412,191</b>	<b>166,515</b>
<b>TOTAL INFRASTRUCTURE WORKS &amp; SERVICES 2013 - 2014</b>	<b>5,049,677</b>	<b>10,455,905</b>	<b>15,505,582</b>	<b>1,177,921</b>

SCHEDULE OF CAPITAL WORKS	2012/2013 Carry Over Budget	2013/2014 BUDGET	2013/2014 AMENDED BUDGET	YEAR TO DATE \$ CAPITAL EXPENDITURE
<b>Planning and Development Services</b>				
<b>Planning &amp; Executive Management</b>				
Gatton Revitalisation	-	90,000	90,000	-
Laidley Revitalisation	-	50,000	50,000	-
<b>Total Planning &amp; Executive Management</b>	-	140,000	140,000	-
<b>Regional Development Management</b>				
Master Planning Projects Industrial Land & Warrego - GWIZ	98,180	-	98,180	88,338
Regional Development Capital	-	-	-	8,429
<b>Total Regional Development Management</b>	98,180	-	98,180	96,765
<b>Tourism Initiatives</b>				
Tourism -Other Asset Purchases	5,549	-	5,549	12,704
Gatton Historical Society	411	-	411	-
<b>Total Tourism Initiatives</b>	5,960	-	5,960	12,704
<b>Qld Transport Museum</b>				
Transport Museum-Lake Apex	-	-	-	28
<b>Total Qld Transport Museum</b>	-	-	-	28
<b>Economic Development</b>				
Other Equipment - Regional Development	-	-	-	5,800
<b>Total Economic Development</b>	-	-	-	5,800
<b>Environment Resilience &amp; Recovery</b>				
Grantham Asbestos Removal	-	300,000	300,000	-
<b>Total Environment Resilience &amp; Recovery</b>	-	300,000	300,000	-
<b>Events &amp; Promotional</b>				
Events Promotion Stands	5,000	-	5,000	-
<b>Total Events &amp; Promotional</b>	5,000	-	5,000	-
<b>TOTAL PLANNING &amp; DEVELOPMENT SERVICES 2013 - 2014</b>	109,140	440,000	549,140	115,298
<b>Organisational Development &amp; Engagement</b>				
<b>Staging Post Café</b>				
Staging Post Café Equipment	-	-	-	3,511
Back of House Conversion	5,000	-	5,000	-
<b>Total Staging Post Café</b>	5,000	-	5,000	3,511
<b>TOTAL ORGANISATIONAL DEVELOPMENT &amp; ENGAGEMENT 2013 - 2014</b>	5,000	-	5,000	3,511
<b>GRAND TOTAL ALL PROGRAMS 2013 - 2014</b>	11,895,971	22,072,574	33,968,545	4,813,199

LOCKYER VALLEY REGIONAL COUNCIL  
Progress At A Glance - Council  
24 October 2013

Variance

✓	Budget on Track (variance of less than ± 10%)
①	Potential Budget Issue (variance of between ± 11 to 30%)
✗	Definite Budget Issue (variance greater than ± 30%)

Net Operating Result

Organisational Development & Engagement

Lake Apex Conference Rooms	✓	0%
Organisation Development & Engagement	①	30%
Workplace Health and Safety	①	18%
Organisation & People Development	✗	59%
Community and Youth	①	23%
Community Engagement	①	13%
Multicultural Development	①	23%

Executive Office

Elected Members	①	14%
Executive Office	✓	9%
Advocacy	①	17%
Major Projects	✗	468%
EAP Special Projects	✗	36%



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Net Operating Result

Corporate and Community Services

Corporate & Community Services	✓	3%
Management Accounting	✗	Variance is being investigated for timing difference or One Council mapping changes. 58%
Corporate Accounting Transactions	✓	0%
Financial Services	✗	Variance is being investigated for timing difference or One Council mapping changes. 37%
Rates	✓	9%
Accounts Payable	①	30%
Payroll	✗	Variance is being investigated for timing difference or One Council mapping changes. 41%
Accounts Receivable	✗	Variance is being investigated for timing difference or One Council mapping changes. 72%
Procurement	✗	Variance is being investigated for timing difference or One Council mapping changes. 1775%
Stores	✓	0%
Information Technology	✗	Variance is being investigated for timing difference or One Council mapping changes. 34%
SIS	①	22%
Customer Service	✗	Variance is being investigated for timing difference or One Council mapping changes. 46%
QGAP	✗	Variance is being investigated for timing difference or One Council mapping changes. 49%
Non Council Property	✓	0%
Environmental Health Management	✓	7%
Environmental Health	✗	Variance is being investigated for timing difference or One Council mapping changes. 56%
Animal Control	✗	Variance is being investigated for timing difference or One Council mapping changes. 273%
Herbicide Subsidy	✗	Variance is being investigated for timing difference or One Council mapping changes. 108%
Cultural Health Regulation	✓	0%
Gatton Library	①	12%
Laidley Library	✓	0%
Mobile Library	✓	0%
Arts & Culture	✗	Variance is being investigated for timing difference or One Council mapping changes. 75%
RADF	✗	Variance is being investigated for timing difference or One Council mapping changes. 450%
Public Order & Safety	①	23%
Community Facility Management	✗	Variance is being investigated for timing difference or One Council mapping changes. 176%
Civic Halls	✗	Variance is being investigated for timing difference or One Council mapping changes. 89%
Community Housing	✗	Variance is being investigated for timing difference or One Council mapping changes. 188%
Home and Community Care	✓	0%
Cemetery	✗	Variance is being investigated for timing difference or One Council mapping changes. 50%
Public Conveniences	✓	1%
Sport & Recreation	✗	Variance is being investigated for timing difference or One Council mapping changes. 49%
Civic Buildings	✗	Variance is being investigated for timing difference or One Council mapping changes. 320%
Building Maintenance	✓	0%

LOCKYER VALLEY REGIONAL COUNCIL  
Progress At A Glance - Council  
24 October 2013

Variance

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① Potential Budget Issue (variance of between ± 11 to 30%)
✗ Definite Budget Issue (variance greater than ± 30%)

Net Operating Result

Governance & Performance

Governance & Performance Executive	①	23%
Corporate Communications	①	17%
Legal Services	✗	62%
Admin & Executive Operations	✗	42%
Community Grants	✗	44%
Program Performance	✓	0%
Disaster Management	✗	1136%
SES	✗	110%
Rural Fire Brigade	①	27%
Information Management	✗	49%

Planning and Development Services

Planning & Development	✗	186%
Regional Development	✗	130%
Marketing Initiatives	①	28%
Visitor Information Centre	①	26%
Tourism Initiatives	✗	38%
Queensland Transport Museum	①	14%
Economic Development	✗	45%
Events & Promotions	✓	0%
Environment Resilience	✓	0%
Planning and Environment Management	✓	0%
Planning Scheme	✗	50%
Environmental Corporate Program	✗	192%
Land Acquisition	✓	3%
Environ Studies	①	30%
Development Applications	✗	62%
Plumbing and Building Management	✓	0%
Building Regulatory	①	30%
Plumbing	✗	73%
Plumbing Design	✓	0%

LOCKYER VALLEY REGIONAL COUNCIL  
Progress At A Glance - Council  
24 October 2013

Variance

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✗	Definite Budget Issue (variance greater than ± 30%)

Net Operating Result

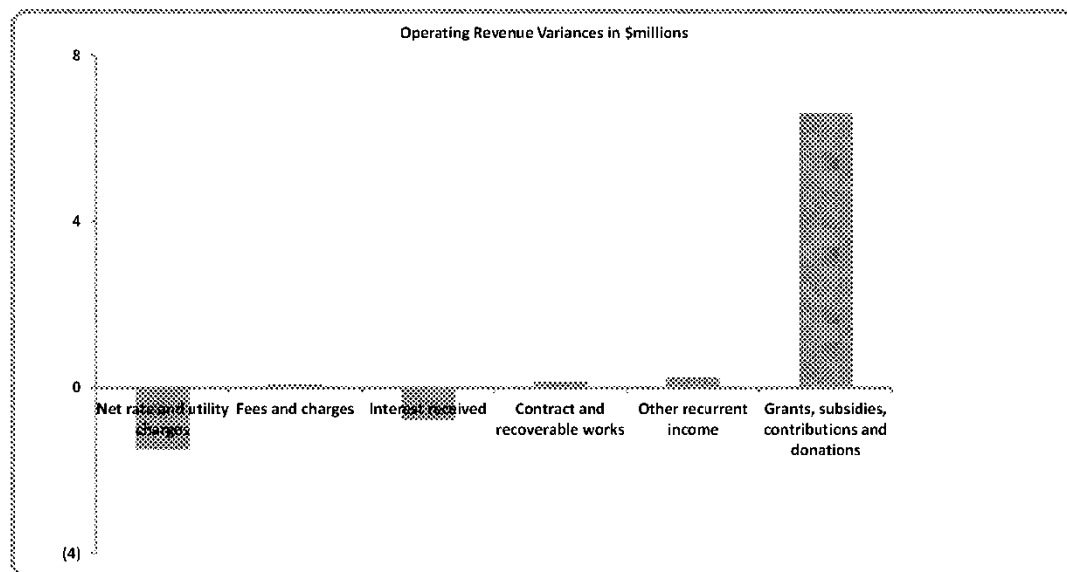
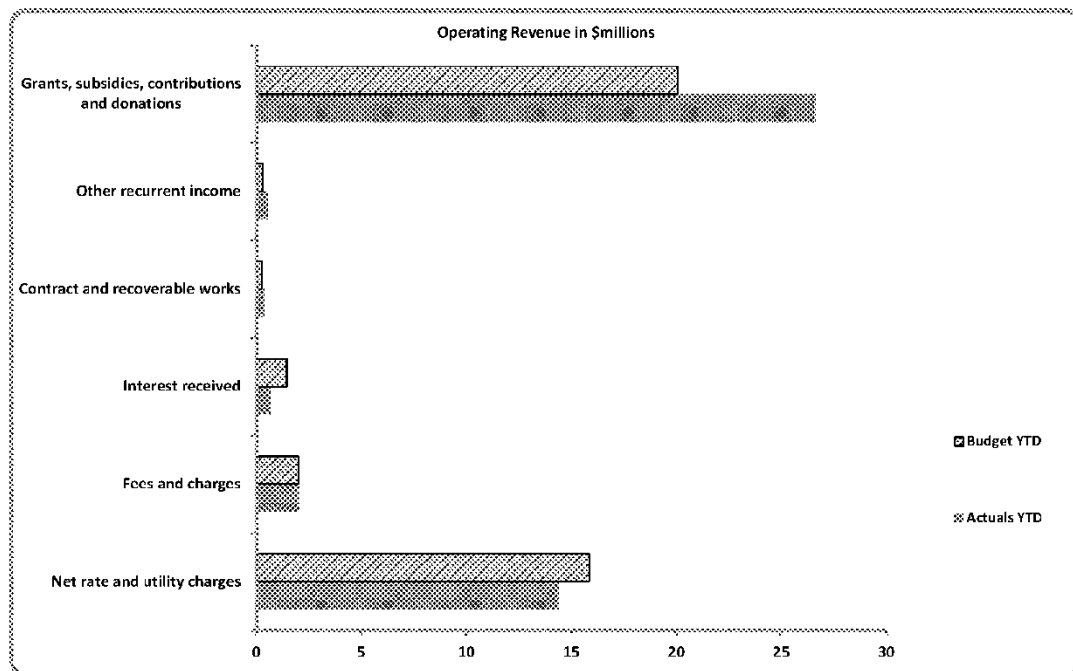
Infrastructure Services

Asset Management	✓	9%
Transport Planning	✓	0%
Survey & Design	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 49%
Develop Assessment	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 107%
Transport Operations	✓	0%
Drainage Planning	✓	0%
Parks & Open Spaces	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 54%
Transport Infrastructure	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 48%
Stormwater & Drainage	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 69%
Raw Materials	①	14%
Capital Program	✓	0%
Infrastructure Recovery	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 1160%
Infrastructure Recovery - Unfunded Works	✓	0%
Depot	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 78%
Fleet	✓	8%
Infrastructure Works and Services	✓	0%
Infrastructure Administration	✓	10%

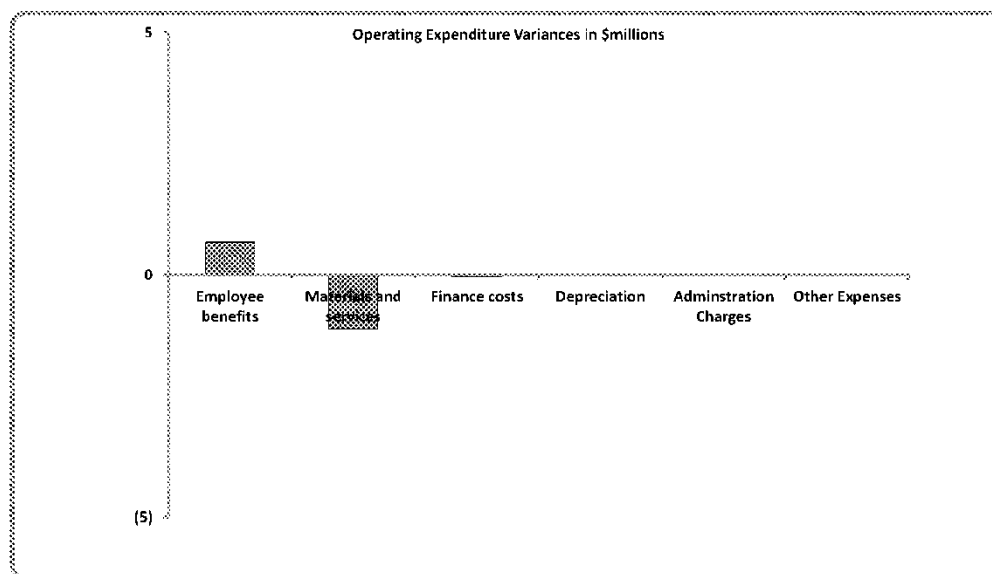
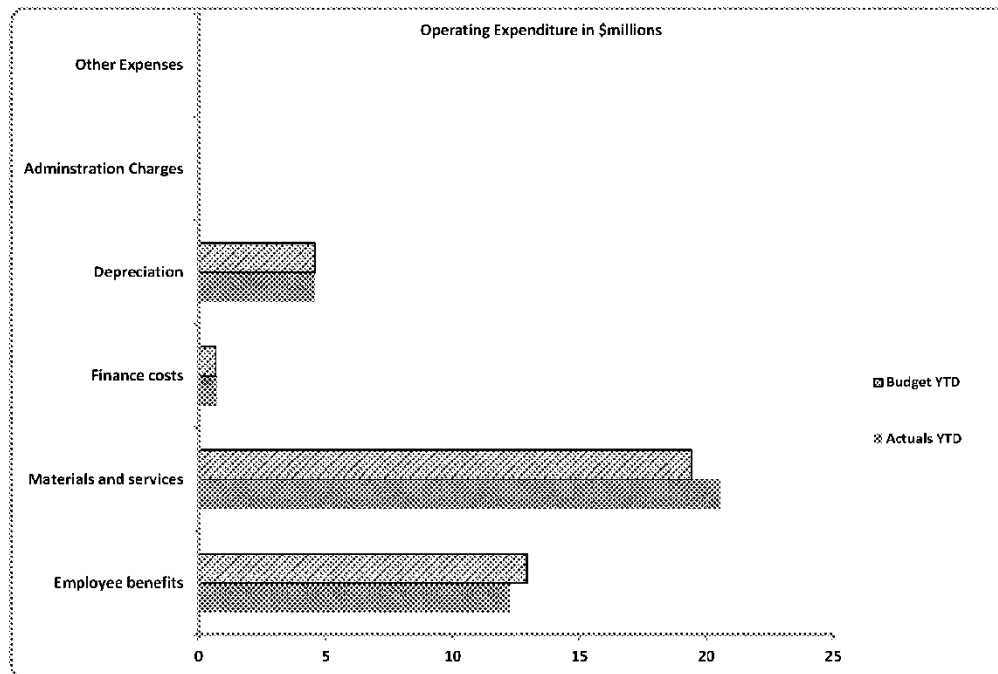
Business Units

Staging Post Café	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 8398%
Building Services	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 78%
Waste Management	✓	0%
Waste Collection	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 788%
Waste Disposal	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 92%
Transfer Stations	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 100%
Rural Bin Sites	✓	0%
Waste Minimisation	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 90%
Gatton ChildCare	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 1145%
Kensington Grove Child Care	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 122%
Recoverable Works	✗	Variance is being investigated 'or timing difference or One Council mapping changes. 1146%

LOCKYER VALLEY REGIONAL COUNCIL  
Operating Revenue Graphical Representations as at 30 November 13

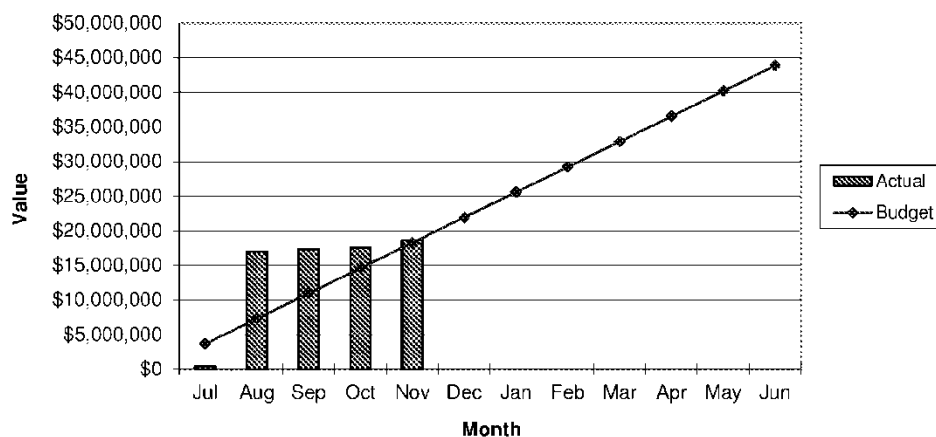


LOCKYER VALLEY REGIONAL COUNCIL  
Operating Expenditure Graphical Representation as at 30 November 2013

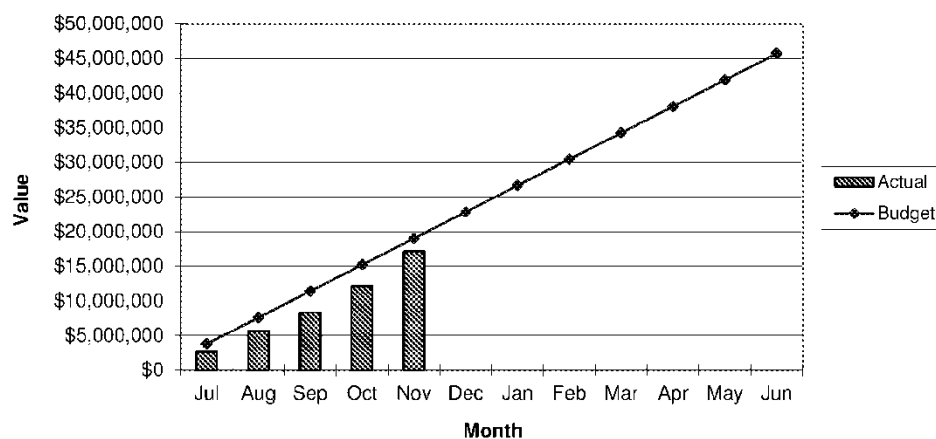


**LOCKYER VALLEY REGIONAL COUNCIL**  
**Operating as at 30 November 2013**

**TOTAL COUNCIL EXCLUDING COMMUNITY RECOVERY**  
**Operating Revenue Year-to-Date**

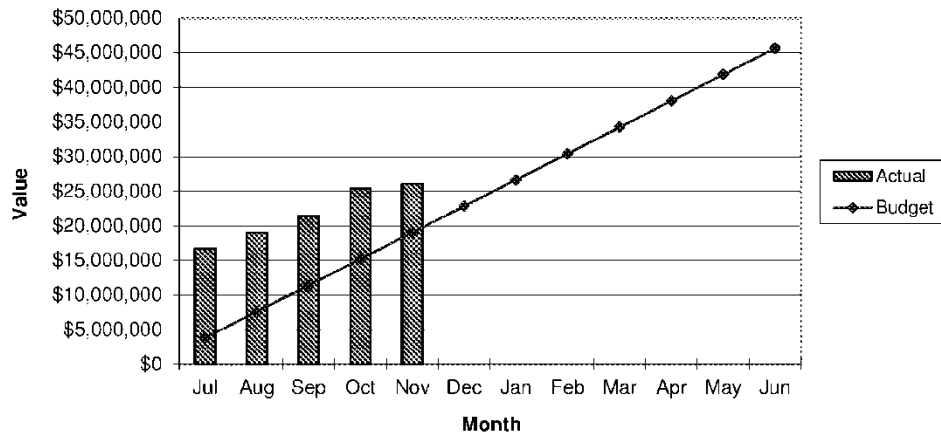


**TOTAL COUNCIL EXCLUDING COMMUNITY RECOVERY**  
**Operating Expenses Year-to-Date**

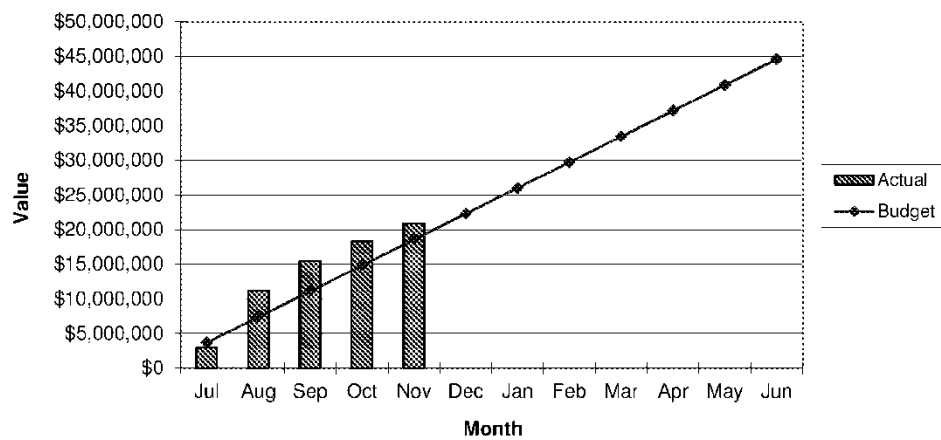


**LOCKYER VALLEY REGIONAL COUNCIL**  
**Operating as at 30 November 2013**

**COMMUNITY RECOVERY**  
**Operating Revenue Year-to-Date**

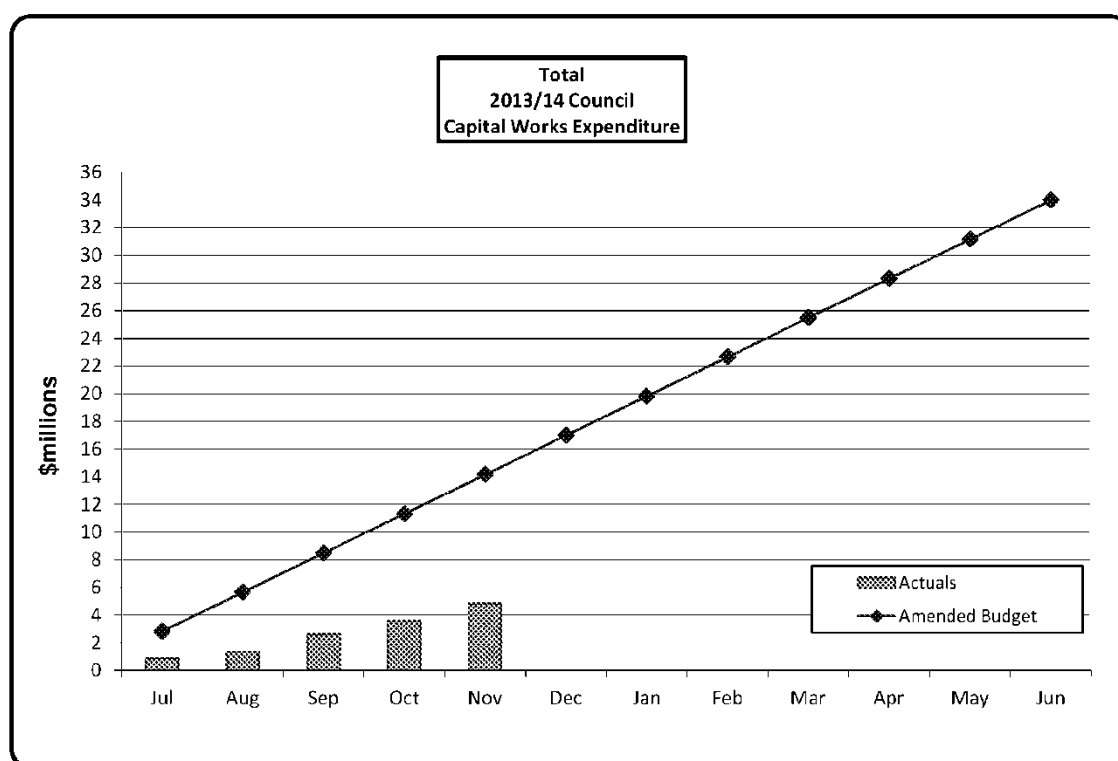


**COMMUNITY RECOVERY**  
**Operating Expenses Year-to-Date**



**LOCKYER VALLEY REGIONAL COUNCIL**  
**Capital Works Graphical Representation to 30 November 2013**  
**Capital Works by Program**

Corporate Program	Original Capital Budget	Amended Capital Budget	Year to date Actual	% of Annual Budget Spent
Community & Development	\$600,000	\$0	\$0	0.0%
Corporate and Community Services	\$2,163,000	\$3,497,882	\$2,510,576	71.8%
Infrastructure Services	\$18,125,802	\$27,796,889	\$1,193,722	4.3%
Governance and Performance	\$460,000	\$0	\$413,696	0.0%
Organisational Development & Engagement	\$0	\$0	\$0	0.0%
Planning and Development Services	\$938,669	\$1,227,809	\$115,298	9.4%
Community Recovery	\$0	\$0	\$0	0.0%
Executive Office			\$275,938	
Business Units	\$385,000	\$1,445,966	\$354,979	24.5%
<b>TOTAL</b>	<b>\$22,672,471</b>	<b>\$33,968,546</b>	<b>\$4,864,209</b>	<b>14.3%</b>





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**12.2 Update on the Emergency Management Fire & Rescue Levy**

**Date:** 11 December 2013  
**Author:** Tony Brett, Manager Finance  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

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**Summary:**

The State Government recently introduced changes to the Urban Fire Levy to broaden the coverage of the levy and its funding base. These changes were introduced without reference to local government and take full effect from 1 January 2014. This report is to update Council in relation to the State Government's "Emergency Management, Fire and Rescue Levy" (EMFRL), recommend a communication strategy for Council to advise ratepayers of the new levy and its associated impacts and support the Local Government Association in its positioning in relation to the EMFR levy by writing to the Minister seeking to:

- have the Levy collected by means other than through local government; and
- amend the Fire and Rescue Services Act 1990 to rename the Levy to reduce confusion surrounding the Rural Fire Levy which continues to be required and require the levy to apply to rateable assessments, not parcels of land.

---

**Officer's Recommendation:**

**THAT Council resolves to adopt the Communication Strategy outlined in the Communication Section of this report; and**

**THAT Council forward correspondence to the Hon Jack Dempsey MP, Minister for Police, Fire and Emergency Services to highlight the costs and difficulties involved with the implementation of the Emergency Management Fire and Rescue Levy; further;**

**THAT Council request that the Minister consider collecting the Levy by means other than through local governments; and further;**

**THAT Council request that the Fire and Rescue Services Act 1990 be amended such that the Levy be on rateable assessments, not parcels of land and that the Levy be renamed the Emergency Management Levy.**

---

**RESOLUTION:**

**THAT Council resolves to adopt the Communication Strategy outlined in this report to promote anomalies of the levy; and**

**THAT Council forward correspondence to the Hon Jack Dempsey MP, Minister for Police, Fire and Emergency Services to highlight the costs and difficulties involved with the implementation of the Emergency Management Fire and Rescue Levy; further;**

**THAT Council request that the Minister consider collecting the Levy by means other than through local governments; and further;**

**THAT Council request that the Fire and Rescue Services Act 1990 be amended such**

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that the Levy be on rateable assessments, not parcels of land and that the Levy be renamed the Emergency Management Levy.

**Moved By: Cr Pingel**

**Seconded By: Cr Holstein**

**Resolution Number: 80**

**CARRIED**

**6/0**

## **Report**

### **1. Introduction**

As previously reported to Council, the State Government recently introduced changes to the Urban Fire Levy to broaden the coverage of the levy and its funding base. The changes to the levy take full effect from 1 January 2014.

### **2. Background**

A summary of the major changes to the Urban Fire Levy, that were introduced without reference to local government, follows.

- The Urban Fire Levy is to be known as the “Emergency Management, Fire and Rescue Levy” (EMFRL).
- The coverage of the levy has been extended to provide funds for Emergency Management Queensland and to fund approximately 60% of emergency services costs.
- A new class of property has been established for properties outside of existing Urban Fire District boundaries.
- The levy for properties currently levied increased by 3.5% from 1 July 2013 with a further increase of 6.5% from 1 January 2014.

### **3. Report**

In preparation for the introduction of the revised levy, Council staff have now identified and determined the category within which all properties outside of the existing boundaries of the Urban Fire Brigades belong. This has been a time consuming process, requiring all land outside of Urban Fire levy boundary to be examined to determine whether it is vacant or contains a dwelling or outbuildings. Additionally, it is Council’s responsibility to calculate the levy group for individual commercial and industrial premises based on gross floor area (including the car park for drive in shopping centres). This process has taken the equivalent of one staff member a month to complete.

It needs to be noted that the levy has the potential to negatively impact upon rural landholders who owns several parcels of land that are not adjoining but are included as one rateable property. As it currently stands, the levy will be charged on each parcel of land that comprises the property that is not adjoining. The charge is \$11.40 per parcel for vacant land and \$45.10 per parcel for land containing outbuildings or a residence. This charge will be in addition to the Rural Fire Levy currently included on the rates notice.

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It should be noted that this issue was raised at the recent Local Government of Queensland (LGAQ) Conference held in Cairns, where two separate resolutions were passed, being:

- (a) No 12 – Tablelands Regional Council  
Rating – Emergency Management Fire and Rescue Levy – to be collected by the State Government, not Councils.  
Mover: Cr R Lee Long (Tablelands)                      Second: Cr G Taylor (Tablelands)

*“That the Local Government Association of Queensland make representations requesting that the State Government collect the Emergency Management, Fire and Rescue Levy by means other than through local governments”.*                      CARRIED

- (b) No 13 – Bundaberg Regional Council  
Rating - Emergency Management Fire and Rescue Levy – To be renamed, and amendment to charge on “Rateable Assessment”, not “Parcel of Land”.  
Mover: Cr M Forman (Bundaberg)                      Second: Cr T Ricciardi (Bundaberg)

*“That the Local Government Association of Queensland make representations to the State Government to amend the Fire and Rescue Services Act 1990 so that the levying of the Emergency Management Fire and Rescue Levy be on rateable assessment not parcel of land, and that it be renamed the Emergency Management Levy”.*  
CARRIED

#### **4. Policy and Legal Implications**

With the imposition of this levy on properties outside of the Urban Fire Levy boundary, consideration should be given to the relativities of properties throughout the region being charged the EMFR as well as the Rural Fire Levy when compared to those properties only being charged the EMFR. Council will need to consider how the Rural Fire Levy is charged in future rating years.

#### **5. Financial and Resource Implications**

Although Council receives a commission of \$3.35 per assessment per annum, Council is responsible for the administration of the levy and will be the first point of contact for any ratepayer queries. It is estimated that the cost to date to Council of implementing changes to the levy is approximately \$2,500. Additional costs will be incurred in the production of the rates notice insert and advertising and communication prior to the issue of the January 2014 rates notices and officers (both Customer Services and Rates) responding to the customer queries after this rates issue.

#### **6. Delegations/Authorisations**

There are no delegation or authorisation issues associated with this report.

#### **7. Communication**

Discussions have been held with Print Mail Logistics (who have been awarded the quotation to print and distribute rate notices with respect to the 2014 and 2015 calendar years) on amendments to Council's rate notice to clearly show on all rate notices issued from 1 January 2014 that the EMFR levy is a State Government charge. It is also planned to publicise the

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EMFR levy in the Council pages of local newspapers which circulate throughout the Lockyer Valley area, and to include an insert with the January 2014 rates notice, advising of the imposition of this charge.

**8. Conclusion**

The State Government recently introduced changes to the Urban Fire Levy to broaden the coverage of the levy and its funding base. These changes were introduced without reference to local government and take full effect from 1 January 2014. This report is to update Council in relation to the State Government's "Emergency Management, Fire and Rescue Levy" (EMFRL), recommend a communication strategy for Council to advise ratepayers of the new levy and its associated impacts and support the Local Government Association in its positioning in relation to the EMFR levy by writing to the Minister seeking to:

- have the Levy collected by means other than through local government; and
- amend the *Fire and Rescue Services Act 1990* to rename the Levy to reduce confusion surrounding the Rural Fire Levy which continues to be required and require the levy to apply to rateable assessments, not parcels of land.



## QGAP Services

**Date:** 11 December 2013  
**Author:** Cherie Irving, Manager Customer Service  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

### Summary:

The purpose of this report is to seek Council approval for QGAP services at Laidley Administration Office, to close on 2 and 3 January 2014.

**Officer's Recommendation:**

**THAT Council resolves to close the QGAP service counter on 2 and 3 January 2014.**

**RESOLUTION:**

**THAT Council resolves to close the QGAP service counter on 2 and 3 January 2014.**

**Moved By:** Cr McDonald                      **Seconded By:** Cr McLean  
**Resolution Number:** 81

**CARRIED**  
**6/0**

## Report

## 1. Introduction

Council heavily subsidises state government services to the community via the provision of QGAP, for Smart Services Queensland at Laidley Administration Office. The QGAP counter is open from daily from 8.30 – 4.30pm.

## 2. Background

In the past, in consultation with Smart Services Queensland, Council has suspended QGAP services for short periods of time when Council's own services have been adversely impacted by staff shortages and major disaster events.

### 3. Report

The Customer Services Unit is currently recruiting internally and externally to fill permanent, part-time and casual vacancies. The Customer Services Unit is also presently training additional officers in the provision of QGAP services.

However, the recruitment process and subsequent training process will not be completed in time to address resourcing in late December 2013/ early January 2014. Further, the Customer Services Business Unit is complying with Council policy, in relation to the reduction of leave

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accruals to sustainable levels and minimizing the payment of overtime. Maintaining this action will also ensure adequate resource coverage during the balance of the year.

At Laidley Administration Office, under the existing Customer Serviced resourcing plan, two staff members are usually present to provide Council and QGAP services. However, due to the staff shortage, Council would like to reduce this resourcing to one staff member, for provision of Council services only on 2 and 3 January 2014. Relief to attend morning tea and lunch breaks over this two day period will be provided by other Laidley based areas of Council.

This request is in addition to the official, Council wide, Council Close.

**4. Policy and Legal Implications**

There are no policy or legal issues associated with this report.

**5. Financial and Resource Implications**

There are no financial or resource issues associated with this report.

**6. Delegations/Authorisations**

There are no delegation or authorisation issues associated with this report.

**7. Communication**

If Council accepts this proposal, the Manager Customer Services will liaise with Corporate Communications to ensure the change is well advertised in local papers and within the Customer Service Centre at Laidley Administration Office.

**8. Conclusion**

Council heavily subsidises state government services to the community via the provision of QGAP, for Smart Services Queensland at Laidley Administration Office. The QGAP counter is open from daily from 8.30 – 4.30pm. In the past, in consultation with Smart Services Queensland, Council has suspended QGAP services for short periods of time when Council's own services have been adversely impacted by staff shortages and major disaster events. The adoption of these revised times for QGAP on the 2 and 3 January 2014 will ensure that Council services continue to be provided to our community within existing budgets.



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## **14.0 PLANNING AND DEVELOPMENT SERVICES REPORTS**

### **13.1 Request Re-Name Existing Road Reserve**

**Date:** 05 December 2013  
**Author:** Kate Watson, Administration Officer  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Reports

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#### **Summary:**

This report seeks Council approval to name a maintained laneway off Mount Berryman Road, Mount Berryman.

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

**THAT Council resolves to approve the following road name as shown on the map provided by the Planning and Environment Unit, dated 30 July 2013:**

**Whipbird Lane, Mount Berryman**

**And further;**

**THAT Council advises affected landholders, Department of Environment and Heritage Protection and all other necessary agencies.**

#### **RESOLUTION**

**THAT Council resolves to approve the following road name as shown on the map provided by the Planning and Environment Unit, dated 30 July 2013:**

**Whipbird Lane, Mount Berryman**

**And further;**

**THAT Council advises affected landholders, Department of Environment and Heritage Protection and all other necessary agencies.**

#### **Report**

##### **1. Introduction**

**Residents of the un-named laneway, respectfully request Council to adopt an amended list of roads names for the laneway.**

An un-named laneway currently exists off of Mount Berryman Road and is maintained by Council. This report recommends the laneway is named in response to an Infrastructure Services request.

##### **2. Background**



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Residents of two properties situated in the Mount Berryman district requested to Council in the early part of 2013 to have their access track maintained following the rain event. Further discussions with the residents have revealed that the properties, although numbered as Mount Berryman, are often referred to as Berlin Road South.

As access is gained from the formed laneway off Mount Berryman Road, it is advantageous for both the residents and Council to name this section of road to ensure correct property addressing, improved location identification for emergency services and to ensure a level of maintenance continues to service the access track.



### 3. Report

The laneway under investigation is located within the Berlin Road reserve and extends west from Mount Berryman Road, approximately 220 meters to the gates of two resident properties. The Berlin Road reserve continues a further 3 klms where it joins to Rockside Mountain Road and Berlin Road. Approximately 2klms of Berlin Road reserve continues to service an additional 5 dwellings from an unmaintained track. Refer to attachment 1.

Although the lane in question is located within the Berlin Road reserve, extending the Berlin Road numbering it is not in accordance with ASNZ4819:2011, in addition, section 4.2.4 of the same requires that: "Contiguous roads that have a break and are non-navigable are to be names separately". For this reason, it is necessary to name the access lane separately and consider renumbering properties located on the Berlin Road reserve (north-south section) to ensure accurate property identification.

A site visit to the access lane off Mount Berryman Road, in addition to advice from Infrastructure Services to the likelihood of Berlin Road being constructed to join Mount Berryman Road, uncovered that naming the access lane is the correct and most appropriate solution.



The following suggested road names have been provided by the Planning & Environment Unit and are suggested in reference to local flora and fauna in the immediate area.

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>
Access Lane to be named	Whipbird Lane	<b>Wonga Lane</b>	Quoll Lane

### 4. Policy and Legal Implications



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The suggested road names do not exist within the former Gatton or Laidley Shires and are not in conflict with the former Laidley 'Naming of Roads and Streets Policy' or ASNZ Standard 4819:2011.

### 5. Financial and Resource Implications

Following the outcome of this request, Infrastructure Services will be engaged to install signage at the intersection of the Mount Berryman Road and the named laneway off Mount Berryman Road.

### 6. Delegations/Authorisations

The Unit Manager or Group Manager do not have delegations to process Road Naming Applications.

### 7. Communication

**On providing the residents of the un-named laneway of the Council resolution to name the laneway, the residents expressed their desire to see the laneway named after local flora or fauna as opposed to Meander Lane. The suggested road names are strongly supported by the residents.**

The applicant has contacted Council (Delta enquiry 40030) requesting maintenance to an access lane. This report to name the lane off Mount Berryman road is in response to this request and facilitates the inclusion of the lane onto Councils grading program.

### 8. Conclusion

Council has investigated the request and assessed that name the lane off Mount Berryman Road is required to assist in identification. The suggested road name is in keeping with the overarching theme of the Lockyer Valley.

### Attachments

1 [View](#) Mapping - Request to name laneway off Mount Berryman Road, Mount Berryman 1 Page



**Disclaimer:**

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REGIONAL COUNCIL

**Size:** A4  
**Scale:** 1:10,000  
**Projection:** MGA94 Zone 56.



**User:** SB  
**Date:** 23 March 2015

PO Box 82, 26 Railway Street, GATTON QLD 4343  
Phone: 1300 005 872 Fax: (07) 5462 3269

**Request to name laneway off  
Mount Berryman Road,  
MOUNT BERRYMAN**



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**13.2 South East Queensland Regional Plan Review**

**Date:** 11 December 2013  
**Author:** Garth Moore, Manager Planning & Environment  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

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**Summary:**

This is a report to discuss the review of the South East Queensland (SEQ) Regional Plan 2009-2031. The new Regional Plan will align with the government's policy and planning reform agenda to deliver better planning to ensure the state's continued growth and prosperity.

The following is a commentary on the involvement of planning and environment personnel in the stakeholder reference group review of the South East Queensland (SEQ) Regional Plan.

**Officer's Recommendation:**

**THAT the South East Queensland Regional Plan Review Report be received and the Officer's comments noted.**

**RESOLUTION**

**THAT the South East Queensland Regional Plan Review Report be received and the Officer's comments noted.**

**Report**

**1. Introduction**

The Deputy Premier, and Minister for State Development, Infrastructure and Planning, the Honourable Jeff Seeney MP, in his role as the regional planning Minister, established the Regional Planning Committee (RPC) comprising all SEQ Mayors and key state members. The role of the RPC is to provide high level advice on the preparation and implementation of the new SEQRP. The Department of State Development, Infrastructure and Planning (DSDIP) has established a number of advisory groups to ensure key stakeholders are able to contribute at all stages of the plan review process. This includes the following key groups:

- Stakeholder Reference Groups (SRG);
- Policy Coordination Group; and
- Peer Review Panel.

The government also established four stakeholder reference groups (SRGs) to provide more specific advice about the following areas of state interest:

- Agriculture and resources;
- Economic development;
- Settlement pattern and urban form; and

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- Transport and infrastructure.

## **2. Background**

The role of the SRGs is to identify and provide advice on regionally-specific issues and policy options for addressing these issues. The issues and policy options identified by the SRG have been considered during the plan preparation process. SRG members will be expected to:

- consider regional planning issues, rather than local issues;
- bring a local government or specific stakeholder perspective to the consideration of regional planning issues;
- provide the group with the benefits of any specific knowledge or expertise on the issues;
- attend and participate in meetings as required; and
- assist with the preparation of a report setting out the findings of the SRG in relation to the regional issues and policy options.

An SRG has been an advisory rather than a decision making body. The Department has advised that other mechanisms will be established to ensure the work of the SRGs informs the development of a coherent suite of regionally-specific policies for SEQ:

- The Policy Coordination Group (PCG) is responsible for providing advice on a coordinated set of regionally-significant policies taking into consideration the regional issues and policy options identified by the SRGs. The PCG is comprised of representatives from state and local governments and the development industry. This group has been chaired by the Executive Director of the Regional Planning Division, DSDIP. LVRC is represented on this group.
- The Peer Review Panel (PRP) is comprised of a small number of leading professionals with extensive knowledge and understanding of regional planning issues. The role of this group has been to review and provide advice on key regional issues and policy proposals to ensure that the new regional plan achieves 'best practice' outcomes for SEQ. Panel members have been drawn from both government and the private sector. This group is chaired by the Deputy Director General of the Planning Group, DSDIP.

## **3. Report**

### **Issues arising from the South East Queensland Regional Plan Review - Stakeholder reference group**

Opening comments:

- It is unlikely that there would be support from the Deputy Premier for a State Planning Regulatory Provision in the new SEQRP.
- Issues of an urban footprint map and its lawful standing were still being considered by the State government.
- The meeting structure of the Stakeholder reference groups was not to generate conclusions but to canvas the opinions of participants and their respective organisations.

### **Settlement pattern and urban form**

#### **Urban growth boundary**

There was mixed debate regarding the value of having a fixed cadastrally based UGB as against a boundary defined by local government and ratified by the State. No single point of view prevailed. Discussion centred on whether the SEQRP had facilitated infill development, the general consensus was that it had. There was a wide ranging discussion focusing on the impact

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of the SEQRP on land supply and the shift in the market place towards larger land suppliers and away from small and medium sized developers. General consensus that the SEQRP had provided certainty for local government and industry decision making. However, this was at the cost of flexibility and diversity of housing product.

**Infill**

General consensus from larger urbanised Councils that target helped justify infill development. Also discussions that urban targets were too low for urbanised areas. However there should be recognition that peripheral and peri-urban local governments were legitimately servicing differing aspects of the housing market (rural residential, rural living and that infill and dwelling targets should not curtail the provision of these housing forms.

**State planning regulatory policy**

The current form of the SPRP was contested. General consensus that Material Change of Use (MCU) should be deleted. Wide ranging debate on the role of the subdivision standards. No consensus view was reached. It is unlikely that an SPRP that is similar to the current SEQRP will be provided in the new SEQRP. However, there may be some statutory basis to the regional plan.

**Long term growth**

There was mixed debate regarding the value of having designated and mapped long term growth areas. The general consensus was that if this was to be a feature of the regional plan that it should be confined to a policy position. There was concern as to the skewing of the land market with pre-emptive land purchases by larger development companies – further concentrating the future housing market in to fewer participants and that ‘protected’ land would acquire a market value disproportionate to its real value and cause legitimate current uses to be priced out of the market.

**Minimum density**

It was conceded that the general principle of minimum density had probably passed its day. However, regional population targets and the promotion of a mix of housing styles and densities across the region would most likely achieve this outcome more effectively.

**Efficient growth**

There was general consensus that the regional plan provides policy direction to advance the state’s interest in ensuring efficient growth. However, it was considered that State agencies should include their forward planning projections into the SEQRP and that they be bound by the recommendations of the SEQRP. It was considered that growth efficiency could not be discussed without due consideration of infrastructure provision. The rural councils considered that the SEQRP’s policy measures to limit the spread of rural residential development does not respond to legitimate aspects of the housing needs of the SEQRP housing market. There was general support for the governments proposed adoption of a 30 year planning horizon (to the year 2041) for the regional plan.

**Clearly defined communities**

There was extensive debate on the purpose, intent and use management of inter-urban breaks. Inter-urban breaks should only be nominated where there is a legitimate land use and the subject land cannot be used for urban purposes. No single point of view prevailed.

**Agriculture and Resources**



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- Agreement that the profile of Agriculture should be expressed more clearly particularly export capacity.
- Considered that the economic diversity and long term productivity of agricultural land be protected and conserved.
- Proposed that the rural economy and its diversity should be enhanced including access to housing, employment, value added industry and local services.
- Encourage population growth within the rural economy.
- Separation distances between rural and non-rural activities are too restrictive.
- Need to manage new urban growth areas to manage conflict especially in regards lifestyle amenity issues.
- There needs to be recognition that rural areas are diverse in their nature and that they are not quiet gardens and bush. Rather they are noisy, can operate through extended hours, and use heavy machinery and chemicals.

#### Minimum Lot size

There was a concern that although size was not necessarily a governing feature of productivity and prosperity that fragmentation does lead to the eventual destruction of the economic viability of the whole region. There was no consensus on what the minimum lot size should be. However, there was recognition that there needed to be a minimum lot size. There was agreement that there needed to be improved flexibility on titling and the use of transferable dwelling entitlements. There was general consensus that the SEQRP should provide policy direction on regional issues including catchment management, water use and reuse, soil conservation and degradation, management of salinity, management of levees, aging and depopulation of rural areas, provision of health and educational services, etc.

#### Economic Development

General consensus that SEQ is different from other regional areas as it is the most populous and that it holds the State capital and is therefore the centre and focus of governance, education, health export etc. Considered that the economic diversity and long term productivity of region be enhanced. There was a statement that to remain economically viable a region needs to export in excess of 51% of its GDP value. Proposed that the region's economy and its diversity should be enhanced including access to housing, employment, value added industry and local services. Encourage population growth. The issue of access (i.e. journey to work, export, freight movement )both rail and road were all self-limiting factors if significant investment was not continued.

#### Strategic directions discussion

##### Supporting rural production

- Support retention but include extra elements.
- Packaging and processing is supported.
- SEQ should be promoted as producer/processor etc.
- Distribution network and logistics areas important to support production.
- Providing for multiple land uses along with agriculture (i.e. supplementary income).
- Support on-site accommodation for workers.
- More "relaxed" attitude to buffering – performance based.

##### Accommodating future residential and employment growth

- Support keeping residential and employment together.
- Promoting self-containment.
- Industry – travel time to work is becoming key criteria in terms of employee selection.
- Restructuring of industry and provision for start-ups needs to be supported.



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- Flexibility is a key.

Facilitating growth in the west

- Provides some certainty however, should mention other growth areas.
- Need to ensure existing and new infrastructure spend is maximised.
- Link to maximising infrastructure investments made/ underway. Feedback on other current strategic directions.
- Protecting regional landscape – link to tourism pillar.
- Accessibility is important for economic growth.
- Climate change/oil supply vulnerability – unsure but perhaps link to compact settlement.
- Land use implications/ issues with alternative energy – wind and solar.

SEQ Emerging and future trends - New directions

- Consider the role of privately funded infrastructure on priorities.
- Smart growth, infrastructure and services are of particular importance to economic growth.
- Infill and contained settlement pattern and use of existing resources should be encouraged where possible.
- Regional collaboration should be encouraged – emphasise competitive advantages.
- Aging as an industry should be discussed in the regional plan – provision of service/housing etc. (social infrastructure requirements).
- Need to focus on diversity and flexibility – Of particular note was the overall shift in industrial development to transport and logistics and the relationship between national and international air and sea ports and road/rail infrastructure. It should be noted that LVRC may be well placed to gain locational advantage from the new Toowoomba regional airport.

Regional Development Areas (RDAs) or Local Development Areas (LDAs)

- Identify RDAs but requires clarification, support and to be informed by the State infrastructure plan of the infrastructure provision/process.
- Provides information for business on planning intents.
- Need criteria for RDA identification if used.
- The Development Area Delivery process is not clear to all stakeholders.
- Updating of locations needed, i.e. Charlton/Wellcamp missing.
- Gives strength to Council in terms of identifying locally significant areas, however require flexibility/balance.
- Increase awareness i.e. promoting compact settlement pattern.

Identified Growth Areas (IGAs) (outside the Urban Footprint)

- Provides unrealistic expectations for landowners perhaps.
- Timing is questioned.
- Creates a market for speculative investment.
- Hard to reverse decisions.
- Consideration of infrastructure.

Activity centres

- If the urban footprint goes then maybe the activity centres network is needed.
- Provides some direction for planning at the local level.
- Mostly known centres – What about future and new ones.
- Nice to have but how does it really influence things.

Employment Opportunity Areas (EOAs)

- EOA sub-types link to job focus.
- The market will decide where specialisations emerge.
- What does identifying the EOAs really do apart from highlighting an opportunity?

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- Regional policies or guidance/other comments.
- Good to identify priority (i.e. ag land vs. industry).
- Flexible categories needed.
- Export focused industries/land required and important, including both physical and knowledge locations. Focus should be on not just self-servicing industries.

#### Tourism

There was general consensus that tourism is a distinct land use, however, it is defined by its context, place and setting. A regional plan was therefore not considered the proper instrument in which to promote land based aspects of this industry. There was general consensus that the principles of promoting and accommodating tourism as an industry should be part of the regional plan and that guidelines should be provided to conserve the land, natural and cultural features that engendered a tourism industry in a particular locality.

#### Existing industrial land supply

Within the SEQ region it was considered that there is sufficient existing industrial land supply to meet current demand trends. There was concern raised that regional industrial estates were either un-serviced or underserviced by road and water cycle infrastructure. The point was noted but no action proposed. Supply of 'difficult to locate' and land extensive industrial development was discussed. No firm recommendation was generated from this discussion. There was general consensus that regional industrial land should be identified within the regional plan; however local government should manage to boundaries and development sequencing of this land.

#### **4. Policy and Legal Implications**

At this point in time there are no policy or legal implication arising from officer involvement in the stakeholder reference group program. However, the review of the SEQRP will have implication on the management of land use planning within LVRC once the new regional plan is gazetted by the State Government.

#### **5. Financial and Resource Implications**

Other than and continuing in-kind support from nominated LVRC personnel there are no financial or resource implications arising from the review of the SEQRP.

#### **6. Delegations/Authorisations**

No new or altered requirements are requires to existing delegations or authorisations.

#### **7. Communication**

There are no communications proposed from the review of the SEQRP. Future communications will be dependent on the work program and outcomes of the review of the SEQRP.

#### **8. Conclusion**

The meeting of the officer involvement in the Stakeholder reference group program was essentially a forum in which to discuss the purpose, objective and potential outcomes of the review of the SEQRP. Future meetings of the Stakeholder reference groups may produce

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recommendations, work programs and objectives that may have policy, legal, financial or resource implication that may require ratification of Council.

DSDIP have advised that stakeholder reference group input will be incorporated into draft documentation to be presented to the peer review panel and the policy coordination group. A coordinated response will then be presented to the Deputy Premier and Minister for State Development, Infrastructure and Planning as a prelude to the preparation to the draft South East Queensland Regional Plan 2041. It is envisaged that draft documentation for the SEQRP will be released for comment in mid 2014 and a final document to be released towards the end of 2014.

**Attachments**

There are no attachments for this report.

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- 13.3**                      **Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

**Date:** 11 December 2013  
**Author:** Trevor Boheim, Coordinator Development Assessment  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** DA2012/0088

**Summary:**

The report recommends that Council approves both a Preliminary Approval of Material Change of Use and a Development Permit for Reconfiguring a Lot subject to amendments to the Gatton West Industrial Zone Code submitted with the application and subject to conditions.

**Officer's Recommendation:**

**THAT Council resolves to approve the application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton, subject to the following conditions:**

- A. Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development.**
- 1. The Preliminary Approval of Material Change of Use is applicable to and overrides the planning scheme over those parts of Lot 3 SP154274 and Lot 8 RP189116 identified as "Extent of Land Subject to Plan of Development" on Precinct Plan No.11504-DA02C prepared by Deicke Richards and dated 29 October 2013.**
  - 2. The Preliminary Approval of Material Change of Use overrides the planning scheme by means of the Gatton West Industrial Zone (GWIZ) Plan of Development No1 that comprises Levels of Assessment, Assessment Criteria and the Gatton West Industrial Zone (GWIZ) Code dated December 2013.**
- B. Development Permit for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads.**
- 1. Conditions 2 to 13 are required to be satisfied prior to the approval of a plan of survey.**
  - 2. The land (Lot 3 SP154274 and Lot 8 RP189116) is to be subdivided and new roads are to be opened generally in accordance with Plan No.1931-04B prepared by Anywhere Surveys and dated 1 October 2013 subject to the further amendment of the layout and**

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location of proposed lots and proposed road reserves to:

- (a) Ensure embankment fill for a future overpass, for the section of proposed Road 1 between chainages 140 and 400 as shown on submitted plan 510099013-SK005, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012, is contained within the road reserve.
3. This approval does not approve any works on land the subject of this approval. An approval of Operational Works shall be obtained before any works occur on the land the subject of this approval.
4. Payment of infrastructure charges is made in accordance with Council's Adopted Infrastructure Charges Resolution and as indicated the Infrastructure Charges Notice that is issued separately by Council.
5. Complete all works required by this development approval.
6. Construct any terminating roads that may be extended as a part of a later stage (under the developer's control) with a gravel turnaround area with a minimum diameter of 25m, with a two coat bitumen seal. Other terminating roads shall be provided with a cul-de-sac. Hazard markers and delineator posts shall be erected to define the turn around. In all cases, allotment boundaries shall be aligned to allow for the required turning circle.
7. Construct proposed new roads with kerb and channelling for the entire frontage of the subject land with Road Reserve Widths in accordance Plan number 510099013-SK005, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012 and amended to include area of embankment fill for Road 1 between chainages 140 and 400 to be included within the road reserve. Carriageway Widths shall be in accordance with Plan number 510099013-SK006, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012.
8. Construct Brooks Road and Philips Road between the subject land and the Philips Road/Ditchmen Drive intersection to a secondary rural road standard as per IPWEAQ Standard Drawing R-0033 with a 7 metre wide two-coat bitumen seal.
9. Make provision for the lodgement of a bond with Council in accordance with Council Policy where it is not intended to undertake works that are required by this approval.
10. Ensure payment of outstanding rates and charges for the land subject of the approval are paid.
11. Submit to Council a 'Certificate of Supply', verifying that a supply of electricity is available to all proposed allotments or that the applicant has entered into a suitable agreement with the relevant authority for the supply of electricity to the new lots prior to endorsement of the Survey Plan.
12. Submit to Council a 'Certificate of Supply', verifying that telecommunications is available to all proposed allotments or that the applicant has entered into a suitable agreement with the relevant authority for the provision of telecommunications to the new lots prior to endorsement of the Survey Plan.

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13. Provide written evidence of compliance or negotiated variation, with each condition of this approval that nominates the date and receipt number for fees and contribution payments, RPEQ supervision certificates, “as constructed” data and confirmation of compliance with individual design and construction conditions.
14. Conditions 15 to 57 are required to be satisfied in an application for operational works.
15. Prepare and submit to Council a Stormwater Management Strategy for the proposed development that addresses soil management, water quality management and water quantity management and forms part of a broader strategy to manage the soil management, water quality and quantity management for the ultimate development of all stages of the proposed development.
16. The Stormwater Strategy shall:
  - (a) Provide a comprehensive and integrated strategy for the management of stormwater quality and stormwater quantity over the area of the proposed development on Lot 3 SP154274 and Lot 8 RP189116 from the initiation of work on the site to the full occupancy of the development.
  - (b) Provide details of calibration methodology and runoff parameters.
  - (c) Confirm that all proposed stormwater infrastructure layout has been designed having regard to the topography and soil types of the subject land.
  - (d) Demonstrate the satisfactory control of peak flows (timing, depth, velocity, velocity depth) for all flow paths across the development site for all stages of the development, i.e. hazard, risk. This includes the impact of any proposed mitigation devices.
  - (e) Detail the inputs and outputs of the MUSIC model that addresses water quality for the development at each phase.
  - (f) Provide details of an integrated strategy that:
    - (i) Manages erosion and sediment control during all phases of the development;
    - (ii) Integrates with all stormwater volume and quality management controls; and
    - (iii) Is consistent with criteria of the International Erosion Controls Association.
  - (g) Demonstrate that the flow of stormwater is controlled to pre-development characteristics at all stages of the development where it crosses site boundaries and affects downstream areas.
17. Provide telecommunication conduits (ducts) and pits, including trenching and design, to service the development in accordance with the NBN Co Installing Pit and Conduit Infrastructure - Guidelines for Developers. Documentary evidence shall be provided to Council which confirms the NBN Co requirements, where necessary, have been satisfied and the infrastructure has been installed and is fibre ready.
18. For designs prepared by a private consultant, a Design Checking Fee (approval of

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engineering drawings) based on Council's estimated cost of the works shall be payable. The fee is to be paid prior to design approval being given. Refer to Lockyer Valley Regional Council current Fees and Charges for calculation of the fee.

19. Design and construct all road works in general compliance with the Planning Scheme for the Shire of Gatton, the Department of Transport and Main Roads Road Planning and Design Manual, Austroads publications, Institute of Public Works Engineering Association Queensland Standard Drawings and any other documentation accepted as best practice by Council.
20. Design and construct each road or street to ensure that the speed environment, geometry, sight distances, carriageway widths, lighting, bus stops, vehicle movements, on street parking other physical attributes are consistent with the function and role of the road or street in the transport network.
21. Design all traffic signs and delineation in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).
22. Seal and include kerb and channelling for both sides of road for each proposed road in the subdivision. Council's standard profile for kerb and channel shall be utilised at all locations. Layback kerb profile shall be in accordance with the Eastern Downs Regional Organisation of Councils (EDROC) Regional Standards Manual 'Jondaryan Profile'.
23. Alignments for new kerb and channel shall have regard to existing structures and features (e.g. kerbs and channels, vegetation or services) and the accurate location of these shall be identified prior to any detailed design being undertaken.
24. Design details and test results of the road pavement must be submitted to Council. Pavement design shall be undertaken in accordance with Austroads Guide to Pavement Technology Part 2: Pavement Structural Design. The minimum pavement thickness shall not be less than 300mm. A two coat bitumen chip seal shall be the minimum standard wearing surface. Unsuitable material shall be removed as necessary.
25. The use of patterned concrete or pavers shall be permitted for feature areas only and where used must be fully detailed and certified by a Registered Professional Engineer Queensland (RPEQ).
26. All allotments shall be capable of being provided with vehicular access from roadways.
27. Construct proposed new roads with kerb and channelling for the entire frontage of the subject land with Road Reserve Widths in accordance Plan number 510099013-SK005, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012 and amended to include area of embankment fill for Road 1 between chainages 140 and 400 to be included within the road reserve. Carriageway Widths shall be in accordance with Plan number 510099013-SK006, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012.
28. Provide for the construction of Brooks Road and Philips Road between the subject



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land and the Philips Road/Ditchmen Drive intersection to a secondary rural road standard as per IPWEAQ Standard Drawing R-0033 with a 7 metre wide two-coat bitumen seal.

29. Design and install street lighting in accordance with the Australian Standard Code of practice for public lighting, AS1158 to a P4 standard. The street lighting will be certified by an RPEQ competent in electrical reticulation design.
30. Provide an 800mm wide continuous strip of turf with additional filter strips at 5.0 metre spacing behind all new kerb and channel.
31. The remaining unsealed verge area shall be filled, graded and either fully turfed or appropriately grassed and seeded to achieve a minimum of 80% grass coverage at the time of acceptance off maintenance.
32. Disturbed areas on newly created lots and balance area shall also be seeded to achieve a minimum of 80% grass coverage at the time of acceptance off maintenance.
33. Provide for any terminating roads that may be extended as a part of a later stage (under the developer's control) with a gravel turnaround area with a minimum diameter of 25m, with a two coat bitumen seal. Other terminating roads shall be provided with a cul-de-sac. Hazard markers and delineator posts shall be erected to define the turn around. In all cases, allotment boundaries shall be aligned to allow for the required turning circle.
34. Join new and old pavements to ensure a neat standard with respect to horizontal and vertical alignments. The join shall have no significantly noticeable irregularities in the running surface at or adjacent to the join for the length of the construction. Works may be necessary on the existing pavement for a satisfactory standard to be provided.
35. Submit to Council a list of preferred street names for any proposed new street for its consideration (in accordance with Council's Policy for the naming of new streets). Street names proposed shall not be the same or similar to other street names within the Region. Council retains the right to name one street within the Development.
36. Any alterations which are necessary or damage which is incurred as a result of the proposed development, either abutting the subject land or to any services on the road reserve shall be carried out or repaired at the developer's expense and with the approvals of the relevant authority (being Council or other asset owner).
37. Details of any proposed landscaping within road reserves and open space areas shall be provided in a Landscaping Plan.
38. Provide an electrical reticulation layout plan certified by the relevant authority. The electricity layout that has been certified by the relevant authority shall be shown on the water reticulation layout plan, stormwater layout plan and the sewerage layout plan where applicable.
39. Provide detailed design drawings for both electricity and telecommunications that have been approved by the relevant authority.



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40. Provide underground power to serve all new internal allotments. Overhead power shall only be permitted on external roads where there is an existing overhead power supply. Trench sharing with other relevant authorities shall be arranged where this is a practical outcome.
41. Drain and fill any dams on the subject property. The fill is to be Level 1 standard "controlled fill" in accordance with AS 3798 –"Guidelines on earthworks for commercial and residential developments".
42. Provide a geotechnical assessment report prior to sealing the plan showing that the filled area is controlled fill and has a site classification under AS2870 "Residential Slabs and Footings-Construction" that is equal to or less reactive than the existing soil classification on the lot/s.
43. Determine alignment and level of all above and below ground services potentially affected by the proposed subdivision works prior to any detailed design work or construction works being undertaken. Any conflicts associated with proposed and existing services shall be forwarded to the appropriate controlling authority by the developer for decision.
44. Installation and maintenance of silt management facilities including diversion drains, sediment basins and energy dissipation structures as necessary shall be designed, constructed and maintained in accordance with 'Best Practice Erosion and Sediment Control' published by International Erosion Control Association Australasia.
45. Provide engineering drawings for the establishment, maintenance and inspection of erosion and sediment management devices. These drawings shall show staging of works in order to limit the risk of the whole site being disturbed at the one time. These drawings shall include details of the progressive revegetation of disturbed areas.
46. Locate all batters resulting from earthworks (cut and fill) associated with the development within the subject land.
47. The maximum slope of batters, including table drain, stormwater drainage channel and road batters shall be 1V:4H, unless otherwise approved. Such approval will only be considered due to site constraints.
48. The AEP 1% local flood levels and AEP 1% regional flood level (if applicable) shall be determined for the development by an RPEQ with experience in flood modelling. Unless otherwise approved the ground level of all new lots shall be 300mm above both the local and regional flood levels. The local AEP 1% flood event extents shall be contained within a drainage easement.
49. Suitably design overland flow paths to cater for the water from a storm event with an AEP 1%. In the case where the piped system is carrying part of the flow, the overland flow paths must be designed to cater for that volume which is represented by the difference between the predicted volume from the storm event with an AEP 1% and the capacity of the pipe system, noting the requirements of QUDM.
50. Provide a report written by a RPEQ with experience in flood modelling, that details depths of flow, velocities and provides a flood hazard and risk assessment to assess

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risk to property and life.

51. Provide all necessary internal and external stormwater drainage to service the development. Such drainage works must be designed and constructed in accordance with QUDM and Council's Planning Scheme such that the overall drainage system caters for a storm event with an AEP 1%.
52. Confine all stormwater flows within and adjacent to the developments to road reserves, drainage reserves, registered easements or parkland. The registered drainage easements if related to piped drainage shall be centrally located over such underground pipe system and shall not be less than 4m wide. In addition, the easement shall be of suitable width to contain the predicted overland flow from the stormwater event with an AEP 1% in that location.
53. Obtain approval and bear all costs associated with registering in favour of Council all necessary stormwater drainage easements within and external to the subject land in order for drainage paths to reach a satisfactory point of legal discharge.
54. Grade the finished surface land of allotments for a minimum fall of 1.0% to prevent ponding. The grading shall preferably be to the road, grading to a roof water and allotment drainage system is also acceptable.
55. Design a suitable roof water and allotment drainage system in accordance with QUDM for allotments that do not have adequate fall from within the allotment to the design invert level of the kerb and channel. The design must not be less than QUDM Level IV for the industrial and commercial development.
56. Employ a staged implementation approach for the bio retention areas ensuring that filter media is either laid after or the filter is protected until 90% of the construction and building works have been completed for the catchment contributing to the bio retention basin. The staging and timing commissioning of the bio retention basin must be outlined as part of the operational works application and supporting notes. The proposed staging must be included on the drawings.
57. Submit a "Certificate of Design" by an RPEQ, certifying that the design is in accordance with all relevant engineering standards, Council's requirements and standards, relevant development conditions of approval, and sound engineering practice
58. Conditions 59 and 60 are required to be satisfied prior to the issuance of an approval for operational works.
59. Provide evidence of Portable Long Service Leave having been paid for projects over \$80,000 in contract value (Submit yellow copy to Council).
60. All works must be undertaken by a nominated Principal Contractor experienced in the construction of Municipal Works. Council reserves the right to request evidence of the Principal Contractor's competency. Should it be deemed by the Executive Manager, Infrastructure Works and Services that the contractor does not have the necessary competency, or has previously constructed substandard works for Council, Council reserves the right to reject the nominated contractor. Alternatively, Council may

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require an extended Maintenance Period.

61. Conditions 62 to 67 are required to be satisfied prior to the acceptance of works on maintenance.
62. Provide appropriate road crossing conduits where required.
63. Install kerb markers to identify the location of cross road services e.g. water, electricity, telecommunications and gas.
64. Installation of all underground plant by public utility providers shall be in accordance with Council's standard detail for Footpath Allocations for Public Utilities as contained in the Council's Planning Scheme.
65. Provide on completion of all infrastructure works and prior to Application for Sealing of the Plan, the 'as constructed' drawings of infrastructure in digital format compatible with AutoCAD DWG/DXF files. The levels and positions of all infrastructures shall be referenced to GDA 94 (Zone 56) and AHD.
66. Municipal works must be accepted "On Maintenance" prior to commencement of use. A maintenance bond equal to 10% of the construction cost (minimum of \$1,000.00) must be retained by Council for a minimum period of twelve months, or until such time as the works are accepted "Off Maintenance" by Council.
67. Submit to Council on completion of the works, a certificate by a RPEQ certifying that the works have been constructed in accordance with Council's construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification.
68. Conditions 69 to 105 have been provided by Queensland Urban Utilities and are required to be satisfied prior to the approval of a plan of survey

**WATER**

**Standards**

69. Water supply infrastructure works are to be designed and constructed in accordance with Queensland Urban Utilities standards, policies and guidelines.
70. The Applicant is to construct water supply infrastructure works that will ensure that the proposed development achieves Queensland Urban Utilities Desired Standards of Service (DSOS).

**Reticulation Works**

71. The Applicant must provide a reticulated water supply system which connects to the existing reticulation system, together with valves and fire hydrants.

**Live Works**

72. All works on live water mains must be carried out by QUU at the Applicant's expense,

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unless arranged otherwise with QUU.

**Specific Infrastructure Works**

73. The exact location and extent of infrastructure works shall be determined at Operational Works stage of development.

**Existing Water Services**

74. If applicable, existing water services that need to be amended or removed are to be undertaken at the expense of the Applicant.

**Operational Works**

75. Water supply works are not to commence prior to the approval of the Operational Works application and pre-start meeting.
76. The electricity layout must also be shown on the water reticulation plans.

**Owners Consent**

77. The Applicant is responsible for obtaining consent of the property owner/s where infrastructure is to be constructed on private property not under the ownership of the Applicant. Proof of owners consent is to be provided prior to the relevant pre-start meeting to commence construction works.

**External Agency Approvals**

78. The Applicant is responsible for obtaining all necessary approvals and permits required from any external agencies in satisfying the conditions of this approval. The cost of obtaining these approvals and permits are at the Applicant's expense.

**Terminating Works**

79. Water infrastructure shall terminate in a location and in an arrangement that allows future connection to the network to be made without disruption to the community, damage to infrastructure and the need to obtain private owners consent.

**Hydraulic Analysis**

80. The Applicant shall submit a water reticulation analysis report to Queensland Urban Utilities at each stage of the proposed development. The report shall be lodged with each Operational Works application for approval. The report must be approved by QUU prior to lodgement of any operational works application. The report should include:
- (a) An assessment of the network's capacity and the effect the proposed development has on the existing network, including proposed measures to overcome any identified problems;
  - (b) An assessment of any new works required both internal and external to the

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proposed development, including an appreciation of the infrastructure needs of nearby existing or future developments; and

(c) Details as to how, security of supply, and water quality are to be achieved during the proposed staging of development.

81. The water reticulation assessment must be consistent with Queensland Urban Utilities latest master planning strategy.
82. The Applicant will be required to undertake the works detailed within the approved water reticulation analysis report, unless otherwise advised in writing by Queensland Urban Utilities.
83. The applicant is encouraged to contact QUU prior to lodging an Operational Works application to determine if a previously approved hydraulic report by QUU is sufficient for lodgement with their proposed application or whether a revised report will be required. A revised report could be required where there have been changes to, but not limited to, (1) water supply design criteria, (2) water supply master planning, (3) the development layout, and/or (4) assumptions to development sequencing in the surrounding area.

**Planning & Feasibility Studies**

84. The Applicant, where determined necessary by Queensland Urban Utilities, will be required to undertake detailed planning studies and feasibility studies of the works necessary to service the proposed development at the Applicant's expense. The reports and studies are to be approved by Queensland Urban Utilities prior to lodgement of the relevant Operational Works approval/s.
85. The Applicant shall undertake all works identified within the approved reports and studies that are necessary to service the development.

**Plans of Survey**

86. The applicant shall provide evidence that all fees payable to QUU have been made prior to signing of the plans of survey.

**Footpaths**

87. Where possible, water mains are to be constructed on the opposite side of the road to the concrete footpaths.
88. Where the water main will be located under a concrete footpath an approved pre-cast concrete or cast iron path boxes shall be provided over the stop cock. The boxes must be placed flush with the finished surface level.

**Location of Valves**

89. Where possible sufficient valves must be installed so that in the event of any failure of supply, a maximum of twenty (20) allotments will be without water.

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90. The Applicant shall provide an indicative valve layout plan for the entire development with the Operational Works application for first stage of development.

**SEWERAGE**

**Standards**

91. Sewerage infrastructure works are to be designed and constructed in accordance with Queensland Urban Utilities standards, policies and guidelines.
92. The Applicant is to construct sewerage infrastructure works that will ensure that the proposed development achieves Queensland Urban Utilities Desired Standards of Service (DSOS).

**Reticulation Works**

93. The Applicant must provide a sewerage reticulation system with appropriate house connection branches, designed so as to command each proposed allotments.

**Live Works**

94. All works on live water mains must be carried out by QUU at the Applicant's expense, unless arranged otherwise with QUU.

**Existing Sewerage Infrastructure & Sanitary Drainage**

95. If applicable, existing sewerage infrastructure and sanitary drainage that need to be amended or removed are to be undertaken at the expense of the Applicant.

**Operational Works**

96. Sewerage works are not to commence prior to the approval of the Operational Works application and pre-start meeting.

**Owners Consent**

97. The Applicant is responsible for obtaining consent of the property owner/s where infrastructure is to be constructed on private property not under the ownership of the Applicant. Proof of owners consent is to be provided prior to the relevant pre-start meeting to commence construction works.

**External Agency Approvals**

98. The Applicant is responsible for obtaining all necessary approvals and permits required from any external agencies in satisfying the conditions of this approval. The cost of obtaining these approvals and permits are at the Applicant's expense.

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**Hydraulic Analysis**

99. The Applicant shall submit a sewerage assessment report to Queensland Urban Utilities at each stage of the proposed development. The report shall be lodged with the each Operational Works application for approval. The report must be approved by QUU prior to lodgement. The report should include:
- (a) An assessment of the network's capacity and the effect the proposed development has on the existing network, including proposed measures to overcome any identified problems;
  - (b) An assessment of any new works required both internal and external to the proposed development, including an appreciation of the infrastructure needs of nearby existing or future developments; and
  - (c) The sewerage assessment report must be consistent with Queensland Urban Utilities latest master planning strategy.
100. The Applicant will be required to undertake the works detailed within the approved sewerage assessment report, unless otherwise advised in writing by Queensland Urban Utilities.
101. The applicant is encouraged to contact QUU prior to lodging an Operational Works application to determine if a previously approved sewerage assessment report by QUU is sufficient for lodgement with their proposed application or whether a revised report will be required. A revised report is could be required where there have been changes to, but not limited to, (1) sewerage design criteria, (2) sewerage master planning, (3) the development layout, and/or (4) assumptions to development sequencing in the surrounding area.
102. Sewerage infrastructure is to be designed to cater for the anticipated loads from the upstream catchment/s. The Applicant is encouraged to contact Queensland Urban Utilities prior to commencing the sewer reticulation analysis report to identify the relevant catchment areas that will impact on the design of sewer works associated with this development.

**Planning & Feasibility Studies**

103. The Applicant, where determined necessary by Queensland Urban Utilities, will be required to undertake detailed planning studies and feasibility studies of the works necessary to service the proposed development at the Applicant's expense. The report and studies are to be approved by Queensland Urban Utilities. The Applicant shall undertake all works identified within the approved reports and studies that are necessary to service the development.

**Plans of Survey**

104. The applicant shall provide evidence that all fees payable to QUU have been made prior to signing of the plans of survey.

**QUU Building Over and Adjacent to Assets**

105. The Applicant shall demonstrate through submission of each Operational Works application that the proposed development complies with the *Queensland*



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***Development Code Mandatory Parts MP1.4 Building Over or Near Relevant Infrastructure.***

- C. The Referral Agency Response of the Department of Transport and Main Roads dated 8 November 2013 and the Referral Agency Response of the Department of Natural Resources and Mines dated 14 November 2013 provided pursuant to s.285 of the Sustainable Planning Act 2009 comprise part of this approval.

**Advice Notes**

- (a) All works associated with this approval may not start until all subsequent approvals have been obtained, and the conditions attached to these approvals have been satisfied.
- (b) It is considered essential that any consultants engaged to prepare any subsequent reports, plans or applications, liaise with the relevant Council Officers to ensure they are prepared in accordance with the conditions of approval and all relevant standards.
- (c) Any additions or modifications to the approval may be subject to a further application for development approval. To ensure works or activities are not undertaken outside the scope of this approval please contact Council.
- (d) The relevant period for this development permit is four years. After the Relevant Period expires, if an extension of the relevant period has not been obtained the approval will no longer be current.
- (e) The entities commissioned to undertake all construction activities shall be aware of and comply with the requirements of all relevant State environmental regulations, including those relating to hours of construction.
- (f) Each further development approval required as a result of this approval must be obtained within the relevant period.
- (g) All proposed structures and works should be positioned clear of any services which traverse the subject land. To determine where existing services are located, please contact Council or the owner of the services.
- (h) In accordance with the *Plant Protection Act 1989* and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.

It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 13 25 23 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:

Director General  
Department of Primary Industries  
GPO Box 46, Brisbane QLD 4001



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It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website: [www.dpi.qld.gov.au](http://www.dpi.qld.gov.au).

- (i) All persons undertaking works on the land have obligations and responsibilities under the *Aboriginal Cultural Heritage Act, 2003*.
- (j) 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”).
- (k) Applicants are also encouraged to undertake a search of the Aboriginal Cultural heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Environment and Resource Management. Application forms to undertake a free search of the Cultural heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM Website: [www.derm.qld.gov.au/cultural\\_heritage/index.html](http://www.derm.qld.gov.au/cultural_heritage/index.html)
- (l) Should the operator discover an item of cultural heritage significance or any evidence of heritage place the Cultural Heritage Act 1992 requires that they immediately contact the Department of Environment and Heritage Protection for direction.

**RESOLUTION**

**THAT Council resolves to approve the application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton, subject to the following conditions:**

**A. Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development.**

- 1. The Preliminary Approval of Material Change of Use is applicable to and overrides the planning scheme over those parts of Lot 3 SP154274 and Lot 8 RP189116 identified as “Extent of Land Subject to Plan of Development” on Precinct Plan No.11504-DA02C prepared by Deicke Richards and dated 29 October 2013.
- 2. The Preliminary Approval of Material Change of Use overrides the planning scheme by means of the Gatton West Industrial Zone (GWIZ) Plan of Development No1 that comprises Levels of Assessment, Assessment Criteria and the Gatton West Industrial Zone (GWIZ) Code dated December 2013.

**B. Development Permit for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new**

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roads.

1. Conditions 2 to 13 are required to be satisfied prior to the approval of a plan of survey.
2. The land (Lot 3 SP154274 and Lot 8 RP189116) is to be subdivided and new roads are to be opened generally in accordance with Plan No.1931-04B prepared by Anywhere Surveys and dated 1 October 2013 subject to the further amendment of the layout and location of proposed lots and proposed road reserves to:
  - (a) Ensure embankment fill for a future overpass, for the section of proposed Road 1 between chainages 140 and 400 as shown on submitted plan 510099013-SK005, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012, is contained within the road reserve.
3. This approval of the does not approve any works on land the subject of this approval. An approval of Operational Works shall be obtained before any works occur on the land the subject of this approval.
4. Payment of infrastructure charges is made in accordance with Council's Adopted Infrastructure Charges Resolution and as indicated the Infrastructure Charges Notice that is issued separately by Council.
5. Complete all works required by this development approval.
6. Construct any terminating roads that may be extended as a part of a later stage (under the developer's control) with a gravel turnaround area with a minimum diameter of 25m, with a two coat bitumen seal. Other terminating roads shall be provided with a cul-de-sac. Hazard markers and delineator posts shall be erected to define the turn around. In all cases, allotment boundaries shall be aligned to allow for the required turning circle.
7. Construct proposed new roads with kerb and channelling for the entire frontage of the subject land with Road Reserve Widths in accordance Plan number 510099013-SK005, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012 and amended to include area of embankment fill for Road 1 between chainages 140 and 400 to be included within the road reserve. Carriageway Widths shall be in accordance with Plan number 510099013-SK006, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012.
8. Construct Brooks Road and Philips Road between the subject land and the Philips Road/Ditchmen Drive intersection to a secondary rural road standard as per IPWEAQ Standard Drawing R-0033 with a 7 metre wide two-coat bitumen seal.
9. Make provision for the lodgement of a bond with Council in accordance with Council Policy where it is not intended to undertake works that are required by this approval.
10. Ensure payment of outstanding rates and charges for the land subject of the approval are paid.
11. Submit to Council a 'Certificate of Supply', verifying that a supply of electricity is available to all proposed allotments or that the applicant has entered into a suitable

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agreement with the relevant authority for the supply of electricity to the new lots prior to endorsement of the Survey Plan.

12. Submit to Council a 'Certificate of Supply', verifying that telecommunications is available to all proposed allotments or that the applicant has entered into a suitable agreement with the relevant authority for the provision of telecommunications to the new lots prior to endorsement of the Survey Plan.
13. Provide written evidence of compliance or negotiated variation, with each condition of this approval that nominates the date and receipt number for fees and contribution payments, RPEQ supervision certificates, "as constructed" data and confirmation of compliance with individual design and construction conditions.
14. Conditions 15 to 57 are required to be satisfied in an application for operational works.
15. Prepare and submit to Council a Stormwater Management Strategy for the proposed development that addresses soil management, water quality management and water quantity management and forms part of a broader strategy to manage the soil management, water quality and quantity management for the ultimate development of all stages of the proposed development.
16. The Stormwater Strategy shall:
  - (a) Provide a comprehensive and integrated strategy for the management of stormwater quality and stormwater quantity over the area of the proposed development on Lot 3 SP154274 and Lot 8 RP189116 from the initiation of work on the site to the full occupancy of the development.
  - (b) Provide details of calibration methodology and runoff parameters.
  - (c) Confirm that all proposed stormwater infrastructure layout has been designed having regard to the topography and soil types of the subject land.
  - (d) Demonstrate the satisfactory control of peak flows (timing, depth, velocity, velocity depth) for all flow paths across the development site for all stages of the development, i.e. hazard, risk. This includes the impact of any proposed mitigation devices.
  - (e) Detail the inputs and outputs of the MUSIC model that addresses water quality for the development at each phase.
  - (f) Provide details of an integrated strategy that:
    - (i) Manages erosion and sediment control during all phases of the development;
    - (ii) Integrates with all stormwater volume and quality management controls; and
    - (iii) Is consistent with criteria of the International Erosion Controls Association.
  - (g) Demonstrate that the flow of stormwater is controlled to pre-development characteristics at all stages of the development where it crosses site boundaries and affects downstream areas.

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17. Provide telecommunication conduits (ducts) and pits, including trenching and design, to service the development in accordance with the NBN Co Installing Pit and Conduit Infrastructure - Guidelines for Developers. Documentary evidence shall be provided to Council which confirms the NBN Co requirements, where necessary, have been satisfied and the infrastructure has been installed and is fibre ready.
18. For designs prepared by a private consultant, a Design Checking Fee (approval of engineering drawings) based on Council's estimated cost of the works shall be payable. The fee is to be paid prior to design approval being given. Refer to Lockyer Valley Regional Council current Fees and Charges for calculation of the fee.
19. Design and construct all road works in general compliance with the Planning Scheme for the Shire of Gatton, the Department of Transport and Main Roads Road Planning and Design Manual, Austroads publications, Institute of Public Works Engineering Association Queensland Standard Drawings and any other documentation accepted as best practice by Council.
20. Design and construct each road or street to ensure that the speed environment, geometry, sight distances, carriageway widths, lighting, bus stops, vehicle movements, on street parking other physical attributes are consistent with the function and role of the road or street in the transport network.
21. Design all traffic signs and delineation in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).
22. Seal and include kerb and channelling for both sides of road for each proposed road in the subdivision. Council's standard profile for kerb and channel shall be utilised at all locations. Layback kerb profile shall be in accordance with the Eastern Downs Regional Organisation of Councils (EDROC) Regional Standards Manual 'Jondaryan Profile'.
23. Alignments for new kerb and channel shall have regard to existing structures and features (e.g. kerbs and channels, vegetation or services) and the accurate location of these shall be identified prior to any detailed design being undertaken.
24. Design details and test results of the road pavement must be submitted to Council. Pavement design shall be undertaken in accordance with Austroads Guide to Pavement Technology Part 2: Pavement Structural Design. The minimum pavement thickness shall not be less than 300mm. A two coat bitumen chip seal shall be the minimum standard wearing surface. Unsuitable material shall be removed as necessary.
25. The use of patterned concrete or pavers shall be permitted for feature areas only and where used must be fully detailed and certified by a Registered Professional Engineer Queensland (RPEQ).
26. All allotments shall be capable of being provided with vehicular access from roadways.
27. Construct proposed new roads with kerb and channelling for the entire frontage of the subject land with Road Reserve Widths in accordance Plan number 510099013-

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SK005, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012 and amended to include area of embankment fill for Road 1 between chainages 140 and 400 to be included within the road reserve. Carriageway Widths shall be in accordance with Plan number 510099013-SK006, revision B, by Cardno (Qld) Pty Ltd and dated 12 December 2012.

28. Provide for the construction of Brooks Road and Philips Road between the subject land and the Philips Road/Ditchmen Drive intersection to a secondary rural road standard as per IPWEAQ Standard Drawing R-0033 with a 7 metre wide two-coat bitumen seal.
29. Design and install street lighting in accordance with the Australian Standard Code of practice for public lighting, AS1158 to a P4 standard. The street lighting will be certified by an RPEQ competent in electrical reticulation design.
30. Provide an 800mm wide continuous strip of turf with additional filter strips at 5.0 metre spacing behind all new kerb and channel.
31. The remaining unsealed verge area shall be filled, graded and either fully turfed or appropriately grassed and seeded to achieve a minimum of 80% grass coverage at the time of acceptance off maintenance.
32. Disturbed areas on newly created lots and balance area shall also be seeded to achieve a minimum of 80% grass coverage at the time of acceptance off maintenance.
33. Provide for any terminating roads that may be extended as a part of a later stage (under the developer's control) with a gravel turnaround area with a minimum diameter of 25m, with a two coat bitumen seal. Other terminating roads shall be provided with a cul-de-sac. Hazard markers and delineator posts shall be erected to define the turn around. In all cases, allotment boundaries shall be aligned to allow for the required turning circle.
34. Join new and old pavements to ensure a neat standard with respect to horizontal and vertical alignments. The join shall have no significantly noticeable irregularities in the running surface at or adjacent to the join for the length of the construction. Works may be necessary on the existing pavement for a satisfactory standard to be provided.
35. Submit to Council a list of preferred street names for any proposed new street for its consideration (in accordance with Council's Policy for the naming of new streets). Street names proposed shall not be the same or similar to other street names within the Region. Council retains the right to name one street within the Development.
36. Any alterations which are necessary or damage which is incurred as a result of the proposed development, either abutting the subject land or to any services on the road reserve shall be carried out or repaired at the developer's expense and with the approvals of the relevant authority (being Council or other asset owner).
37. Details of any proposed landscaping within road reserves and open space areas shall be provided in a Landscaping Plan.
38. Provide an electrical reticulation layout plan certified by the relevant authority. The

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electricity layout that has been certified by the relevant authority shall be shown on the water reticulation layout plan, stormwater layout plan and the sewerage layout plan where applicable.

39. Provide detailed design drawings for both electricity and telecommunications that have been approved by the relevant authority.
40. Provide underground power to serve all new internal allotments. Overhead power shall only be permitted on external roads where there is an existing overhead power supply. Trench sharing with other relevant authorities shall be arranged where this is a practical outcome.
41. Drain and fill any dams on the subject property. The fill is to be Level 1 standard “controlled fill” in accordance with AS 3798 –“Guidelines on earthworks for commercial and residential developments”.
42. Provide a geotechnical assessment report prior to sealing the plan showing that the filled area is controlled fill and has a site classification under AS2870 “Residential Slabs and Footings-Construction” that is equal to or less reactive than the existing soil classification on the lot/s.
43. Determine alignment and level of all above and below ground services potentially affected by the proposed subdivision works prior to any detailed design work or construction works being undertaken. Any conflicts associated with proposed and existing services shall be forwarded to the appropriate controlling authority by the developer for decision.
44. Installation and maintenance of silt management facilities including diversion drains, sediment basins and energy dissipation structures as necessary shall be designed, constructed and maintained in accordance with ‘Best Practice Erosion and Sediment Control’ published by International Erosion Control Association Australasia.
45. Provide engineering drawings for the establishment, maintenance and inspection of erosion and sediment management devices. These drawings shall show staging of works in order to limit the risk of the whole site being disturbed at the one time. These drawings shall include details of the progressive revegetation of disturbed areas.
46. Locate all batters resulting from earthworks (cut and fill) associated with the development within the subject land.
47. The maximum slope of batters, including table drain, stormwater drainage channel and road batters shall be 1V:4H, unless otherwise approved. Such approval will only be considered due to site constraints.
48. The AEP 1% local flood levels and AEP 1% regional flood level (if applicable) shall be determined for the development by an RPEQ with experience in flood modelling. Unless otherwise approved the ground level of all new lots shall be 300mm above both the local and regional flood levels. The local AEP 1% flood event extents shall be contained within a drainage easement.
49. Suitably design overland flow paths to cater for the water from a storm event with an



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**AEP 1%. In the case where the piped system is carrying part of the flow, the overland flow paths must be designed to cater for that volume which is represented by the difference between the predicted volume from the storm event with an AEP 1% and the capacity of the pipe system, noting the requirements of QUDM.**

- 50. Provide a report written by a RPEQ with experience in flood modelling, that details depths of flow, velocities and provides a flood hazard and risk assessment to assess risk to property and life.**
- 51. Provide all necessary internal and external stormwater drainage to service the development. Such drainage works must be designed and constructed in accordance with QUDM and Council's Planning Scheme such that the overall drainage system caters for a storm event with an AEP 1%.**
- 52. Confine all stormwater flows within and adjacent to the developments to road reserves, drainage reserves, registered easements or parkland. The registered drainage easements if related to piped drainage shall be centrally located over such underground pipe system and shall not be less than 4m wide. In addition, the easement shall be of suitable width to contain the predicted overland flow from the stormwater event with an AEP 1% in that location.**
- 53. Obtain approval and bear all costs associated with registering in favour of Council all necessary stormwater drainage easements within and external to the subject land in order for drainage paths to reach a satisfactory point of legal discharge.**
- 54. Grade the finished surface land of allotments for a minimum fall of 1.0% to prevent ponding. The grading shall preferably be to the road, grading to a roof water and allotment drainage system is also acceptable.**
- 55. Design a suitable roof water and allotment drainage system in accordance with QUDM for allotments that do not have adequate fall from within the allotment to the design invert level of the kerb and channel. The design must not be less than QUDM Level IV for the industrial and commercial development.**
- 56. Employ a staged implementation approach for the bio retention areas ensuring that filter media is either laid after or the filter is protected until 90% of the construction and building works have been completed for the catchment contributing to the bio retention basin. The staging and timing commissioning of the bio retention basin must be outlined as part of the operational works application and supporting notes. The proposed staging must be included on the drawings.**
- 57. Submit a "Certificate of Design" by an RPEQ, certifying that the design is in accordance with all relevant engineering standards, Council's requirements and standards, relevant development conditions of approval, and sound engineering practice**
- 58. Conditions 59 and 60 are required to be satisfied prior to the issuance of an approval for operational works.**
- 59. Provide evidence of Portable Long Service Leave having been paid for projects over \$80,000 in contract value (Submit yellow copy to Council).**

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60. All works must be undertaken by a nominated Principal Contractor experienced in the construction of Municipal Works. Council reserves the right to request evidence of the Principal Contractor's competency. Should it be deemed by the Executive Manager, Infrastructure Works and Services that the contractor does not have the necessary competency, or has previously constructed substandard works for Council, Council reserves the right to reject the nominated contractor. Alternatively, Council may require an extended Maintenance Period.
61. Conditions 62 to 67 are required to be satisfied prior to the acceptance of works on maintenance.
62. Provide appropriate road crossing conduits where required.
63. Install kerb markers to identify the location of cross road services e.g. water, electricity, telecommunications and gas.
64. Installation of all underground plant by public utility providers shall be in accordance with Council's standard detail for Footpath Allocations for Public Utilities as contained in the Council's Planning Scheme.
65. Provide on completion of all infrastructure works and prior to Application for Sealing of the Plan, the 'as constructed' drawings of infrastructure in digital format compatible with AutoCAD DWG/DXF files. The levels and positions of all infrastructures shall be referenced to GDA 94 (Zone 56) and AHD.
66. Municipal works must be accepted "On Maintenance" prior to commencement of use. A maintenance bond equal to 10% of the construction cost (minimum of \$1,000.00) must be retained by Council for a minimum period of twelve months, or until such time as the works are accepted "Off Maintenance" by Council.
67. Submit to Council on completion of the works, a certificate by a RPEQ certifying that the works have been constructed in accordance with Council's construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification.
68. Conditions 69 to 105 have been provided by Queensland Urban Utilities and are required to be satisfied prior to the approval of a plan of survey

**WATER**

**Standards**

69. Water supply infrastructure works are to be designed and constructed in accordance with Queensland Urban Utilities standards, policies and guidelines.
70. The Applicant is to construct water supply infrastructure works that will ensure that the proposed development achieves Queensland Urban Utilities Desired Standards of Service (DSOS).

**Reticulation Works**



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71. The Applicant must provide a reticulated water supply system which connects to the existing reticulation system, together with valves and fire hydrants.

**Live Works**

72. All works on live water mains must be carried out by QUU at the Applicant's expense, unless arranged otherwise with QUU.

**Specific Infrastructure Works**

73. The exact location and extent of infrastructure works shall be determined at Operational Works stage of development.

**Existing Water Services**

74. If applicable, existing water services that need to be amended or removed are to be undertaken at the expense of the Applicant.

**Operational Works**

75. Water supply works are not to commence prior to the approval of the Operational Works application and pre-start meeting.
76. The electricity layout must also be shown on the water reticulation plans.

**Owners Consent**

77. The Applicant is responsible for obtaining consent of the property owner/s where infrastructure is to be constructed on private property not under the ownership of the Applicant. Proof of owners consent is to be provided prior to the relevant pre-start meeting to commence construction works.

**External Agency Approvals**

78. The Applicant is responsible for obtaining all necessary approvals and permits required from any external agencies in satisfying the conditions of this approval. The cost of obtaining these approvals and permits are at the Applicant's expense.

**Terminating Works**

79. Water infrastructure shall terminate in a location and in an arrangement that allows future connection to the network to be made without disruption to the community, damage to infrastructure and the need to obtain private owners consent.

**Hydraulic Analysis**

80. The Applicant shall submit a water reticulation analysis report to Queensland Urban Utilities at each stage of the proposed development. The report shall be lodged with each Operational Works application for approval. The report must be approved by QUU prior to lodgement of any operational works application. The report should

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include:

- (a) An assessment of the network's capacity and the effect the proposed development has on the existing network, including proposed measures to overcome any identified problems;
- (b) An assessment of any new works required both internal and external to the proposed development, including an appreciation of the infrastructure needs of nearby existing or future developments; and
- (c) Details as to how, security of supply, and water quality are to be achieved during the proposed staging of development.

- 81. The water reticulation assessment must be consistent with Queensland Urban Utilities latest master planning strategy.
- 82. The Applicant will be required to undertake the works detailed within the approved water reticulation analysis report, unless otherwise advised in writing by Queensland Urban Utilities.
- 83. The applicant is encouraged to contact QUU prior to lodging an Operational Works application to determine if a previously approved hydraulic report by QUU is sufficient for lodgement with their proposed application or whether a revised report will be required. A revised report could be required where there have been changes to, but not limited to, (1) water supply design criteria, (2) water supply master planning, (3) the development layout, and/or (4) assumptions to development sequencing in the surrounding area.

**Planning & Feasibility Studies**

- 84. The Applicant, where determined necessary by Queensland Urban Utilities, will be required to undertake detailed planning studies and feasibility studies of the works necessary to service the proposed development at the Applicant's expense. The reports and studies are to be approved by Queensland Urban Utilities prior to lodgement of the relevant Operational Works approval/s.
- 85. The Applicant shall undertake all works identified within the approved reports and studies that are necessary to service the development.

**Plans of Survey**

- 86. The applicant shall provide evidence that all fees payable to QUU have been made prior to signing of the plans of survey.

**Footpaths**

- 87. Where possible, water mains are to be constructed on the opposite side of the road to the concrete footpaths.
- 88. Where the water main will be located under a concrete footpath an approved pre-cast concrete or cast iron path boxes shall be provided over the stop cock. The boxes

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must be placed flush with the finished surface level.

**Location of Valves**

89. Where possible sufficient valves must be installed so that in the event of any failure of supply, a maximum of twenty (20) allotments will be without water.
90. The Applicant shall provide an indicative valve layout plan for the entire development with the Operational Works application for first stage of development.

**SEWERAGE**

**Standards**

91. Sewerage infrastructure works are to be designed and constructed in accordance with Queensland Urban Utilities standards, policies and guidelines.
92. The Applicant is to construct sewerage infrastructure works that will ensure that the proposed development achieves Queensland Urban Utilities Desired Standards of Service (DSOS).

**Reticulation Works**

93. The Applicant must provide a sewerage reticulation system with appropriate house connection branches, designed so as to command each proposed allotments.

**Live Works**

94. All works on live water mains must be carried out by QUU at the Applicant's expense, unless arranged otherwise with QUU.

**Existing Sewerage Infrastructure & Sanitary Drainage**

95. If applicable, existing sewerage infrastructure and sanitary drainage that need to be amended or removed are to be undertaken at the expense of the Applicant.

**Operational Works**

96. Sewerage works are not to commence prior to the approval of the Operational Works application and pre-start meeting.

**Owners Consent**

97. The Applicant is responsible for obtaining consent of the property owner/s where infrastructure is to be constructed on private property not under the ownership of the Applicant. Proof of owners consent is to be provided prior to the relevant pre-start meeting to commence construction works.

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**External Agency Approvals**

98. The Applicant is responsible for obtaining all necessary approvals and permits required from any external agencies in satisfying the conditions of this approval. The cost of obtaining these approvals and permits are at the Applicant's expense.

**Hydraulic Analysis**

99. The Applicant shall submit a sewerage assessment report to Queensland Urban Utilities at each stage of the proposed development. The report shall be lodged with the each Operational Works application for approval. The report must be approved by QUU prior to lodgement. The report should include:
- (a) An assessment of the network's capacity and the effect the proposed development has on the existing network, including proposed measures to overcome any identified problems;
  - (b) An assessment of any new works required both internal and external to the proposed development, including an appreciation of the infrastructure needs of nearby existing or future developments; and
  - (c) The sewerage assessment report must be consistent with Queensland Urban Utilities latest master planning strategy.
100. The Applicant will be required to undertake the works detailed within the approved sewerage assessment report, unless otherwise advised in writing by Queensland Urban Utilities.
101. The applicant is encouraged to contact QUU prior to lodging an Operational Works application to determine if a previously approved sewerage assessment report by QUU is sufficient for lodgement with their proposed application or whether a revised report will be required. A revised report is could be required where there have been changes to, but not limited to, (1) sewerage design criteria, (2) sewerage master planning, (3) the development layout, and/or (4) assumptions to development sequencing in the surrounding area.
102. Sewerage infrastructure is to be designed to cater for the anticipated loads from the upstream catchment/s. The Applicant is encouraged to contact Queensland Urban Utilities prior to commencing the sewer reticulation analysis report to identify the relevant catchment areas that will impact on the design of sewer works associated with this development.

**Planning & Feasibility Studies**

103. The Applicant, where determined necessary by Queensland Urban Utilities, will be required to undertake detailed planning studies and feasibility studies of the works necessary to service the proposed development at the Applicant's expense. The report and studies are to be approved by Queensland Urban Utilities. The Applicant shall undertake all works identified within the approved reports and studies that are necessary to service the development.

**Plans of Survey**

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104. The applicant shall provide evidence that all fees payable to QUU have been made prior to signing of the plans of survey.

**QUU Building Over and Adjacent to Assets**

105. The Applicant shall demonstrate through submission of each Operational Works application that the proposed development complies with the *Queensland Development Code Mandatory Parts MP1.4 Building Over or Near Relevant Infrastructure*.

- C. The Referral Agency Response of the Department of Transport and Main Roads dated 8 November 2013 and the Referral Agency Response of the Department of Natural Resources and Mines dated 14 November 2013 provided pursuant to s.285 of the Sustainable Planning Act 2009 comprise part of this approval.

**Advice Notes**

- (a) All works associated with this approval may not start until all subsequent approvals have been obtained, and the conditions attached to these approvals have been satisfied.
- (b) It is considered essential that any consultants engaged to prepare any subsequent reports, plans or applications, liaise with the relevant Council Officers to ensure they are prepared in accordance with the conditions of approval and all relevant standards.
- (c) Any additions or modifications to the approval may be subject to a further application for development approval. To ensure works or activities are not undertaken outside the scope of this approval please contact Council.
- (d) The relevant period for this development permit is four years. After the Relevant Period expires, if an extension of the relevant period has not been obtained the approval will no longer be current.
- (e) The entities commissioned to undertake all construction activities shall be aware of and comply with the requirements of all relevant State environmental regulations, including those relating to hours of construction.
- (f) Each further development approval required as a result of this approval must be obtained within the relevant period.
- (g) All proposed structures and works should be positioned clear of any services which traverse the subject land. To determine where existing services are located, please contact Council or the owner of the services.
- (h) In accordance with the *Plant Protection Act 1989* and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.

It is the legal obligation of the land owner or any consultant or contractor employed

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by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 13 25 23 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:

Director General  
Department of Primary Industries  
GPO Box 46, Brisbane QLD 4001

It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website: [www.dpi.qld.gov.au](http://www.dpi.qld.gov.au).

- (i) All persons undertaking works on the land have obligations and responsibilities under the *Aboriginal Cultural Heritage Act, 2003*.
- (j) 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”).
- (k) Applicants are also encouraged to undertake a search of the Aboriginal Cultural heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Environment and Resource Management. Application forms to undertake a free search of the Cultural heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM Website: [www.derm.qld.gov.au/cultural\\_heritage/index.html](http://www.derm.qld.gov.au/cultural_heritage/index.html)
- (l) Should the operator discover an item of cultural heritage significance or any evidence of heritage place the Cultural Heritage Act 1992 requires that they immediately contact the Department of Environment and Heritage Protection for direction.

## Report

<b>Applicant:</b>	Lockyer Valley Regional Council
<b>Property Address:</b>	123 Brooks Road & 369 Smithfield Road, Gatton
<b>Real Property Description:</b>	Lot 3 SP154274 & Lot 8 RP189116
<b>Site Area:</b>	37.89 hectares
<b>SEQRP Designation:</b>	Urban Footprint
<b>Laidley Planning Scheme Zoning:</b>	Rural General
<b>Use at Time of Application:</b>	Vacant rural land
<b>Proposed Use:</b>	Industrial and commercial uses

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**Recommendation:**

Approval subject to conditions

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**Report**

**1. Introduction**

The report recommends that Council approves both a Preliminary Approval of Material Change of Use and a Development Permit for Reconfiguring a Lot subject to amendments to the Gatton West Industrial Zone Code submitted with the application and subject to conditions.

**2. Background**

The 31 October 2006 amendment of the *South East Queensland Regional Plan 2005-2026* identified an area to the north of Gatton as an investigation area for a future industrial, employment and enterprise precinct, however the land subject of this application was not included in this area. The *South East Queensland Regional Plan 2009-2031* (released in July 2009) included the subject land in the Gatton North Local Development Area, which seeks to develop a local employment focus to the north and north-west of Gatton.

The current development application represents the first step in the development of this area and comprises land that has direct access to the Warrego Highway through the existing truck stop area.

**2.1 Amendment of Development Application**

The original application lodged on 21 December 2012 sought approval of Preliminary Approval of Material Change of Use pursuant to s.242 of the *Sustainable Planning Act 2009* (SPA) to vary the effect of the planning scheme for Commercial and Industrial uses and a Development Permit for Reconfiguring a Lot to subdivide two lots into eight lots.

The Preliminary Approval component of the original application was over Lot 4 RP196089, Lot 5 RP196089, Lot 8 RP1891167, Lot 3 SP154274 and Part of Lot 60 CA3120. The total area subject of the application originally lodged was 120.88 hectares which is indicated below.

On 31 October 2013, the applicant provided written notice to Council of a minor change to the development application pursuant to s.351 of SPA. This notice was supported by a full set of amended plans and reports. The effect of the change was to reduce the area covered by the Preliminary Approval component to Part of Lot 3 SP154274 and Part of Lot 8 RP189116, to reduce the area covered by the Reconfiguring a Lot application to Lot 3 SP154274 and Lot 8 RP189116 and to also reduce the number of lots to be created from 8 lots to 6 lots. The total area subject of the amended application is 37.89 hectares which is indicated below.





Figure 1 – Area of land for development application lodged 21 December 2012.



Figure 2 – Area of land for development application amended on 31 October 2013.



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This report provides an assessment of the development application as amended on 31 October 2013 and contains a recommendation in respect of the amended application only.

### **3. Report**

#### **3.1 Land subject of the application**

The land subject of the amended application is vacant rural land with moderate tree cover extending over the majority of the land and grass cover over both lots. The land falls from a high point of 124m AHD adjacent to the Warrego Highway roadside truck stop area to 106m AHD in the southeast corner of Lot 3 SP154274. Quarrying activities have taken place in the past over parts of Lot 8 RP1891167, primarily across the central part of the eastern half of the lot.

A total of four dams are located on Lot 8 RP1891167 with three adjacent to the Brooks Road frontage and one adjacent to the Warrego Highway frontage. With the exception of a small area in the northeast corner of Lot 3 SP154274 the entire land subject of the application drains toward the south and east. All stormwater runoff ultimately drains through a local creek system into Lockyer Creek upstream of the Gatton wastewater treatment plant.

The land has frontages of approximately 1,070m to the Warrego Highway to the north, 820m to Brooks Road to the south and 370m to an unnamed road to the west. The 100m wide road reserve for the Warrego Highway widens to 200m for the full extent of the northern boundary of Lot 3 SP154274. This widening of the road reserve accommodates a roadside truck parking area of approximately 250m x 50m for use by westbound vehicles. Linemarking provided over this area demarcates parking bays for 22 heavy vehicles.

While both lots have a frontage to the road reserve containing the Warrego Highway, no vehicular access is provided to either lot from the highway. Vehicular access to Lot 8 RP1891167 is achieved through Brooks Road, which is an unsealed for the 1,400m section between the Brooks Road/Philips Road intersection and its termination at the southwest corner of Lot 8 RP1891167. There is currently no formal vehicular access to Lot 3 SP154274. Neither Lot 8 RP1891167 nor Lot 3 SP154274 is presently provided with a connection to a reticulated water supply, sewerage, electricity or telecommunications.

#### **3.2 Proposal**

##### **3.2.1 Preliminary Approval of Material Change of Use**

The first element of the application seeks a Preliminary Approval of Material Change of Use pursuant to section 242 of SPA to vary the effect of the planning scheme. The Preliminary Approval proposes that the future development of the land is to be assessed against the provisions of the "Gatton West Industrial Zone (GWIZ) Plan of Development" dated October 2013, an amended version of which was been provided by the applicant with the request for a minor change to the application on 31 October 2013. The GWIZ Plan of Development has been drafted so that it supplements rather than replaces the existing planning scheme provisions.

The GWIZ Plan of Development will function in conjunction with provisions of the Gatton Shire Planning Scheme to regulate future development on those parts of Lot 8 RP1891167 and Lot 3 SP154274 that are subject to the plan of development. The GWIZ Plan of Development

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includes this land in either a Commercial Precinct or an Industry Precinct. Figure 3 (below) shows the area subject to the plan of development together with an indication of the location and extent of the Commercial Precinct (blue) and the Industry Precinct (purple).



Figure 3 – Location and extent of Plan of Development Area with the Commercial Precinct in blue and the Industry Precinct in purple.

The effect of the GWIZ Plan of Development is that it will support the development of land within the Commercial Precinct for the uses defined in the Gatton Shire Planning Scheme as:

- Catering Shop;
- Commercial Premises;
- Motel;
- Off-street Car Park;
- Service Station;
- Service Trade;
- Showroom;
- Shop;
- Transport Depot; and
- Transport Terminal.

It will support the development of land in the Industry Precinct for the uses defined in the Gatton Shire Planning Scheme as:

- Caretaker's Residence;
- Low and Medium Impact Industry;
- Off-street Car Park;
- Rural Service Industry;
- Service Trade;
- Transport Depot;
- Transport Terminal; and
- Warehouse

The Plan of Development also provides that the minimum allotment size in both the Commercial and Industry Precincts is 3,000m<sup>2</sup> with a minimum street frontage of 40 metres.

### 3.2.2 Reconfiguring a Lot

The second element of the application seeks to subdivide Lot 8 RP1891167 and Lot 3 SP154274 into six lots and open new roads as indicated on the plan below.

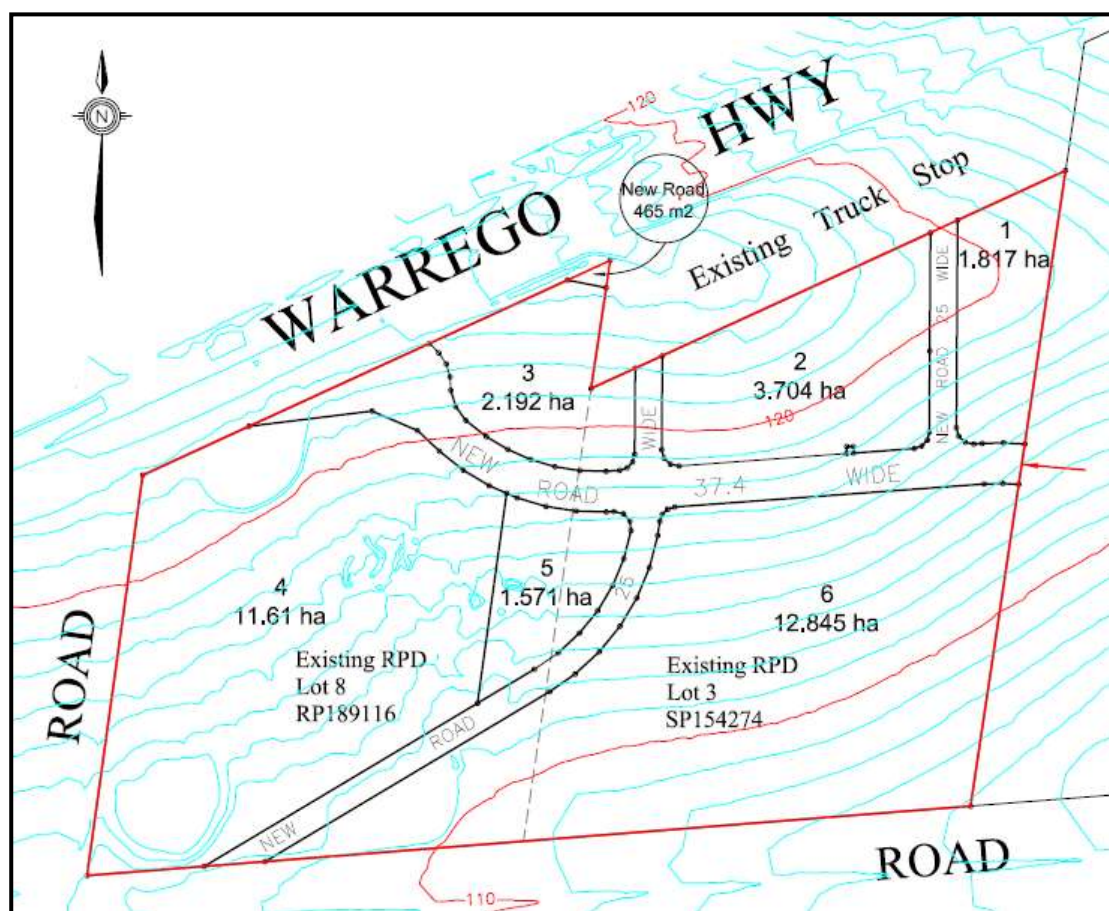


Figure 4 – Reconfiguration of Lot RP1891167 and Lot 3 SP154274 into six lots. The location of new roads and the areas of the new lots are indicated.

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### **3.3 Assessment**

#### **3.3.1 Legislative Requirements**

The application was properly made on 21 December 2012. The application was amended by the applicant on 31 October 2013 pursuant to s.351 of SPA to apply to a reduced area. The relevant local planning instrument against which the application is to be assessed is the Gatton Shire Council Planning Scheme which came into effect on 15 June 2007. The application made is impact assessable by the Planning Scheme. Being impact assessable it required to be assessed against all relevant provisions of the planning scheme.

#### **3.3.2 State Planning Policies**

Sections 314 and 316 of SPA require the application for Preliminary Approval of Material Change of Use to be assessed against any State Planning Policy (SPP) that is not reflected in a regional plan or a planning scheme. A review of the SPP indicates that it has no specific relevance for the assessment of the application.

#### **3.3.4 Referral Agencies**

The *Sustainable Planning Regulation 2009* (SPR) provides that there were four referral agencies for the application at the time of its lodgement:

- Department of Transport and Main Roads (DTMR) – a concurrence agency for land relating to a State controlled road and for development impacting on a State controlled road.
- Department of Natural Resources and Mines (DNRM) – a concurrence agency for vegetation clearing.
- Department of State Development Infrastructure and Planning (DSDIP) – a concurrence agency for an application within a development area under the Regional Plan.
- Queensland Urban Utilities (QUU) – a concurrence agency for all water supply and sewerage matters.

QUU provided its information request to Council on 12 February 2013 which was incorporated into the information request issued by Council on 7 March 2013. DTMR issued an information request on 25 February 2013 and DNRM issued an information request on 21 March 2013.

DTMR provided its concurrence agency response to Council on 8 November 2013 which provides a set of conditions to be attached to an approval. DNRM provided its concurrence agency response to Council on 14 November 2013 which provides conditions to be attached to an approval. (A copy of these responses is provided as Attachment 3.)

On 10 December 2013 QUU provided the conditions it requires to be attached to an approval to Council.

#### **3.3.5 Gatton Shire Planning Scheme**



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As an impact assessable application, it is a requirement that it is assessed against all relevant provisions of the Gatton Shire Planning Scheme. The Gatton Shire Planning Scheme however includes the land in the Rural General zone and therefore does not support the development of the land for commercial or industrial purposes. This reflects the fact that the *South East Queensland Regional Plan 2005-2026*, in force in 2007 when the Gatton Shire Planning Scheme was adopted, supported the retention of the land for rural purposes.

The proposed preliminary approval and reconfiguration are both inconsistent with the relevant provisions of the Gatton Shire Planning Scheme. The provisions of the planning scheme have however been overtaken by the provisions of the *South East Queensland Regional Plan 2009-2031* that supports the development of the land for employment purposes.

### **3.3.6 South East Queensland Regional Plan 2009-2031**

Sections 314 and 316 of SPA require an application for Preliminary Approval of Material Change of Use to be assessed against the provisions of the *South East Queensland Regional Plan 2009-2031* (the Regional Plan).

The Regional Plan includes the land subject of the application in the Urban Footprint and also within the Gatton North Local Development Area. The land is located toward the western end of the Gatton North Local Development Area. The location and extent of the Gatton North Local Development Area is shown below.

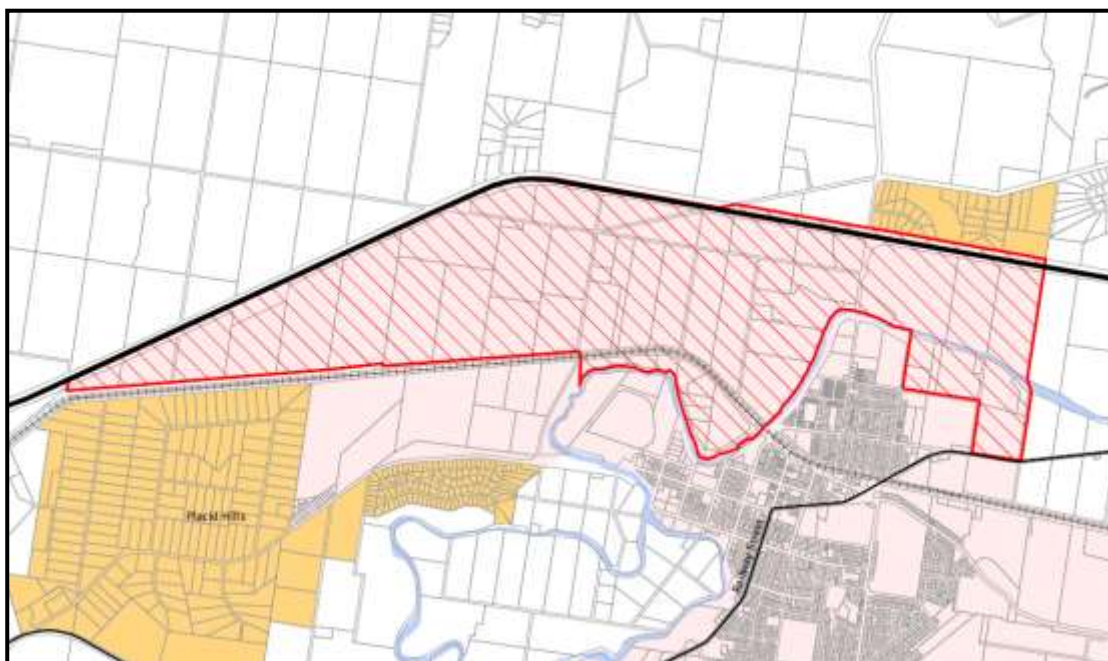


Figure 5 – Location and extent of the Gatton North Local Development Area.

Section 8.10 of the Regional Plan contains provisions that provided for the delivery of Development Areas. Principle 8.10 of the Regional Plan states that:

*Development Areas, in addition to regional activity centres and other suitable established urban areas, are the focus for accommodating regional dwelling and employment targets,*

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*and require comprehensive planning to coordinate future development with infrastructure delivery.*

The relevant Policies supporting Principle 8.10 are as follows:

*8.10.1 – Undertaken necessary land use and infrastructure planning for all Development Areas using smart growth principles and practices.*

*8.10.2 – Facilitate the achievement of regional dwelling and employment targets through Development Areas.*

*8.10.3 – Ensure delivery of Development Areas is coordinated with the provision of public transport.*

*8.10.4 – Ensure infrastructure delivery is timed and sequenced with the development.*

*8.10.5 – Ensure State and trunk infrastructure planning, and associated costing and funding arrangements are determined prior to development.*

*8.10.6 – Complete infrastructure agreements in conjunction with Development Area plans, where appropriate.*

As a Local Development Area, the Gatton North Local Development Area is indicated in the Regional Plan as being significant for the delivery of dwelling targets and employment for the local government area. It is also indicated that a Plan of Development for a Development Area can be prepared informally and used as the basis for an application for a preliminary approval.

The preliminary approval provides for the development of part of Gatton North Local Development Area for employment purposes. The proposed subdivision and road opening provides lots for future development for employment purposes. In this respect, the application seeks outcomes that are consistent with the Regional Plan.

### **3.3.7 Amendments to Gatton West Industrial Zone (GWIZ) Plan of Development**

The Gatton West Industrial Zone (GWIZ) Plan of Development was prepared for Council by Town Planning Strategies and submitted as part of the application. A limited number of amendments have been made to this document, these being:

1. Renaming the document to the Gatton West Industrial Zone (GWIZ) Plan of Development No.1 to acknowledge that it applies to only a small part of the Gatton North Local Development Area and that there may in the future be further plans of development that apply to other parts of the local development area.
2. Including a new section that states what the plan of development comprises, when it commences and provides references to the lapsing provisions of SPA.
3. Altering the language used in the document so that it can function properly as a regulatory document. The Plan of Development submitted for assessment referred to “proposed” levels of assessment, “proposed” assessment categories and “proposed” assessment criteria.

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4. Reformatting Tables 1 and 2 so that the entire document can be reproduced as an A4 document with consistent page orientation.
5. Incorporating the Gatton West Industrial Zone (GWIZ) Precinct Plan into the Plan of Development rather than providing it as an attachment.
6. Removing the references to the real property descriptions of current properties as these will cease to exist when the land is subdivided pursuant to the reconfiguring a lot approval.
7. Removing the references to the future Lockyer Valley Regional Council planning scheme as the Plan of Development cannot call up the provisions of a planning instrument that does not currently have any status as a statutory document.
8. Clarifying that for the life of the Plan of Development, it will work in conjunction with the codes contained in the Gatton Planning Scheme that were in force and effect on the day the preliminary approval was given, and providing a list of those codes.
9. Amending the Assessment Category criteria for development of “shop” as a self-assessable use from locations within the Commercial and Industrial Precincts to the Commercial Precinct only.
10. Revising the wording of the Overall Outcomes, Specific Outcomes and the Acceptable Solutions to ensure internal consistency and use language that is more appropriate for a regulatory document.

The Gatton West Industrial Zone (GWIZ) Plan of Development No.1, amended as indicated above, is provided as Attachment 1.

### **3.3.8 Engineering Considerations**

#### Earthworks

The application indicates that approximately 100,900m<sup>3</sup> of bulk earthworks will be required on the GWIZ site comprising 55,070m<sup>3</sup> of cut and 45,830m<sup>3</sup> of filling. A condition has been included in the recommendation that operational works approval to undertake these bulk earthworks will need to be obtained prior to approval of a plan of survey for the land.

#### Road Infrastructure

Access to the GWIZ site is presently only provided via Brooks Road. The application proposes that primary road access to the development for all vehicles will be from the Warrego Highway and that this will be achieved by means of the existing on and off ramps that service the existing truck parking area. As access is limited to the westbound lanes of the highway this access will be a left-in/left-out arrangement only. The approval of a design for this aspect of the development is the responsibility of the Department of Transport and Main Roads.

A secondary access for light vehicles that can negotiate the Grantham rail underpass is proposed to be provided via Brooks and Philips Roads. This will provide for a local vehicle connection to Gatton that for a round trip is 13km shorter than relying solely on the Warrego Highway for access. This road link will also provide a new road link between the Warrego

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Highway and Grantham. To safely carry two-way traffic this route will need to be upgraded by the replacement of 1.4km of gravel road and 2.2km of single lane sealed road with 3.6km of two lane sealed roadway. A condition has been included in the recommendation requiring this road connection to be upgraded prior to the approval of a plan of survey for the land.

Internal roads proposed to be created by the reconfiguring lot part of the application are shown in Figure 4 (above). Access to the development is to be initially via the two roads extending south from the existing truck stop. The new east-west road will link to future stages of the Gatton West Industrial Zone Area to the east and a future highway interchange and overpass to the west. A new road link is proposed to link to Brooks Road in the south. Conditions have been included in the recommendation that specify the standard of road construction, the details of which will be addressed in a future application for operational works for subdivisional works.

#### Stormwater Management

The site is currently vacant rural land with modifications to natural drainage limited to the quarrying undertaken in the past on Lot 8 RP189116 and the construction of four dams on the same lot. Detailed stormwater design work has not been undertaken to support the application however a concept stormwater plan has been provided. It is intended to manage impacts of the development on stormwater quality and stormwater quantity by means of bio-retention basins, stormwater detention basins and combined bio-retention basins/stormwater detention basins. Given the lack of detail of stormwater management, a condition has been included requiring the submission of a detailed stormwater management plan as part of the operational works application for subdivisional works.

#### Water Supply and Sewerage

The GWIZ site does not currently have a reticulated water supply. A water supply is proposed to be provided by means of a new 2.5km 250mm or 300mm water main connecting to the existing 300mm water main in Burgess Road and a new 1km 100mm secondary connection to an existing 100mm supply in Brigalow Street. It is indicated in the application that to ensure fire fighting flows there is little opportunity to stage the construction of these external connections.

The GWIZ site is unsewered. Three options have been proposed in the application, these being: (1) on-site treatment on each of the lots created, (2) connection to the Gatton Waste Water Treatment Plant by a new 5km rising main, or (3) connection to the Grantham Waste Water Treatment Plant by a new 2.8km rising main.

Queensland Urban Utilities (QUU) has responsibility for water supply and sewerage. The requirements of QUU have been incorporated into the recommended conditions.

### **3.3.8 Public Notification**

As impact assessable development, the application was required to be publicly notified by section 295 of SPA. As the application seeks approval to vary the effect of the planning scheme under section 242 of SPA, it is required by Schedule 17 of the *Sustainable Planning Application 2009* (SPR) to be publicly notified for a minimum of 30 business days. Section 297 of SPA requires public notification to be given by:



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- publishing a notice at least once in a newspaper circulating generally in the locality of the land; and
- placing a notice on the land in the way prescribed by Section 16 of SPR; and
- giving notice to the owners of all land adjoining the land.

The applicant has submitted a declaration which indicates public notification occurred between 3 July 2013 and 16 August 2013. This period satisfies the 30 business day notification period required by SPA.

No properly made submissions were received during the notification period.

**4. Policy and Legal Implications**

The approval of the Gatton West Industrial Zone (GWIZ) Plan of Development No.1 introduces a statutory instrument that sets the policy of Council for the future development of those parts of the Gatton West Industrial Zone that are subject of the approval.

The fact that no properly made submissions were received by Council during the public notification of the application removes the prospect of an appeal being lodged in the Planning and Environment against the approval.

**5. Financial and Resource Implications**

As the developer of the proposed subdivision that will result from the approval, Council will be responsible for the meeting the costs of its development including the payment of infrastructure charges.

**6. Delegations/Authorisations**

There will be no implications for delegations or authorisations as a result of approval of this application.

**7. Communication**

Advice of the decision will be provided to the applicant and the concurrence agencies and the submitters in accordance with the requirements of SPA.

**8. Conclusions**

The application for of Preliminary Approval of Material Change of Use pursuant to s.242 of SPA to vary the effect of the planning scheme for Commercial and Industrial uses and a Development Permit for Reconfiguring a Lot to subdivide two lots into six lots should be supported. While not consistent with the 2007 Gatton Shire Planning Scheme, it advances the outcomes sought for the Gatton North Local Development Area by the 2009 SEQ Regional Plan. The content of the Gatton West Industrial Zone (GWIZ) Plan of Development should be amended to make it more workable as a statutory instrument. The reconfiguring a lot component of the application should be approved subject to conditions that appropriate for an industrial/commercial subdivision in the proposed location.



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### Attachments

- |                        |  |          |
|------------------------|--|----------|
| 1 <a href="#">View</a> | Gatton West Industrial Zone (GWIZ) Plan of Development No. 1 | 13 Pages |
| 2 <a href="#">View</a> | Reconfiguring a Lot Plan                                     | 1 Page   |
| 3 <a href="#">View</a> | Concurrence Agency Responses                                 | 30 Pages |

# **Gatton West Industrial Zone (GWIZ) Plan of Development No.1 December 2013**

**Levels of Assessment**

**Assessment Criteria**

**Gatton West Industrial Zone (GWIZ) Code**



## **1.0 Gatton West Industrial Zone (GWIZ) Plan of Development No.1**

The Gatton West Industrial Zone (GWIZ) Plan of Development No.1 comprises the Gatton West Industrial Zone (GWIZ) Code, the levels of assessment and assessment criteria which has force and effect pursuant to the approval on 18 December 2013 by the Lockyer Valley Regional Council of an application for Preliminary Approval of Material Change of Use made pursuant to Section 242 of the *Sustainable Planning Act 2009*.

This preliminary approval will lapse pursuant to Section 343 of the *Sustainable Planning Act 2009* if the development is started but not completed within the period specified in Section 343(3)(c) of the *Sustainable Planning Act 2009*.

## 2.0 Levels of Assessment and Assessment Criteria for the Gatton West Industrial Zone (GWIZ)

<b>TABLE 1 – Levels of Assessment and Assessment Criteria – Material Change of Use</b>		
<b>Column 1</b> Defined Use (Refer Note 1)	<b>Column 2</b> Assessment Category	<b>Column 3</b> Applicable Codes (Refer Note 2)
<b>Caretaker's Residence</b> (Caretaker's Accommodation)	<b>Self-Assessable</b> if: <ul style="list-style-type: none"> <li>consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>located within the Industry Precinct on the GWIZ Precinct Plan.</li> </ul> <b>Code Assessable</b> in all other circumstances.	For Self-Assessable and Code Assessable development: <ul style="list-style-type: none"> <li>Gatton West Industrial Zone (GWIZ) Code</li> <li>Advertising Device Code</li> <li>Building Work Code</li> <li>Caretaker's Residence Code</li> <li>Industry Zone Code</li> <li>Services and Infrastructure Code</li> <li>Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Catering Shop</b> (Food and Drink Outlet)	<b>Self-Assessable</b> if: <ul style="list-style-type: none"> <li>consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>less than or equal to 200m<sup>2</sup> gross floor area per tenancy; and</li> <li>located within the Commercial Precinct on the GWIZ Precinct Plan.</li> </ul> <b>Code Assessable</b> in all other circumstances.	For Self-Assessable and Code Assessable development: <ul style="list-style-type: none"> <li>Gatton West Industrial Zone (GWIZ) Code</li> <li>Advertising Device Code</li> <li>Building Work Code</li> <li>Commercial Premises and Shops Code</li> <li>Landscaping Code</li> <li>Lighting Code</li> <li>Services and Infrastructure Code</li> <li>Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Commercial Premises</b> (Office)	<b>Self-Assessable</b> if: <ul style="list-style-type: none"> <li>consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>less than or equal to 500m<sup>2</sup> gross floor area per tenancy; and</li> <li>located within the Commercial Precinct on the GWIZ Precinct Plan.</li> </ul> <b>Code Assessable</b> in all other circumstances.	For Self-Assessable and Code Assessable development: <ul style="list-style-type: none"> <li>Gatton West Industrial Zone (GWIZ) Code</li> <li>Advertising Device Code</li> <li>Building Work Code</li> <li>Commercial Premises and Shops Code</li> <li>Landscaping Code</li> <li>Lighting Code</li> <li>Services and Infrastructure Code</li> <li>Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Industry – Low Impact Industry and Medium Impact Industry</b> (Low Impact Industry and Medium Impact Industry)	<b>Self-Assessable</b> if: <ul style="list-style-type: none"> <li>consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>located within the Industry Precinct on the GWIZ Precinct Plan.</li> </ul> <b>Code Assessable</b> in all other circumstances.	For Self-Assessable and Code Assessable development: <ul style="list-style-type: none"> <li>Gatton West Industrial Zone (GWIZ) Code</li> <li>Advertising Device Code</li> <li>Building Work Code</li> <li>Caretaker's Residence Code</li> <li>Industrial Development Code</li> <li>Industry Zone Code</li> <li>Landscaping Code</li> </ul>

		<ul style="list-style-type: none"> <li>• Lighting Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Industry – High Impact Industry</b> (High Impact Industry)	<b>Impact Assessable</b>	Assessable against the planning scheme in its entirety.
<b>Motel</b> (Short Term Accommodation)	<p><b>Code Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>• not involving boarding houses, guest houses, hostels, unlicensed hotels, serviced rooms or student accommodation; and</li> <li>• located within the Commercial Precinct on the GWIZ Precinct Plan.</li> </ul> <p><b>Impact Assessable</b> in all other circumstances.</p>	<p>For Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> <li>• Building Work Code</li> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Motel Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul> <p>For Impact assessable development - assessable against the planning scheme in its entirety.</p>
<b>Off-street Car Park</b> (undefined)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>• located within the Commercial or Industry Precincts on the GWIZ Precinct Plan.</li> </ul> <p><b>Code Assessable</b> in all other circumstances.</p>	<p>For Self-Assessable and Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> <li>• Building Work Code</li> <li>• Industry Zone Code</li> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Park</b> (Park)	<b>Exempt</b>	Not applicable.
<b>Rural Service Industry</b> (Rural Industry)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>• located within the Industry Precinct on the GWIZ Precinct Plan.</li> </ul> <p><b>Code Assessable</b> in all other circumstances.</p>	<p>For Self-Assessable and Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> <li>• Building Work Code</li> <li>• Industrial Development Code</li> <li>• Industry Zone Code</li> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Rural Service Industry Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Service Station</b> (Service Station)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>• located within the</li> </ul>	<p>For Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> <li>• Building Work Code</li> <li>• Industry Zone Code</li> </ul>

	<p>Commercial Precinct on the GWIZ Precinct Plan.</p> <p><b>Impact Assessable</b> in all other circumstances.</p>	<ul style="list-style-type: none"> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul> <p>For Impact assessable development - assessable against the planning scheme in its entirety.</p>
<b>Service Trade</b> (Undefined)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>• located within the Commercial or Industry Precincts on the GWIZ Precinct Plan.</li> </ul> <p><b>Code Assessable</b> in all other circumstances.</p>	<p>For Self-Assessable and Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> <li>• Building Work Code</li> <li>• Industrial Development Code</li> <li>• Industry Zone Code</li> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Showroom</b> (Showroom)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>• less than or equal to 1,000m<sup>2</sup> gross floor area; and</li> <li>• located within the Commercial Precinct on the GWIZ Precinct Plan.</li> </ul> <p><b>Impact Assessable</b> in all other circumstances.</p>	<p>For Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> <li>• Building Work Code</li> <li>• Commercial Premises and Shops Code</li> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul> <p>For Impact assessable development - assessable against the planning scheme in its entirety.</p>
<b>Shop</b> (Shop)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>• less than or equal to 250m<sup>2</sup> gross floor area per tenancy; and</li> <li>• located within the Commercial Precinct on the GWIZ Precinct Plan.</li> </ul> <p><b>Code Assessable</b> in all other circumstances.</p>	<p>For Self-Assessable and Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> <li>• Building Work Code</li> <li>• Commercial Premises and Shops Code</li> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Transport Depot</b> (Undefined)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> </ul>	<p>For Self-Assessable and Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Advertising Device Code</li> </ul>



	<ul style="list-style-type: none"> <li>located within the Commercial or Industry Precincts on the GWIZ Precinct Plan.</li> </ul> <p><b>Code Assessable</b> in all other circumstances.</p>	<ul style="list-style-type: none"> <li>Building Work Code</li> <li>Industrial Development Code</li> <li>Industry Zone Code</li> <li>Landscaping Code</li> <li>Lighting Code</li> <li>Services and Infrastructure Code</li> <li>Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Transport Terminal</b> (Undefined)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>located within the Commercial or Industry Precincts on the GWIZ Precinct Plan.</li> </ul> <p><b>Code Assessable</b> in all other circumstances.</p>	<p>For Self-Assessable and Code Assessable development:</p> <ul style="list-style-type: none"> <li>Gatton West Industrial Zone (GWIZ) Code</li> <li>Advertising Device Code</li> <li>Building Work Code</li> <li>Industrial Development Code</li> <li>Industry Zone Code</li> <li>Landscaping Code</li> <li>Lighting Code</li> <li>Services and Infrastructure Code</li> <li>Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Warehouse</b> (Warehouse)	<p><b>Self-Assessable</b> if:</p> <ul style="list-style-type: none"> <li>consistent with the Acceptable Solutions contained in the Codes listed in Column 3; and</li> <li>located within the Industry Precinct on the GWIZ Precinct Plan.</li> </ul> <p><b>Code Assessable</b> in all other circumstances.</p>	<p>For Self-Assessable and Code Assessable development:</p> <ul style="list-style-type: none"> <li>Gatton West Industrial Zone (GWIZ) Code</li> <li>Advertising Device Code</li> <li>Building Work Code</li> <li>Industrial Development Code</li> <li>Industry Zone Code</li> <li>Landscaping Code</li> <li>Lighting Code</li> <li>Services and Infrastructure Code</li> <li>Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>All other uses</b>	<b>Impact Assessable</b>	Assessable against the planning scheme in force in its entirety.

Note 1 – All definitions are those contained in the Gatton Shire Planning Scheme in force when this preliminary approval was given. Queensland Planning Provisions definitions are given in brackets immediately below the Gatton Shire Planning Scheme definition.

Note 2 – All Applicable Codes are those contained in the Gatton Shire Planning Scheme in force and effect when this preliminary approval was given. Where the development rights given under this preliminary approval are exercised after the commencement of a new planning scheme, the applicable codes remain those contained in the Gatton Shire Planning Scheme that were in force and effect when this preliminary approval was given. The Probable Solutions contained in these Codes are the Assessment Criteria for Self-Assessable development.

<b>TABLE 2 – Levels of Assessment and Assessment Criteria – Other Development</b>		
<b>Column 1</b> Type of Development	<b>Column 2</b> Assessment Category	<b>Column 3</b> Applicable Codes
<b>Building Work</b>	<p><b>Self Assessable</b> if consistent with the Acceptable Solutions contained in the Gatton West Industrial Zone Code.</p> <p><b>Code Assessable</b> in all other circumstances.</p>	<ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Building Work Code</li> <li>• Services and Infrastructure Code</li> </ul>
<b>Operational Work for site works including excavation and filling, car parking and manoeuvring areas, drainage, stormwater, water, sewerage and landscaping</b>	<b>Code Assessable</b>	<ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Earthworks Code</li> <li>• Landscaping Code</li> <li>• Lighting Code</li> <li>• Services and Infrastructure Code</li> <li>• Vehicle Access, Parking and On-Site Movement Code</li> </ul>
<b>Reconfiguring a Lot</b>	<p><b>Code Assessable</b> if:</p> <ul style="list-style-type: none"> <li>• a boundary realignment; or</li> <li>• the size of any additional lot created is equal to or greater than the minimum lot size for the precinct specified in the GWIZ Code.</li> </ul> <p><b>Impact Assessable</b> in all other circumstances.</p>	<p>For Code Assessable development:</p> <ul style="list-style-type: none"> <li>• Gatton West Industrial Zone (GWIZ) Code</li> <li>• Reconfiguring a Lot Code</li> </ul> <p>For Impact assessable development - assessable against the planning scheme in its entirety.</p>
<b>Other</b>	<b>Exempt</b>	

### 3.0 Gatton West Industrial Zone (GWIZ) Code

The Gatton West Industrial Zone (GWIZ) Code regulates development within the area shown below in Figure 1 as being within the red boundary. This area comprises the GWIZ Site.



Figure 1 - Gatton West Industrial Zone (GWIZ) Precinct Plan No.1

The Gatton West Industrial Zone (GWIZ) Code affects the operation of the planning scheme in respect development within the GWIZ Site. The Gatton West Industrial Zone (GWIZ) Code operates in conjunction with codes contained in the Gatton Shire Planning Scheme as the basis for assessment of development applications within the GWIZ Site.

Where Codes other than the Gatton West Industrial Zone (GWIZ) Code are identified as Applicable Codes in Table 1 or Table 2, these codes are those contained in the Gatton Shire Planning Scheme that was in force and effect on the day this preliminary approval was given.

Where any inconsistency exists between particular requirements of the Gatton West Industrial Zone (GWIZ) Code and the following codes:

- Advertising Device Code;
- Building Work Code;
- Caretaker's Residence Code;
- Industry Zone Code;
- Commercial Premises and Shops Code;
- Industrial Development Code;
- Industry Zone Code;
- Landscaping Code;

- Lighting Code;
- Motel Code;
- Rural Service Industry Code;
- Services and Infrastructure Code; and
- Vehicle Access, Parking and On-Site Movement Code,

The provisions of the Gatton West Industrial Zone (GWIZ) Code prevail to the extent of the inconsistency.

### **3.1 Overall Outcomes for the Gatton West Industrial Zone (GWIZ) Code**

The Overall Outcomes for the Gatton West Industrial Zone (GWIZ) Code are the purpose of the Code.

The overall outcomes sought for all land contained within the Gatton West Industrial Zone (GWIZ) Precinct Plan No.1 are as follows:

- (i) Development achieves best practice standards of ecological sustainability.
- (ii) Land within the Industrial Precinct forms part of a regionally significant industrial area (the Gatton North Local Development Area) providing for a wide range of industrial activities including higher order industries serving the wider south-east Queensland region and providing significant local and regional employment and economic opportunities.
- (iii) Development adjacent to and fronting the Warrego Highway is designed in a manner that reflects best practice urban design standards.
- (iv) Premises used for commercial and/or retail purposes have a high standard of appearance with buildings integrated with streetscape character in relation to:
  - (a) building setbacks; and
  - (b) building scale, bulk and height.
- (v) A service station that focusses primarily on serving the requirements of visitors to and people employed within the broader Gatton North Local Development Area is located on land within the Commercial Precinct.
- (vi) Uses that operate on a 24 hour basis, such as a Service Station, Motel and industrial uses and which requiring constant vehicular, visitor and staff access are accommodated.
- (vii) Adequate urban services are provided to support development.
- (viii) Land is not used for high impact industry, retail uses that are more appropriately located in a centre or any form of residential development other than a caretaker's residence.
- (ix) The total gross floor area of all commercial and retail land uses across the entire area covered by Gatton West Industrial Zone (GWIZ) Precinct Plan No.1 does not exceed 1,500m<sup>2</sup>.
- (x) Development occurs in an efficient and coordinated manner and is staged to match the provision of infrastructure.

The overall outcomes sought for individual precincts within the Gatton West Industrial Zone (GWIZ) Precinct Plan No.1 are as follows:

#### Industry Precinct

- (xi) Industrial development (and ancillary uses) is located in the Industry Precinct.
- (xii) The design of buildings used for industrial purposes is in accordance with the Probable Solutions contained in the Industrial Development Code.
- (xiii) Non-industrial uses within the Industry Precinct are limited to those uses that complement and enhance the role of the Precinct and that are ancillary to and support industrial uses and meet the day-to-day needs of people working in or visiting the industrial area.
- (xiv) Non-industrial uses within the Industry Precinct do not compromise the role and function of existing or future planned commercial centres and are limited to:
  - (a) caretaker's residences;
  - (b) administration offices for industrial uses carried out on the same site (and limited to 200m<sup>2</sup> gross floor area per allotment); and
  - (c) warehousing and retail associated with but ancillary to industrial activities carried out on the same site.

#### Commercial Precinct

- (xv) A service station, servicing the requirements of heavy freight vehicle operators and passenger vehicles alike, including ancillary retail and food uses, is located within the Commercial Precinct.
- (xvi) A motel use that complements the existing truck stop facilities and the service station is located within the Commercial Precinct.
- (xvii) Commercial development is encouraged within the Commercial Precinct only.

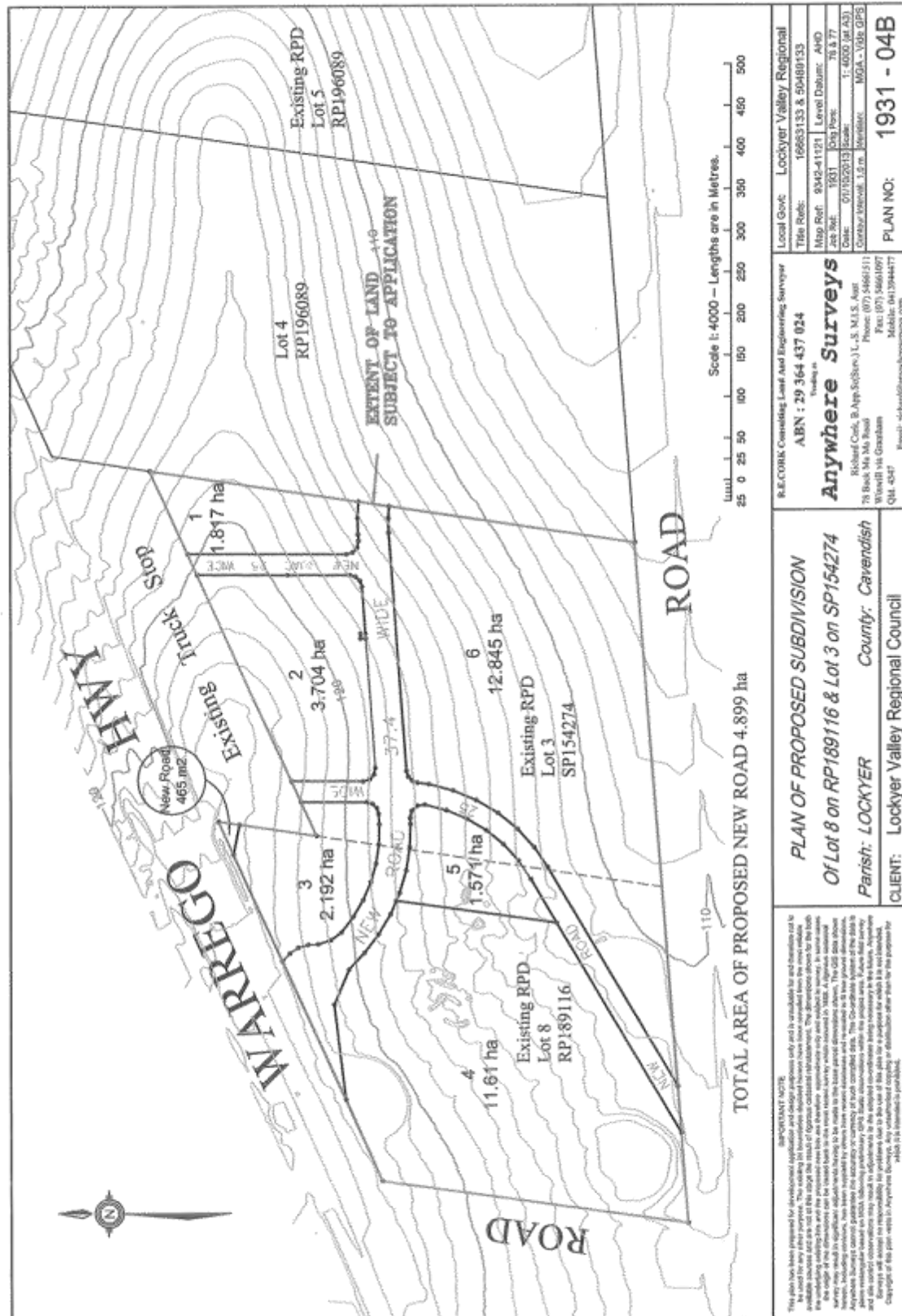
### **3.2 Specific Outcomes and Acceptable Solutions**

The Acceptable Solutions are the Assessment Criteria for Self-Assessable development.

<b>Specific Outcome</b>	<b>Acceptable Solution</b>
<b>PRECINCT PLAN</b>	
SO1. Ensure the sustainable, orderly and effective development of the site by locating all development in accordance with the Precinct Plan.	
<b>CATERING SHOP</b>	
SO2. Catering Shops have a maximum gross floor area of 250m <sup>2</sup> per allotment and are only located in the Commercial Precinct.	
<b>COMMERCIAL PREMISES</b>	
SO3. Commercial Premises have a maximum gross floor area of 500m <sup>2</sup> per allotment and are only located in the Commercial Precinct.	

<b>INDUSTRY USES - ANCILLIARY RETAIL</b>	
SO4. Retail elements of industrial uses are ancillary to industrial uses conducted on the same site.	AS4.1 Retail sale of products is limited to those which are produced on the same site. AS4.2 The retail component of an industrial use does not exceed five (5)% of the gross floor area of the associated industry use.
<b>MOTEL</b>	
SO5. A Motel is designed and finished to a high quality appearance and is located in the Commercial Precinct.	AS5.1 Development is to comply with the Specific Outcomes and Probable Solutions of the Motel Code. AS5.2 The maximum permitted building height of a Motel is six storeys.
<b>SERVICE STATION</b>	
SO6. A Service Station is located only in the Commercial Precinct.	
SO7. The combined total gross floor area of all retail and food services uses ancillary to a Service Station is 500m <sup>2</sup> .	
<b>SHOP</b>	
SO8. Shops have a maximum gross floor area of 250m <sup>2</sup> per allotment.	
SO9. Shops provide only for the day-to-day needs of people working in or visiting the industrial area.	
<b>SHOWROOM</b>	
SO10. Direct sales to the public not related to the industry use conducted on the site are limited to uses that would be incompatible in a centre as a result of the size and nature of the goods sold or the fitting services provided.	AS10.1 Retail uses outside of the Commercial Precinct are limited to sales of heavy plant and machinery parts, hardware and trade supplies for wholesale to trade customers only, agricultural supplies store and bulk landscape supplies. AS10.2 Showrooms have a maximum gross floor area of 1,000m <sup>2</sup> per allotment.
<b>INFRASTRUCTURE AND INTERNAL STREET NETWORK</b>	
SO11. Ensure there are no adverse impacts upon the existing level vehicular safety to State controlled road (Warrego Highway).	AS11.1 No vehicular connections or access is provided between the land and the Warrego Highway other than that approved by the Department of Transport and Main Roads. . AS11.2 Ensure any future road dedication requirements of the Department of Transport and Main Roads are incorporated into the development of the land.
SO11. Adequate vehicular access and all infrastructure services (including stormwater drainage) are to be provided to all development on the land.	AS10.1 Vehicular access to all allotments is to be designed in accordance with Council's traffic engineering standards and AS2890.
<b>RECONFIGURING A LOT</b>	
SO11. Lot sizes and dimensions are to facilitate and enhance the overall outcomes sought for each Precinct.	AS11.1 All lots have a minimum lot size of 3,000m <sup>2</sup> and a minimum road frontage of 40 metres.








Planning ✓

**SCANNED**



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Queensland  
Government

Department of  
Transport and Main Roads

Our ref TMR13-005262  
Your ref DA2012/0088  
Enquiries Madeline Hersant

8 November 2013

The Chief Executive Officer  
Lockyer Valley Regional Council  
PO Box 82  
Gatton QLD 4343

Attention: Hayley O'Brien/ Trevor Boehm

Dear Sir/Madam

**CONCURRENCE AGENCY RESPONSE – CONDITIONS**

**Proposed Development:** Preliminary Approval in accordance with section 242 of the *Sustainable Planning Act 2009* for Material Change of Use (Industrial and Commercial Development – Stages 1 and 2 of the Gatton West Industrial Zone);

**Real Property Description:** Development Permit for Reconfiguring a Lot (2 into 8 Lots) Lot 3 on SP154274, Lot 4 and Lot 5 on RP196089, Lot 60 on CA3120, Lot 8 on RP189116

**Street Address:** 369 Smithfield Road and 123 Brooks Road, Gatton QLD 4343

**Assessment Manager ref.:** DA2012/0088

**Local Government Area:** Lockyer Valley Regional Council

Reference is made to the referral agency material for the development application described above which was received by the Department of Transport and Main Roads (the department) under section 272 of the *Sustainable Planning Act 2009* (SPA) on 25 January 2013.

However, a letter dated 29 October 2013 was received requesting a change to the development application. Therefore, the proposed development and real property description shown above differs from that mentioned below (Enclosure 1). In particular, Lots 4 on RP196089, 5 on RP196089, and 60 on CA3120 have been removed from the application and the number of proposed lots has reduced from 6 to 8.

Program Delivery and Operations  
Metropolitan Region  
313 Adelaide Street Brisbane Queensland 4000  
PO Box 70 Spring Hill Queensland 4004

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Website [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)  
Email [developmentcontrol@tmr.qld.gov.au](mailto:developmentcontrol@tmr.qld.gov.au)  
ABN: 39 407 690 281



An assessment of the proposed development has been undertaken against the purposes of the *Transport Infrastructure Act 1994* for State-controlled roads. Based on this jurisdiction, the department provides this concurrence agency response under section 285 of the SPA.

The department advises the assessment manager that it requires conditions to attach to any development approval for the application. The department would also like to provide advice about the application to the assessment manager under section 287(6) of the SPA.

Under section 325(1) of the SPA, the assessment manager must therefore attach this response, including the enclosed Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons, to any approval for the application.

The department may change its concurrence agency response in accordance with section 290(1)(b) of the SPA.

The department must be provided with a copy of the assessment manager's decision notice regarding the application within five (5) business days after the day the decision is made in accordance with section 334 of the SPA.

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

When forwarding information to the Department of Transport and Main Roads (Metropolitan Office) the preferred method is by email to [developmentcontrol@tmr.qld.gov.au](mailto:developmentcontrol@tmr.qld.gov.au) or on CD-ROM. Please ensure our application number **TMR13-005262** is referred to on all correspondence.

If you have any questions or wish to seek clarification about any of the details in this response, please contact **Madeline Hersant**, Town Planner (Land Use Management) on 07 3066 5839.

Yours sincerely



Stephen Smaha  
Principal Advisor (Development Control)

Enc. (3)

Enclosure 1

Department of Transport and Main Roads Agency Conditions and Statement of Reasons

Enclosure 2

*Precinct Plan*, Delcke Richards, 29 October 2013, 110504-DA02C

Enclosure 3

*Plan of Proposed Subdivision*, Anywhere Surveys, 01 October 2013, 1931 - 04B



C/c Lockyer Valley Regional Council  
c/- Town Planning Strategies  
PO Box 800  
Hamilton Central QLD 4007

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**Transport and Main Roads**

**Department of Transport and Main Roads**  
**Concurrence Agency Conditions and Statement of Reasons**

**Queensland Government**

**Proposed Development:** Preliminary Approval in accordance with section 242 of the Sustainable Planning Act 2009 for Material Change of Use (Industrial and Commercial Development – Gatton West Industrial Zone);  
Development Permit for Reconfiguring a Lot (2 into 6 Lots)  
Lot 3 on SP154274, Lot 8 on RP189116  
369 Smithfield Road and 123 Brooks Road, Gatton QLD 4343  
Our ref.: TMR13-005262  
Assessment Manager ref.: DA2012/0088  
Local Government Area: Lockyer Valley Regional Council

	Prior to the commencement of use and to be maintained at all times	The purposes of the Transport Infrastructure Act 1994.
<p>1 Development must be carried out generally in accordance with the following plan/s and report/s, except as modified by these concurrence agency conditions:</p> <ul style="list-style-type: none"> <li>Precinct Plan, Deicke Richards, 29 October 2013, 110504-DA02C</li> <li>Gatton West Industrial Zoning – Concept Stormwater Management Plan, Cardno (QLD) Pty Ltd, 22 October 2013, O:15100-99\wp1v2 SMP\SMIP_v2.docx Version 3</li> <li>Preliminary Engineering Report for Development Application, Cardno (QLD) Pty Ltd, 24 October 2013, 131009 Preliminary</li> </ul>		<p>The Department of Transport and Main Roads' assessment of the development application was undertaken on the basis of the cited plan/s and/or report/s which depict how the proposed development will be carried out.</p>

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**Queensland Government**

**Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

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**Attachment 3  
Concurrence Agency Responses**



Transport and Main Roads

<p>Engineering Report Version 3</p> <ul style="list-style-type: none"> <li>Traffic Impact Assessment Gatton West Industrial Zone, Cardno (QLD) Pty Ltd, 29 May 2013, 20121212 Gatton West Industrial Zone.docx Version 3</li> </ul>	<p>2 The permitted road access location for the development is between Lot 3 on SP154274 and the Warrego Highway generally in accordance with Precinct Plan, Deicke Richards, 29 October 2013, 110504-DA02C via the on and off ramps servicing the existing truck rest area. Vehicular movements at the access are restricted to left-in/ left-out only.</p>	<p>Prior to the commencement of use and to be maintained at all times</p>	<p>The purposes of the <i>Transport Infrastructure Act 1994</i> (TIA). Vehicular access at the permitted road access location minimises impacts on the safety and efficiency of the State-controlled road network. This is a decision under section 62(1) of the TIA in conjunction with a development approval for a permitted road access location.</p>
<p>3</p>	<p>(a) The applicant must extend the existing acceleration and deceleration lanes (road access works) on the Warrego Highway. (b) The road works must be designed and constructed in accordance with the Department of Transport and Main Roads' <i>Road Planning and Design Manual</i> including the Interim Guide to Road Planning and Design Practice. (c) The road works must be provided by the</p>	<p>(a) Prior to the commencement of use (Stage 1) and to be maintained at all times (b), (c), (d) and (f) Prior to obtaining a final inspection certificate or certificate of classification, whichever</p>	<p>The purposes of the <i>Transport Infrastructure Act 1994</i> (TIA). The works are required as a consequence of the development and its associated traffic impacts to ensure the safety and efficiency of the State-controlled road network. In accordance with section 33 of the TIA, you must have written approval to carry out road works, including road access works on a State-controlled road. These development conditions do not constitute such approval. You will need to contact the Department of Transport and Main Roads (Metropolitan Office) – Brfjesh</p>

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Transport and Main Roads

applicant at no cost to the Department of Transport and Main Roads.	is applicable, or prior to the commencement of use, whichever occurs first	Kumar on 07 3066 5831 to make an application for approval under section 33 of the TIA to carry out road works.
(d) All adjustments and/or relocations to existing services within the state-controlled road as a result of the development are at the applicant's expense.	(e) Prior to the commencement of works	In accordance with section 50(2) and Schedule 6 of the TIA and Part 5 and Schedule 1 of the Transport Infrastructure (State-controlled roads) Regulation 2006, you must have written approval to carry out ancillary works and encroachments on a State-controlled road. These development conditions do not constitute such an approval. You will need to contact the Department of Transport and Main Roads (Metropolitan Office or Downs South West) to make an application for a Road Corridor Permit under section 50(2) of the TIA to carry out ancillary works and encroachments. Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.
(f) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the development has been designed and constructed in accordance with this condition.	(g) Prior to commencement of works	Where services within the State-controlled road reserve will be impacted by the development, the applicant will need to contact the relevant service provider.
<b>Alternative to road works</b>		
(g) Alternatively to the above 3 (a), the applicant may enter into an infrastructure agreement with the Department of Transport and Main Roads, which would provide for the payment of the contribution after the relevant interest in land, has been developed or disposed of by Council at the time of settlement or lease.		

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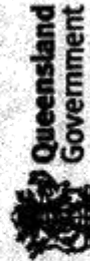


**Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

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**Attachment 3  
Concurrence Agency Responses**

Transport and Main Roads			
4	<p>(a) The development must be in accordance with the <i>Gatton West Industrial Zoning - Concept Stormwater Management Plan</i> prepared by Cardno (QLD) Pty Ltd and dated 22 October 2013. Stormwater management for the development must ensure no worsening or actionable nuisance to the State-controlled road network caused by peak discharges, flood levels, frequency/ duration of flooding, flow velocities, water quality, sedimentation and scour effects.</p> <p>(b) Any excavation, filling, paving, landscaping, construction or any other works to the land must not: i. create any new discharge points for stormwater runoff onto the State-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the State-controlled road; iii. surcharge any existing culvert or drain on the State-controlled road; iv. reduce the quality of stormwater discharge onto the State-controlled road.</p> <p>(c) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the development has been designed and constructed in accordance with parts (a) and (b) of</p>	<p>(a) &amp; (b) Prior to the commencement of use and to be maintained at all times</p> <p>(c) Prior to obtaining a final inspection certificate or classification, whichever is applicable, or prior to the commencement of use, whichever occurs</p>	<p>The purposes of the <i>Transport Infrastructure Act 1994</i>.</p> <p>The safety and efficiency of State-controlled roads can be adversely affected by changes to stormwater runoff as a result of development.</p> <p>Please refer to the Department of Transport and Main Roads' <i>Road Drainage Manual</i> which can be accessed at <a href="http://www.tmr.qld.gov.au/Business-Industry/Technical-standards-publications.aspx">http://www.tmr.qld.gov.au/Business-Industry/Technical-standards-publications.aspx</a></p> <p>Further guidance regarding stormwater management is also provided in the Queensland Urban Drainage Manual available at <a href="http://www.derm.qld.gov.au">www.derm.qld.gov.au</a> and in the Environmental Protection Act 1994 and Environmental Protection (Water) Policy 2009 which are available at <a href="http://www.legislation.qld.gov.au">www.legislation.qld.gov.au</a></p>





Transport and Main Roads

this condition.	first	
5	<p>(a) Payment to be made (on a pro rata basis determined by the size of each Lot in the plan of subdivision) upon -</p> <ul style="list-style-type: none"> <li>• sealing of the plan of subdivision</li> <li>• creating a Lot; or</li> <li>• the issue of a certificate of classification for a building constructed on a Lot, whichever is the later</li> </ul>	<p>The purposes of the Transport Infrastructure Act 1994.</p> <p>A monetary contribution is required as a result of the proposed development to ensure the safety and efficiency of the State-controlled road network.</p> <p>The Warrego Highway is a Federally funded road. The State of Queensland and the Commonwealth have entered into a Bilateral Agreement which is available on <a href="http://www.infrastructure.gov.au/transport/publications/auslink.aspx">http://www.infrastructure.gov.au/transport/publications/auslink.aspx</a></p> <p>Pursuant to the terms of that Agreement, the State is to mitigate impacts from changes to planning schemes and projects upon federally funded roads.</p>

(a) The applicant is to pay a monetary contribution to the Department of Transport and Main Roads (Metropolitan Office or Downs South West) for

- maintenance and;
- rehabilitation and re-construction of the State-controlled road (Warrego Highway).

The payment is to be for the amount calculated by Cardno (QLD) Pty Ltd - Traffic Impact Assessment Gatton West Industrial Zone - Pavement Impact Assessment, prepared for Lockyer Valley Regional Council, dated 29 May 2013.

Note: the above mentioned Pavement Impact


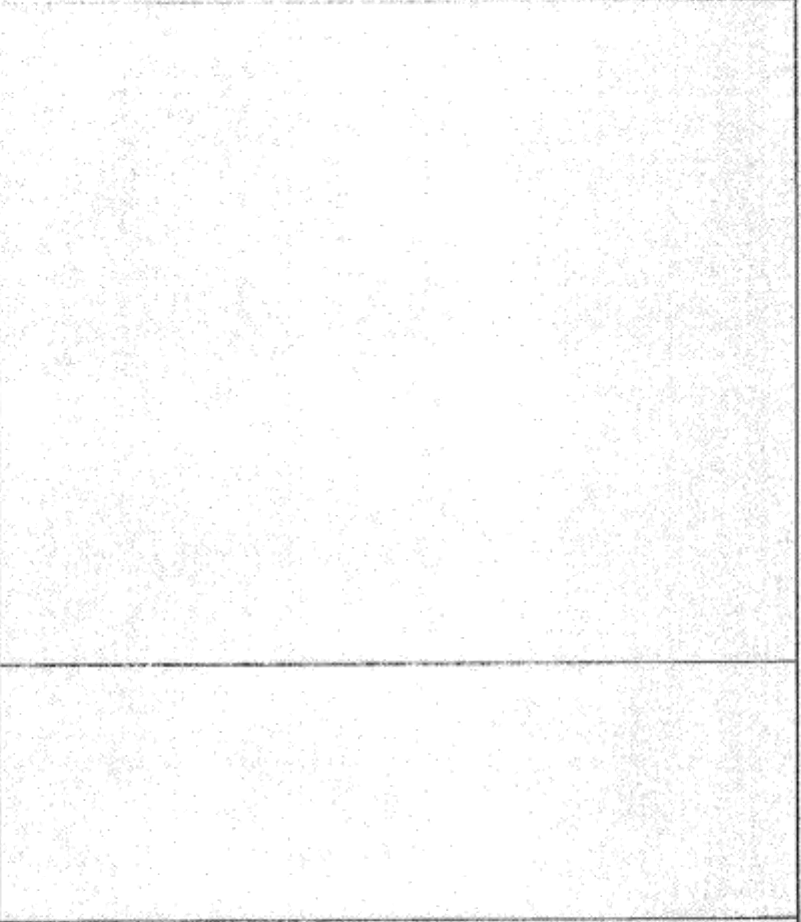
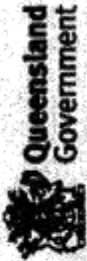
Assessment provides (page 29):

- maintenance - \$ 2,379,043.00
- rehabilitation - \$ 787,181.00

"A reasonable strategy would be for the rehabilitation cost to be paid upfront prior to the commencement of development, with maintenance costs to be paid as land is developed. This reflects the nature of the pavement impacts and the commercial realities of commencing development."





<p>Transport and Main Roads</p>		<p>The applicant is to pay a contribution for each Lot created, provided that no contribution has already been paid for that Lot, (either for that Lot individually or when it was part of another Lot), the contribution for each Lot is to be calculated in accordance with the formula -</p> <p><b>A x B</b></p> <p>Where -</p> <p>A is \$4.12 per square metre, indexed based on the Road and Bridge Construction Index, Queensland - Class 3101, published quarterly by the Australian Bureau of Statistics (ABS Cat No. 6427) taken for the quarter following the date of this letter, and B is the area of Land contained within the Lot.</p> <p>Note: that the contribution per hectare is -</p> <ul style="list-style-type: none"> <li>• \$31,017.51 for maintenance; and</li> <li>• \$10,263.12 for rehabilitation and re-construction</li> </ul> <p>being \$41,280.63 per hectare, or \$4.12 per square metre.</p> <p>Alternative to a monetary contribution (paid upfront)</p>		<p>Page 6 of 13</p>	
		<p>Connecting Queensland <a href="http://www.tmr.qld.gov.au">www.tmr.qld.gov.au</a></p>			



Transport and Main Roads

(b) Alternatively to the above 6 (a), the applicant may enter into an infrastructure agreement with the Department of Transport and Main Roads, which would provide for the payment of the contribution after the relevant interest in land has been developed or disposed of by Council at the time of settlement or lease.	(b) Prior to commencement of works	(a) Prior to obtaining development permit for building work or operational work, whichever occurs first	The purposes of the Transport Infrastructure Act 1994 (TIA).  The development is creating a noise sensitive use in proximity to a State-controlled road.  The objectives set out in section 2(2)(b) of the TIA for roads includes establishing a regime for State-controlled roads in which "impacts on development from environmental emissions generated by State-controlled roads are addressed by the development". Furthermore, section 49A of the TIA requires that the department, in its referral agency role, must consider the extent to which the development addresses impacts on the development from environmental emissions generated by State-controlled roads, for example noise emissions.  In accordance with section 33 of the TIA, you must have written approval to carry out road works on a State-controlled road. These development conditions do not constitute such approval. You will
6  (a) The applicant must provide to the Department of Transport and Main Roads a RPEQ certified Road Traffic Noise Assessment Report, in accordance with Chapter 4 of the Road Traffic Noise Management Code of Practice, demonstrating that the development, including any noise attenuation treatments, achieves the following environmental emission (noise) criteria:  for all accommodation activities and residential care facilities exposed to State Controlled Road traffic noise: <ul style="list-style-type: none"> <li>• External noise criteria of <math>\leq 60</math> dB(A) <math>L_{10}</math> (18hr) facade corrected (measured <math>L_{A0}</math> (8hr) free field between 10pm and 6am <math>\leq 40</math> dB(A)), or</li> <li>• External noise criteria of <math>\leq 63</math> dB(A) <math>L_{10}</math> (18hr) facade corrected (measured <math>L_{A0}</math> (8hr) free</li> </ul>			

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## Transport and Main Roads

<p>field between 10pm and 6am &gt; 40 dB(A)]</p> <p>In demonstrating that the development meets these criteria, the Road Traffic Noise Assessment Report must allow for predicted road traffic noise levels on State-controlled roads for up to 10 years from the estimated time of completion of the development.</p> <p>(b) The development must be in accordance with the Road Traffic Noise Assessment Report required in part (a) of this condition.</p> <p>(c) The applicant must provide RPEQ certification to the Department of Transport and Main Roads that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.</p>	<p>(b) Prior to the commencement of use and to be maintained at all times</p> <p>(c) Prior to obtaining a final inspection certificate or certificate of classification, whichever is applicable, or prior to the commencement of use, whichever occurs first</p>	<p>need to contact the Department of Transport and Main Roads to make an application for approval under section 33 of the TIA to carry out road works.</p> <p>The definitions and criteria referenced in this condition are in accordance with the <i>Department of Transport and Main Roads Policy Position Statement – Development on Land Affected by Environmental Emissions from Transport and Transport Infrastructure</i> Version 1.0 dated 31 March 2011. The policy position statement can be accessed at <a href="http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Planning-policy/Policy-statements-guidelines-and-development-codes/Development-on-Land-Affected-by-Environmental-Emissions.aspx">http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Planning-policy/Policy-statements-guidelines-and-development-codes/Development-on-Land-Affected-by-Environmental-Emissions.aspx</a>.</p> <p>Mandatory Part (MP) 4.4 of the <i>Queensland Development Code (QDC)</i> commenced on 1 September 2010 and applies to building work for the construction or renovation of a residential building in a designated transport noise corridor. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a transport noise corridor are designed and constructed to reduce transport noise. Transport noise corridor means land designated under Chapter 8B of the <i>Building Act 1975</i> as a transport noise corridor. Information about transport noise corridors is available at state and local government offices. A free online search tool can be used to find out whether a property is located in a designated transport noise corridor. This tool is available at the Department of</p>	
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## Transport and Main Roads

			Housing and Public Works website ( <a href="http://www.dlgs.qld.gov.au/building/transport-noise-corridor-search-tool.html">http://www.dlgs.qld.gov.au/building/transport-noise-corridor-search-tool.html</a> ) and allows searches on a registered lot number and/or property address to determine whether and how the QDC applies to the land.
7	Any external lighting, flood lights or illumination on the subject site must be shielded, directed downwards and away from the State-controlled road.	Prior to the commencement of use and to be maintained at all times	The purposes of the <i>Transport Infrastructure Act 1994</i> (TIA). If lighting associated with the development causes unsafe glare or other nuisance, drivers may be distracted, affecting safety on the State-controlled road.
8	The applicant must provide line marking (yellow line) along the Highway carriageway – not in the truck rest area in accordance with the Department of Transport and Main Roads' <i>Manual of Uniform Traffic Control Devices</i> . The applicant must provide pedestrian proof fencing along the site frontage of the State-controlled road. The provision of fencing in this instance is required to improve pedestrian safety where there are existing road shoulders capable of accommodating stationary vehicles.	Prior to the commencement of use	The purposes of the <i>Transport Infrastructure Act 1994</i> . Parking on the State-controlled road reserve adjacent to the site can impact on the safety and efficiency of the State-controlled road. The Department of Transport and Main Roads' technical manuals can be accessed at <a href="http://www.tmr.qld.gov.au/Business-industry/Technical-standards-publications.aspx">http://www.tmr.qld.gov.au/Business-industry/Technical-standards-publications.aspx</a>

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Transport and Main Roads

9	<p>(a) No dust/debris from the subject site must enter the Warrego Highway during the construction phase of the development.</p> <p>(b) Abatement measures must be in accordance with the <i>Preliminary Engineering Report for Development Application</i>, prepared by Cardno (QLD) Pty Ltd and dated 24 October 2013.</p>	<p>(a) &amp; (b) To be maintained at all times during construction</p>	<p>The purposes of the <i>Transport Infrastructure Act 1994</i>. Dust and debris from development on the site can affect the State-controlled road, causing a safety hazard to road users.</p>
10	<p>(a) Any advertising signs or devices associated with the development are to be in accordance with the Department of Transport and Main Roads' <i>Roadside Advertising Guide</i>.</p> <p>(b) No advertising signs or devices are to be directed to or visible from the Warrego Highway without the department's written consent.</p>	<p>(a) Prior to the commencement of use and to be maintained at all times</p> <p>(b) Prior to the placement or construction of any advertising sign or device</p>	<p>The purposes of the <i>Transport Infrastructure Act 1994</i>. Advertising signs or devices have the capacity to influence the safety and efficiency of State-controlled roads.</p>
11	Development must be carried out generally in accordance with the following plan except as	Prior to submitting the Plan of Survey to the	The purposes of the <i>Transport Infrastructure Act 1994</i> .



Transport and Main Roads

	<p>modified by these concurrence agency conditions:</p> <ul style="list-style-type: none"> <li>• <i>Plan of Proposed Subdivision, Anywhere Surveys, 01 October 2013, 1931 – 04B</i></li> <li>• <i>Precinct Plan, Deicke Richards, 29 October 2013, 110504-DA02C</i></li> </ul>	<p>local government for approval</p>	<p>The Department of Transport and Main Roads' assessment of the development application was undertaken on the basis of the cited plan/s and/or report/s which depict how the proposed development will be carried out.</p>
12	<p>The applicant shall provide the assessment manager with a letter from the Department of Transport and Main Roads confirming compliance with the requirements of the department.</p>	<p>Prior to the commencement of use</p>	<p>The purposes of the Sustainable Planning Act 2009.</p> <p>The applicant has a statutory obligation to ensure that the Department of Transport and Main Roads' conditions of approval have been satisfactorily complied with.</p>



Stephen Smaha  
Principal Advisor (Development Control)

8 November 2013

**Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

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**Attachment 3  
Concurrence Agency Responses**

## Transport and Main Roads

The department has developed a vision for the Warrego Highway to create a more efficient, safer and reliable highway which will be progressively upgraded to achieve a motorway standard. This planned transformation will include the removal of direct access to property and connection to all other roads, only at interchanges. As such, the applicant should note that access may change in the future and that traffic may need to go through an interchange, for access to and from the proposed development.

**Note:** The Warrego Highway is an access limited road and the road access location is subject to variation at the discretion of the chief executive administering the TIA. The Department reserves the right to remove the road access location, should the location become road.

The department would like to note that it supports the development of the local road network and that access provision via the Warrego Highway should not prejudice this. As such, the department recommends that Lockyer Valley Regional Council impose a condition that requires the local roads (Brooks Road and Connors Road) to be upgraded prior to the introduction of light industry and warehousing. This is to ensure that there is a local road connection to Gatton through Grantham.

The Department of Transport and Main Roads submits that it would be appropriate to enter into an infrastructure agreement in relation to the various contributions to be made under this Response. In relation to similar developments the department has entered into infrastructure agreements and confirms the advice of Cardno (QLD) Pty Ltd - *The payment of the maintenance contributions on a 'per developed hectare' basis reflects the nature of the development to be staged and allows for the uncertainty of the ultimate developed forms. This method is similar to agreements TMR has reached in the past...* In particular, the timing of payment could be modified such that payment is made upon disposal of the relevant property interest (e.g. upon settlement of a sale or long term lease)."



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**Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

---

**Attachment 3  
Concurrence Agency Responses**

## Transport and Main Roads

Under section 33 of the *Transport Infrastructure Act 1994*, written approval is required from the Department of Transport and Main Roads to carry out road works, including road access works, on a State-controlled road. Please contact the Department of Transport and Main Roads (Metropolitan Office) to make an application for road works approval. This approval must be obtained prior to commencing any works on the State-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).

An application for a Road Corridor Permit is required for any ancillary works and encroachments on the State-controlled road under section 50(2) and Schedule 6 of the *Transport Infrastructure Act 1994* and Part 5 and Schedule 1 of the *Transport Infrastructure (State-Controlled Roads) Regulation 2006*. Please contact the Department of Transport and Main Roads (Metropolitan Office) to make an application for a Road Corridor Permit. Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.

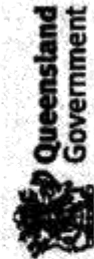
Pursuant to section 580 of the *Sustainable Planning Act 2009* it is a development offence to contravene a development approval, including any condition in the approval.

Pursuant to section 80 of the *Transport Infrastructure Act 1994*, the construction, augmentation, alteration or maintenance of a public utility plant on a State-controlled road reserve, must be in accordance with the Department of Transport and Main Roads' requirements.

Section 179 of the *Property Law Act 1974*, attaches an obligation to any land to ensure development does not withdraw support from any other land or from any building, structure or erection that has been placed on or below it.

The Department of Transport and Main Roads' technical standards and publications can be accessed at <http://www.tmr.qld.gov.au/Business-industry/Technical-standards-publications.aspx>

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#### **INFORMATION ATTACHMENT TO CONCURRENCE AGENCY RESPONSE**

##### **Representations on Referral Agency Response**

If the applicant intends to make a representation to the Department of Transport and Main Roads (the department) regarding the attached concurrence agency response, the applicant needs to do this before the assessment manager decides the application.

The applicant will need to give the assessment manager written notice under section 320(1) of the *Sustainable Planning Act 2009* (SPA) to stop the decision-making period to make a representation to the department and subsequently contact the department to make the representation. The decision making period cannot be stopped for more than 3 months.

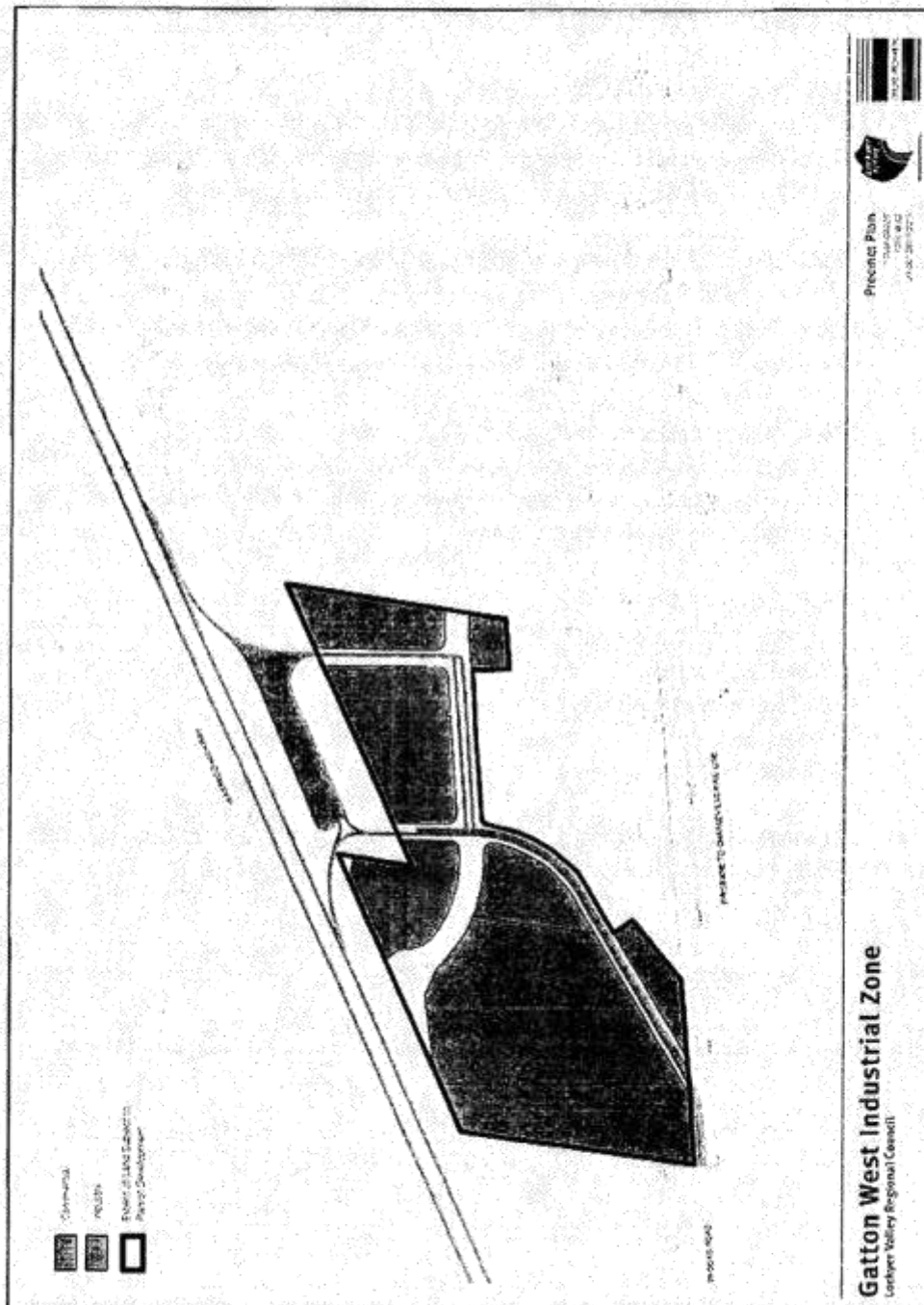
##### **Planning and Environment Court Appeals**

If an appeal is lodged in the Planning and Environment Court in relation to this application, the appellant must give written notice of the appeal to the department under section 482(1) of the SPA. This notice should be given to:

Chief Executive Officer  
Department of Transport and Main Roads  
C/- Planning Law Team  
Planning Management Branch  
GPO Box 213  
Brisbane QLD 4001

This notice should be given within 2 business days if the appeal is started by a submitter, or otherwise within 10 business days after the appeal is started.





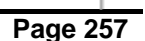




**Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

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**Attachment 3  
Concurrence Agency Responses**

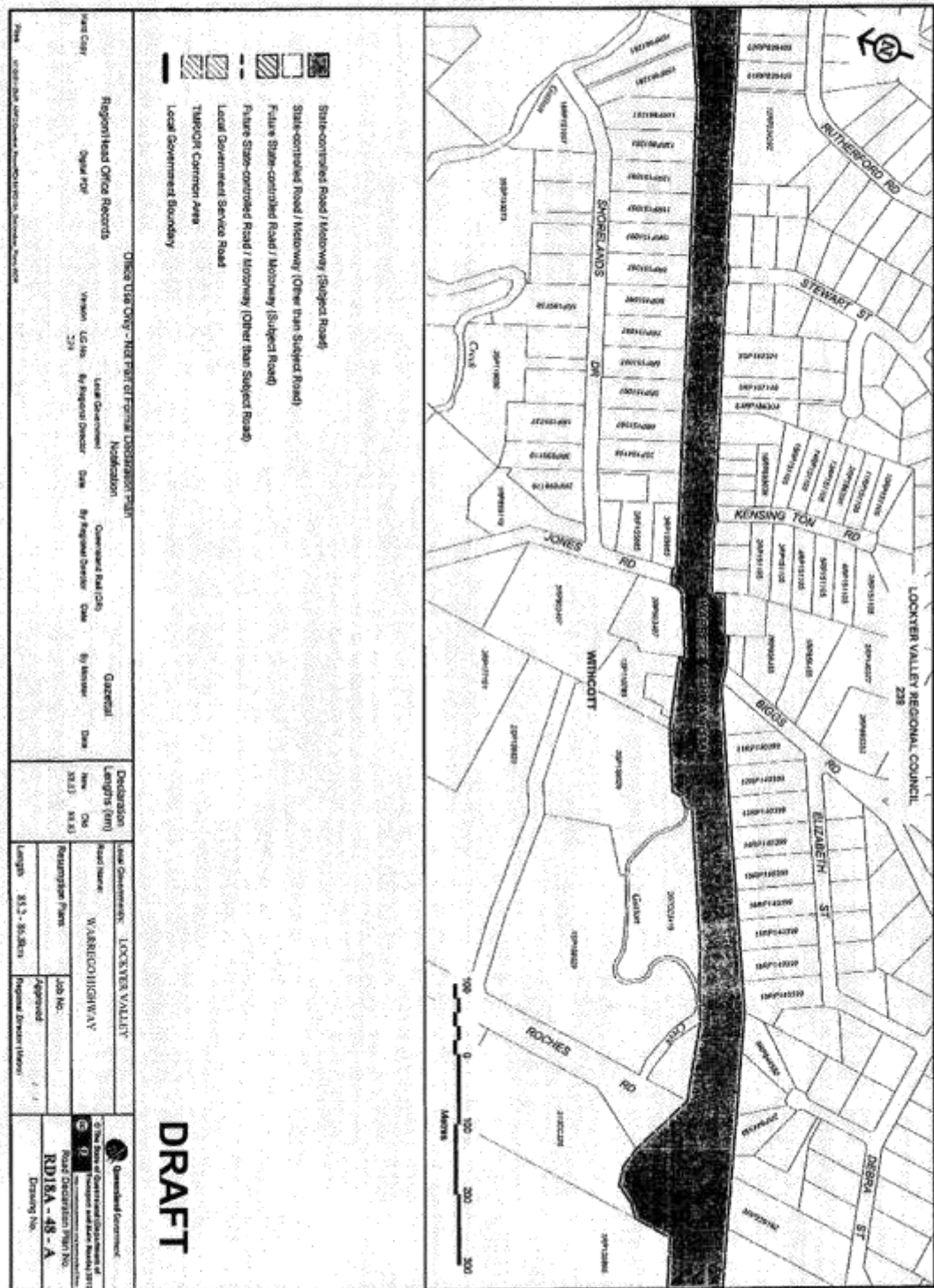


**Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

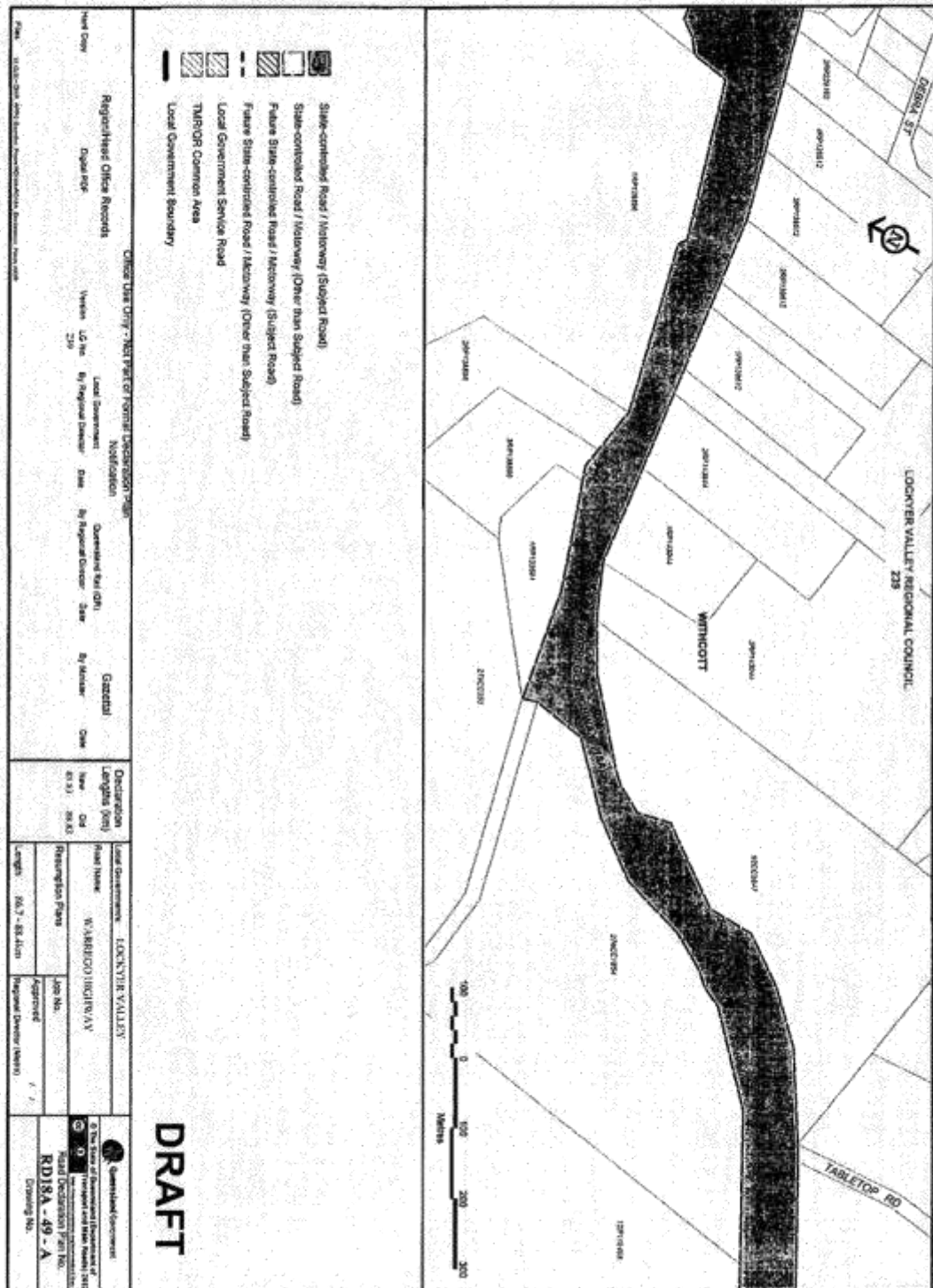
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**Attachment 3  
Concurrence Agency Responses**

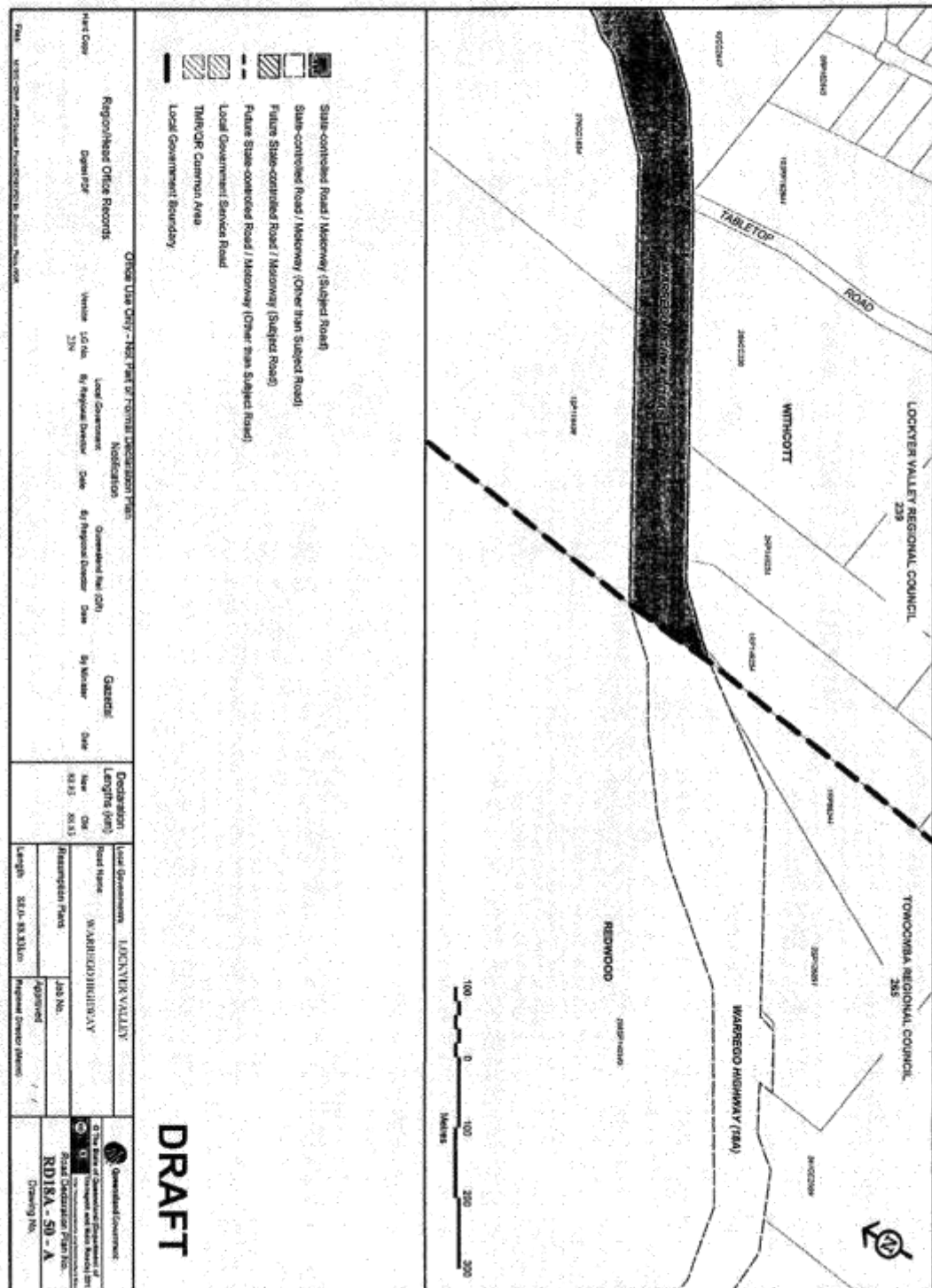




















Planning ✓

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## Notice

### Referral Agency Response

*This notice is issued by the Department of Natural Resources and Mines (DNRM) pursuant to section 267 (concurrence agency response) of the Sustainable Planning Act 2009 (the Act).*

The Chief Executive Officer  
Lockyer Valley Regional Council  
PO Box 82  
Gatton QLD 4343


cc. Town Planning Strategies  
Att: Marcus Brooks  
PO Box 800  
Hamilton Central QLD 4007

Our reference: 2013/001329, 515484

- Application Details**

Applicant:	Lockyer Valley Regional Council
Assessment Manager Reference:	DA2012/0088
Date application referred to DNRM:	01 March 2013
Development approval applied for:	Preliminary Approval and Development Permit
DNRM Jurisdiction(s):	Material Change of Use – for clearing native vegetation <i>Sustainable Planning Regulation 2009 - Schedule 7, Table 3, item 10</i> Reconfiguring a Lot – for clearing native vegetation <i>Sustainable Planning Regulation 2009 - Schedule 7, Table 2, item 4.</i>
Development description:	Gatton West Industrial Development (GWIZ)
Property/Location description:	Lot 3 SP154274 & Lot 8 RP189116 Lockyer Valley Regional Council
- The Chief Executive, Department of Natural Resources and Mines (DNRM), as a referral agency for the application, has imposed conditions on this development. Conditions are attached to this Notice.

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Department of Natural Resources and Mines  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) ABN 89 020 647 551

 **Queensland  
Government**

**Application for Preliminary Approval of Material Change of Use to vary the effect of a planning instrument pursuant to Section 242 of the Sustainable Planning Act 2009 for Industrial and Commercial Development and for Reconfiguring a Lot to subdivide 2 lots into 6 lots and open new roads over Lot 3 SP154274 and Lot 8 RP189116 located at 369 Smithfield Road and 123 Brooks Road, Gatton.**

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**Attachment 3  
Concurrence Agency Responses**

**Notice**  
**Referral Agency Response**

**3. Approved plans / specifications**

Document No.	Document Name	Date
1931-04B	Plan of Proposed Lot Reconfiguration	01 October 2013
110504-DA02C	Gatton West Industrial Zone – Precinct Plan	29 October 2013

**4. General advice to assessment manager**

Pursuant to sections 334 and 363 of the Act, a copy of a decision notice or negotiated decision notice issued by the assessment manager must be forwarded to DNRM as a referral agency for the relevant application at PO Box 318, Toowoomba, QLD 4350 and an electronic copy to [vegsouthregion@dnrm.qld.gov.au](mailto:vegsouthregion@dnrm.qld.gov.au).

The State's Native Title Work Procedures provide that responsibility for assessment of native title issues for an IDAS application rests with the assessment manager. Therefore, DNRM as a referral agency for the relevant application has not provided notification to native title parties.



**Delegate**  
Amy MacCartie  
Delegate, Chief Executive Department of Natural Resources and Mines  
Administering the *Vegetation Management Act 1999*

14 November 2013

**Attachments**

DNRM permit number 2013/001329

**Enquiries:**  
Amy MacCartie  
Natural Resource Management Officer  
Department of Natural Resources and Mines  
PO Box 318, Toowoomba QLD 4350  
Phone: (07) 4529 1333  
Fax: (07) 4529 1562  
Email: [amy.maccartie@dnrm.qld.gov.au](mailto:amy.maccartie@dnrm.qld.gov.au)



**Sustainable Planning Act 2009**

**DNRM Permit <sup>1</sup> number: 2013/001329**


<b>Assessment manager reference:</b>	DA2012/0088
<b>DNRM references:</b>	eLVAS: 2013/001329 EcoTrack application number: 515484
<b>Date application received:</b>	01 March 2013
<b>Permit type:</b>	Preliminary Approval – Material Change of Use Development Permit – Reconfiguring a Lot
<b>Date of decision:</b>	14 November 2013
<b>Decision:</b>	The application satisfies the <i>Concurrence Agency Policies for Material Change of Use and Reconfiguring a Lot – version 2, 21 October 2009</i> - subject to conditions
<b>Relevant laws and policies:</b>	<i>Sustainable Planning Act 2009</i> <i>Vegetation Management Act 1999</i> <i>Concurrence Agency Policies for Material Change of Use and Reconfiguring a Lot – version 2, 21 October 2009</i> <i>Regional Vegetation Management Code for South East Queensland Bioregion – version 2.1, 30 November 2012</i>
<b>Jurisdiction(s):</b>	Material Change of Use – for clearing native vegetation <i>Sustainable Planning Regulation 2009</i> - Schedule 7, Table 3, Item 10 Reconfiguring a Lot – for clearing native vegetation <i>Sustainable Planning Regulation 2009</i> - Schedule 7, Table 2, Item 4.

<sup>1</sup> Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Natural Resources and Mines.

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Department of Natural Resources and Mines

www.dnrm.qld.gov.au ABN 99 020 647 551



**Queensland  
Government**



DNRM Permit number: 2013/001329

**Development Description:**

Property/Location		Development
Brooks Road and Smithfield Road, Gatton, QLD 4343	Lot 3 SP154274 and Lot 8 RP189116	Material Change of Use – Industrial and commercial development Reconfiguring a Lot – 2 Lots into 6

**Reason for inclusion of conditions**

In accordance with section 289 of the *Sustainable Planning Act 2009*, the reason for inclusion of conditions stated in this permit required by the concurrence agency response for the application are as follows:

Conditions have been implemented to ensure the development complies with the *Vegetation Management Act 1999* and *Sustainable Planning Act 2009*.

**CONDITIONS**

- The Reconfiguration of a Lot must be conducted generally in accordance with the plan entitled "*Plan of Proposed Lot Reconfiguration*", Anywhere Surveys, plan number 1931-04B, dated 01 October 2013.
- The Material Change of Use – preliminary approval under s242 of the *Sustainable Planning Act 2009* – must be conducted generally in accordance with the plan entitled "*Gatton West Industrial Zone – Precinct Plan*", plan number 110504-DA02C, dated 29 October 2013.

**END OF CONDITIONS**



**Delegate**

Amy MacCartie

Delegate, Chief Executive Department of Natural Resources and Mines  
Administering the *Vegetation Management Act 1999*

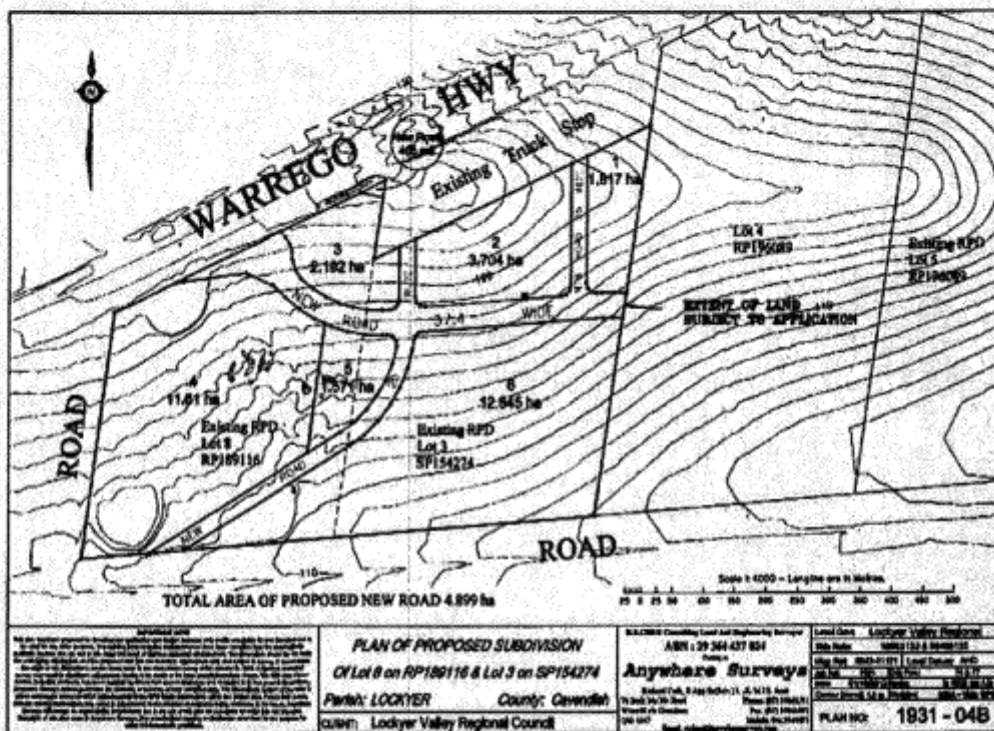
14 November 2013





DNRM Permit number: 2013/001329

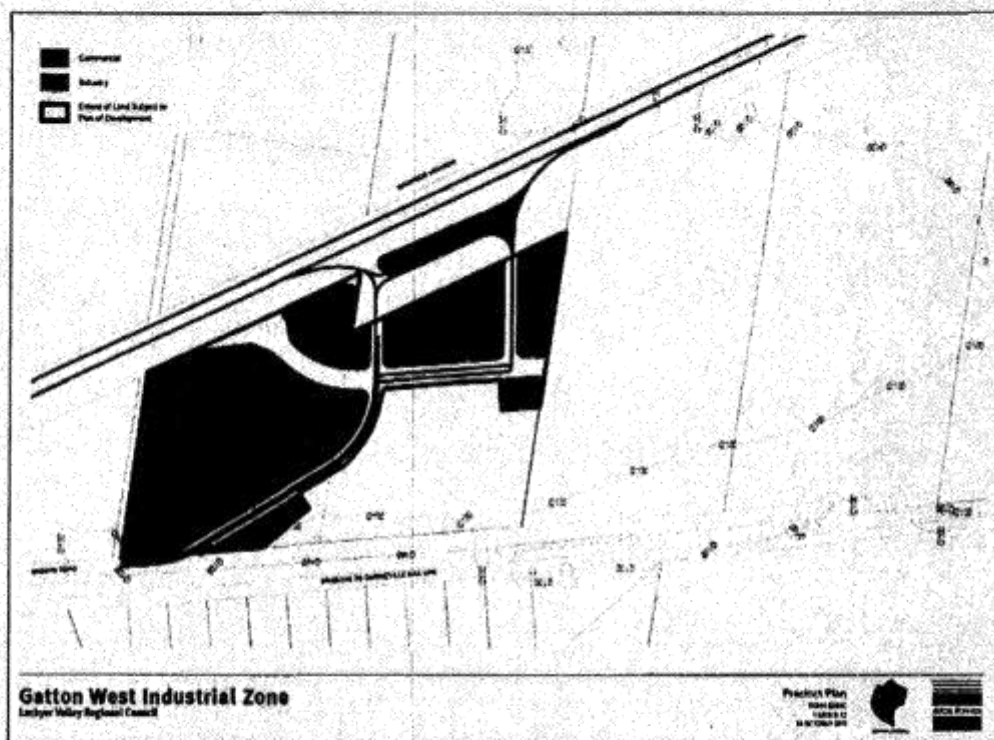
Attachment 1: Plan of Proposed Subdivision





DNRM Permit number: 2013/001329

Attachment 2: Gatton West Industrial Zone - Precinct Plan



**ORDINARY COUNCIL  
MEETING MINUTES  
18 DECEMBER 2013**

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**13.4 External Funding Update**

**Date:** 11 December 2013  
**Author:** Corrin Bischoff, Major Projects Officer  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

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**Summary:**

The purpose of this report is to provide an update on the status of external funding applications submitted by Lockyer Valley Regional Council in the past six months.

**Officer's Recommendation:**  
**THAT Council receive and note the External Funding Update Report.**

**RESOLUTION**  
**THAT Council receive and note the External Funding Update Report.**

**Report**

**1. Introduction**

This report provides an update on funding sought over the past six months from State and Federal Government agencies.

Council's external funding policy supports the Lockyer Valley Community Plan 2012 - 2022 strategic priority to uphold principles of good governance and transparency in decision making.

**2. Background**

A centralised grant application process is utilised to optimise funding secured by Council to support projects and activities. Over the past six months numerous applications have been submitted for funding from external sources.

A key part of this coordinated seeking and management of grants process is to provide a regular update to Council on all funding applications submitted.

**3. Report**

Since July 2013, fifteen funding applications have been submitted with eight successful applications, five unsuccessful and two pending.

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Below is the status of external funding applications submitted since July 2013 as at 10 December 2013:

Status	Source	Project Title	Project Value	Amount applied for	LVRC contribution	Cash LVRC contribution	in-Kind
Pending	SES Non-Recurrent Subsidy Program	Accommodation Upgrades 1) Forest Hill 2) Gatton 3) Laidley	\$27,324	\$20,493	\$6,831	0	
Pending	Proposal submitted to Minister Crisafulli for consideration	Community Engagement Unit	\$600,000	\$600,000	-	-	
UNSUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Service Level Review	\$170,000	\$100,000	0	\$70,000	
UNSUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Asset Management	\$130,000	\$100,000	0	\$30,000	
SUCCESSFUL	Department of Aboriginal and Torres Strait Islander and Multicultural Affairs - Valuing Diversity Program grant recipients for Signature and Culturally Diverse Events	Lockyer Multicultural Festival	\$20,000	\$10,000 received \$8,000	0	\$10,000	
SUCCESSFUL	Department of Premier	Queensland Week in the Lockyer Valley	\$21,120	\$8,000 received \$4,000	\$9,800	\$3,320	
Pending – Deputy Prime Minister has announced that where a funding agreement was not executed prior to the federal election funding will not be honoured. Formal notification is yet to be received.	Department of Regional Australia, Local Government, Arts & Sport - Regional Development Australia Fund Round 5	Lakeview Accommodation Precinct Pathway and Civil Works	\$963,395	\$271,628	\$691,767	\$	-
SUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Laidley Township Flood Mitigation – CBD Levee Preparatory work	\$250,000	\$250,000	\$	-	\$

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Status	Source	Project Title	Project Value	Amount applied for	LVRC contribution	Cash LVRC contribution	in-Kind
SUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Laidley Township Flood Mitigation – Narda Lagoon Levee	\$300,000	\$300,000	\$ -	\$ -	-
SUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Laidley Township Flood Mitigation – Storr Street Drain	\$300,000	\$300,000	\$ -	\$ -	-
SUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Flood Warning System	\$200,000	\$100,000	\$ -	\$ -	-
SUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Lake Apex Master Plan Development Stage 2	\$125,000	\$50,000	\$75,000	\$ -	-
SUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Laidley Cultural Centre Re-development	\$500,000	\$200,000	\$300,000	\$ -	-
UNSUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Withcott Flood Mitigation Works - Jones Road Bridge Design	\$250,000	\$250,000	\$ -	\$ -	-
UNSUCCESSFUL	Department of Local Government, Community Recovery and Resilience	Isolated Community Communication Signage	\$21,000	\$21,000	\$ -	\$ -	-

In addition, specific updates on funding matters include:

**Laidley Sports Centre Stage 1** – a variation was lodged with the Department of Infrastructure and Regional Development to vary the project to reflect a change to works i.e. construction of a new grandstand as a part of the facility in preference to a refurbishment of the old grandstand. This variation has been accepted and the revised agreement executed.

**Forest Hill Levee** – Council advised Minister Crisafulli at the Community Cabinet meeting on 24 November 2013 that Council is not going to proceed with the levee until such time as the issues with the railway line and de-silting of the creek have been dealt with. Council have advised that the levee project will be put on hold for 3 months until it is in a better position to determine whether the project can be delivered in the remaining timeframe.

**Flood Warning System** – Council submitted an application for two flood warning systems at the cost of \$100 000 each at the following two locations: 1) Woodlands Road, Glen Cairn 2) Black Duck Creek Road, Junction View. Council sought 100% (\$200 000) funding for the project. The Department of Local Government, Community Recovery and Resilience agreed to fund 50% of the cost of the project at \$100 000. Council was unable to accept this offer as matching funds of \$100 000 were not budgeted for in this financial year.

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Council proposed a reduction in scope of the project to be delivered at the Woodlands Road location for \$100 000. The Department have accepted this reduction in scope but will only provide 90% of the funds. Council accepted this proposal.

**Community Engagement Unit** proposal for funding lodged 24 November 2013 with Minister Crisafulli to fund the ongoing role of the Community Engagement Unit at Council. This proposal sought funds (\$600 000) for two officers over two years in addition to project costs.

**4. Policy and Legal Implications**

All funding applications are developed and submitted in accordance with the External Funding Policy adopted by Council, Local Government Act 2009, and relevant accounting standards and practices.

**5. Financial and Resource Implications**

The budgetary impact is specific to each grant application. Specifically, an additional \$10 000 is to be spent on the Flood Warning System; the Queensland Day grant and Multicultural Festival funds received were less than requested which will result in a reduced scope of works.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report. The Chief Executive Officer and appropriate Executive Manager will manage the requirements of these documents in line with existing delegations.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

This report provides an update on the status of external funding applications submitted by Lockyer Valley Regional Council in the past six months in addition to specific updates on funded projects.

**Attachments**

There are no attachments for this report.



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## **15.0 INFRASTRUCTURE WORKS AND SERVICES REPORTS**

### **14.1 Adoption of the Community Facility Signs Guideline October 2013**

**Date:** 12 December 2013  
**Author:** Joshua Ellis, Civil Planning Engineer  
**Responsible Officer:** Myles Fairbairn, Executive Manager Infrastructure Works & Services  
**File No:** Formal Papers

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#### **Summary:**

This report is for the adoption of the Community Facility Signs Guidelines October 2013 at the 18 December 2013 Council meeting.

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

**THAT Council adopts the Community Facilities Signs Guideline – October 2013 and henceforth the guideline be used as part of Councils policies and procedures.**

#### **RESOLUTION**

**THAT Council adopts the Community Facilities Signs Guideline – October 2013 and henceforth the guideline be used as part of Councils policies and procedures.**

#### **Report**

##### **1. Introduction**

Blue and white signage is often used to direct drivers to community facilities, such as police stations, libraries, hospitals etc. At the moment, Council does not have a guideline controlling the installation of these signs. This report introduces the current problems with Community Facilities signage in our region and the proposed guideline is attached.

It is the intent that the blue and white signs be provided in a uniform manner, consistent with other Road Authorities so that they are easily identified/located and understood by the motorist. Driving a car in any environment is a complex task requiring continuous and rapid decision making. The guideline seeks to provide a balance between overloading the road environment with generally superfluous information and assisting the motorist seeking a specific destination.

##### **2. Background**

In the past, these requests for these signs have come into Council quite regularly and there has really been no uniform or consistent procedure in handling them. Contrary to the general approach across Queensland, in our region many private businesses are signed with the community facilities signage. This being the case, it has led to a proliferation of these signs in



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all areas which in turn renders them ineffective, as motorists have difficulty scanning all the information and making decisions within the time available. This can be a safety concern.

Some examples of a proliferation of signs can be seen below:



For traffic signs to be effective they need to:

- Cover an identified need
- Catch the driver's attention
- Communicate a simple and understandable message
- Be respected by the driver
- Be positioned to allow enough time for appropriate action
- Be uniform in appearance

With all this in mind, it is believed that the proposed Community Facility Sign Guideline will not only achieve the above outcomes but it will bring Council into line with the State and National Standards and accepted practice principals.

This report is not intended to address how Council may manage the existing signage stock pertaining to Community Facilities. This issue would be the subject of a separate, but parallel exercise.

### 3. Report

See attached guideline.

### 4. Policy and Legal Implications

Council currently has no guideline for the assessing the installation of the community facility signage, which could have implications for Council should the proliferation of these signs lead to a road crash.

### 5. Financial and Resource Implications

Signs relating to community facilities under Council control shall be provided by Council at full Council cost.

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Approved signs for other facilities shall be installed and maintained by the Responsible Highway Authority being either Council or TMR, at full cost to the respective organisation requesting the signs. Replacement for any reason shall also be at full cost to the organisation/facility associated with the sign. The Federal Government "Goods & Services Tax" will apply to these signs.

An administrative charge as set in Council's annual fees and charges review will be included in the cost of the sign applications.

**6. Delegations/Authorisations**

It is proposed that the approval or not of the signage applications would be authorised by the Executive Manager Infrastructure Works and Services.

**7. Communication**

The attached guideline would be uploaded onto the Council's website in the "Policies and Procedures" area.

**8. Conclusion**

The implementation of this guideline would assist Council in making our roads safer in the long-term through the structured assessment of future installations.

**Attachments**

1 [View](#) Guidelines



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## Community Facility Signs Guideline

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October 2013

## Introduction

This guideline sets out the process for the installation of Community Facility Directional Signs within the Lockyer Valley Regional Council area.

It is the intent that the signs be provided in a uniform manner, consistent with other Road Authorities so that they are easily identified/located and understood by the motorist. Driving a car in any environment is a complex task requiring continuous and rapid decision making. This guideline seeks to provide a balance between overloading the road environment with generally superfluous information and assisting the motorist seeking a specific destination.

## Scope

This guideline relates to road signage for Community Facilities located in the Lockyer Valley Regional Council area.

## Road Signage

Road signage is provided for guidance to the motorist and to facilitate safe, efficient and orderly travel. It is not provided for promotional/advertising purposes.

It is neither desirable nor practical to install information signs for every business and activity that occurs along our streets. As such this document provides guidance for situations where signs are considered warranted on the basis of providing directional signage to community facilities and some high traffic generation activities which are located on a side street.

For traffic signs to be effective they need to:

- Cover an identified need;
- Catch the driver's attention;
- Communicate a simple and understandable message;
- Be respected by the driver;
- Be positioned to allow enough time for appropriate action;
- Be uniform in appearance.

A proliferation of community facility name signs, together with a street name sign at the same location can render all of the signs ineffective, as motorists will have difficulty scanning all the information and making decisions within the time available. Even in large urban areas where people are not familiar with all districts, street directories are available to the majority of road users and the addresses of commercial facilities are usually listed in telephone directories.

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## Guidelines

To maintain the effectiveness of community facility signage, the following guidelines are recommended:

- a) Where a community facility abuts a major road, signage other than on the property should not be provided.
- b) Where a community facility abuts a street which runs directly off a major road, no signage should be provided to it unless there may be uncertainty about the direction to take as may be the case where the street name is the same on both sides of the major road
- c) A desirable maximum of two facilities and absolute maximum of three facilities should be signposted at any location on a first-come, first-served basis and/or based on a priority basis decided by Council officers
- d) The number of signs provided for a facility should be kept to a minimum and should generally be only provided on the most direct access route. (A "major" road is defined as a road having an arterial function. These roads will normally be well defined in the road network and clearly identified with guide signs at significant intersections.)

## Community Facilities

For the purpose of this document, community facilities are described as facilities that are likely to be sought by significant numbers of visitors to a district. Inclusion of group commercial centres, such as shopping centres, is acceptable, but not individual commercial establishments, with the exception of a local shop that may be sought after by people unfamiliar with the area.

Development of the guideline has been complicated by the greying of the distinction between community facilities and commercial facilities as Councils moved toward the competitive tendering of services.

Commercially run Council facilities are not necessarily considered to be "Community Facilities". As such, the facility should be assessed as to whether it provides:

- a broad community service function (as opposed to serving a select clientele on a commercial basis);
- is likely to be sought by significant numbers of visitors to a district; and
- has a difficult to identify access route, located without direct abuttal to a main road.

### Types of Community Facilities:

#### **Towns Halls and Community Meeting Rooms**

May be signed by name.

#### **Civic Centres, Municipal Offices, Depots**

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These are clearly community facilities, accessed for meetings, public functions and community information or services. Depot operations play an important function particularly during emergency response situations.

**Refuse Disposal Facilities**

Commercial disposal operations should be assessed on the basis of accessibility to and use by the general public, ease of identification of access route and traffic generation.

**Hospitals**

Private Hospitals should be assessed on the basis of accessibility to and use by the general public, ease of identification of access route and traffic generation.

**Medical Centres**

Local medical centres would not generally meet the guidelines however in the interest of maximising identification in an emergency, these facilities where located off a main road could be identified with a "MEDICAL CENTRE" sign.

**Veterinary Clinic**

Local veterinary clinics would not generally meet the guidelines.

**Sporting and Recreational grounds and facilities**

Commercial sporting facilities should be assessed on the basis of location/ease of access and their use of community based sporting clubs for inter-club competition. It is essential to identify the reserve/facility rather than individual clubs given the potential for a number of signs to be requested for some locations, and allocation of grounds varying from year to year.

**Commercial Entertainment Venues**

Commercial entertainment facilities should be assessed on the basis of location/ease of access and their use of community based clubs for interclub competition. They are not generally considered as a community facility.

**Tertiary Education Facilities**

Tertiary institutions have a regional function.

**Schools**

Primary and Secondary schools should only be included if they have some special facility sought by large numbers of visitors to the district. Consideration should include an assessment of their use as Electoral Centres, community meeting places or as Displace Community Shelters.

**Preschool/Childminding Centre**

Historically, these facilities were provided by Council as a community service. There are now commercial equivalents operating in the area. Whilst these facilities have been signed in the past, they provide a local service, have low traffic generation, and once located, visitors would usually continue to attend for the balance of term/year. They should only be included if they provide additional community services such as Community Health Centre or Senior Citizens Facilities, or visiting specialists.

**Churches and Religious Institutions**

A denominational name may be included on signs indicating church.

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#### **Other non profit institutions**

In assessing facilities such as RSL Clubs, Bowling Clubs etc, consideration should be given to what component of the facility has a non profit basis and what is taken up by commercial operations. With the changes in gambling laws, some of these facilities may be no different to a commercial hotel facility.

#### **Railway/Bus Interchanges**

These may be signed where the interchange is not readily visible from the road.

#### **Post Office**

May be signed by name and may include a red Australia Post symbol.

#### **Shopping Centres**

The need for signs identifying the centre should be based on the expected catchment of the centre and the ease of locating the centre. A local shopping centre servicing a local community need not be signed unless difficult to locate. The signs should identify the precinct or centre, rather than individual commercial operations. (i.e. use "SHOPS" OR "PRECINCT NAME"). Retail outlets such as milk bars and take-away food outlets, particularly in industrial areas, do not meet the guidelines for a community facility sign, although consideration could be given to the provision of a "SHOP" sign as outlined above. Larger centres can be identified by name and if not on an arterial road, with a directional sign at the nearest arterial connection. As specific facilities are likely to be sought by name, the shortest name by which the facility is commonly known should be shown on signs.

## **Community Facility Signage Requirements**

#### Sign Shape and Colour

Community facility directional signs shall generally be of rectangular shape and in similar format to street name fingerboards. Colours used will be WHITE lettering on a BLUE reflective background. Where the facility name requires only a single line, the minimum depth of the sign shall be 150mm and the lettering used shall be series DN or CN at least 100mm in height. Where two lines are required, the minimum depth of the sign shall be 240mm. Where the orientation of the sign does not adequately indicate the direction to the street, e.g. at exits to some roundabouts, an arrow may be incorporated in the sign. (refer AS 1742.2 Clause 2.5.3.5 and AS 1742.5 Clause 6) Organisation Logos should not generally be used as they require larger sign plates, increase the costs due to additional artwork etc, and provide additional information that the motorists must interpret.

#### Location

Signs will be provided at intersections to direct road users to community facilities located on side streets. They are not normally provided for facilities which abut a major road. Signs are normally provided at a single location to indicate the most convenient route to the facility from the nearest major road. Signing at two or more locations should be used only when the facility generates an appreciable amount of traffic, where similar convenient routes originate at widely

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separated points on major roads, or where a number of alternative routes are needed to accommodate the traffic volume.

#### Mounting

Signs are placed in the same location as the street name signs and are will be mounted immediately below the street sign.

### **Sign Posting to Major Facilities**

At facilities which generate large amounts of traffic, such as universities, major sporting venues, or large regional shopping centres, conventional direction signage as described in AS 1742.2 Clause 2.5 using the G1 and G2 series signs may be required for proper traffic management.

### **Financial and Administrative Costs**

Signs relating to community facilities under Council control shall be provided by Council at full Council cost.

Approved signs for other facilities shall be installed and maintained by the Responsible Highway Authority being either Council or TMR, at full cost to the respective organisation requesting the signs. Replacement for any reason shall also be at full cost to the organisation/facility associated with the sign. The Federal Government "Goods & Services Tax" will apply to these signs.

An administrative charge as set in Council's annual fees and charges review will be included in the cost of the sign applications.

### **Ownership of Signs**

The applicant who pays for the provision of Community Facility Directional Signage remains responsible for their maintenance and upkeep, subject to and in accordance with the road authority's sign permit. The sign permit will detail a number of conditions including:

- Standards and specifications relating to sign construction, installation and maintenance;
- Responsibilities in relation to cost, maintenance and removal;
- Conditions under which the road authority may remove any sign; and
- Conditions relating to the continuing operation of the tourist or services establishment.

It is the applicant's responsibility to immediately notify the relevant road authority to arrange for the removal of all road signing to the property in the event of the facility closing or it is no longer an eligible community facility. Costs for undertaking this work will be charged to the facility operator.

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## Permit Period

The sign permit issued by Council, grants to the applicant the right to use the portion of roadside reserve for a period of 5 years, after which time the appropriateness and efficiency of the sign may be reassessed. However, Council maintains the right to replace or remove any signs installed on roads under its control when any of the following occurs:

- The facility no longer conforms to the conditions of the sign approval;
- The sign is in a poor state of repair;
- The facility no longer operates as an eligible community facility or the facility ceases to operate;
- There is a demonstrated need for aggregating signs in a particular location; or
- The road authority/Council needs to resume the land
- The sign is removed due to other Community Facilities of higher priority i.e. a new Police Station.

Costs for undertaking the first three instances above will be charged to the facility operator.

## Approval to Install Signs

In accordance with the Transport and Main Roads guidelines for Tourist & Services Signing, where signs have been/are installed by Council, these signs may remain at Council's discretion until they are reviewed in accordance with this guideline, or are no longer considered serviceable. Upon review, signs that do not conform to the guideline will be removed by Council following appropriate prior notice being given to the respective organisation. Signs that are no longer serviceable will be accessed in accordance with the above guidelines prior to approval being considered for their replacement.

## Installation and Maintenance

Installation and maintenance of the signs will be undertaken by the Responsible Highway Authority. The need for sign repairs or replacement shall be at the discretion of the Responsible Highway Authority. The cost of maintaining the signs including damage or vandalism, replacement, reinstatement and/or re-erection is the responsibility of the applicant, or in the case of Council facilities, Council.

## Alternative Information Methods

Where requests for information signs are received from facilities that do not meet these guidelines, the existing Street Name signs in the area should be reviewed to ensure the streets are clearly identifiable. Signs should be clearly legible day and night from all directions, and free from obstructions such as trees etc. Where the existing signs are in poor condition, new signs with reflective materials should be installed.

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## Pre-existing Signs

Pre-existing signage will be allowed to remain at Council's discretion, however, Council maintains the right to replace or remove any signs installed on roads under its control when any of the following occurs:

- The facility no longer conforms with the conditions of the sign approval;
- The sign is in a poor state of repair;
- The facility no longer operates as an eligible community facility or the facility ceases to operate;
- There is a demonstrated need for aggregating signs in a particular location; or
- The road authority needs to resume the land. Replacement of any existing signage will be subject to the conditions of this Policy and will require a new application. Replacement signage will only be approved in accordance with this guideline and prior existence of signs does not infer.
- The sign is removed due to other Community Facilities of higher priority i.e. a new Police Station.

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## 16.0 ITEMS FOR INFORMATION

### 15.1 Executive Manager Governance & Performance Monthly Update

**Date:** 10 December 2013  
**Author:** Jason Bradshaw, Executive Manager Governance & Performance  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

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#### Summary:

This report is to update Council on the key issues currently being actioned.

**RESOLUTION:**  
**This document is for Council's information only.**

**RESOLUTION**  
**This document is for Council's information only.**

#### Report

##### 1. Introduction

This report provides an update on key matters arising and being addressed since the last report.

##### 2. Background

The previous reports provide the background information to date and only progress is being reported during October.

##### 3. Report

###### *Governance*

The complaints management system is operational with a number of matters being referred either by Ratepayers or through the Ombudsman's office referring matters directly.

###### *Review of Local Government Electoral Act*

A discussion paper was released at the end of November with comments due in by mid-January. Key changes include Preferential Voting for Mayors, Providing CEOs the option to be Returning Officer again, electronic voting for those with a disability and a review of the postal voting provisions.

###### *Local Disaster Management Group*

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The LDMG met on Thursday 5 December 2013. Matters to note included a change to the reporting timeframes upward to State and District to align with State's requirements, and a weather forecast for the season indicating neutral conditions for a warmer and drier summer with a normal storm season.

*Business Improvement and Program Performance*

The reporting of performance remains a key focus for business improvement with the Operational Plan 13/14 currently being reviewed for the second quarter and a list of carry over 14/15 initiatives being generated. The NDRRA restoration program of works continues with schedules finalised and timing of works mostly agreed. There is a separate report that details the progress of the works in the agenda. A review of risk management and business continuity planning is also underway.

*Legal Services*

A number of land matters and tenure issues continue to consume the attention of the staff in addressing both long term legacy matters and current demands. Council has sought specialist support in a few matters, where we are dealing matters outside of our control, including compensation issues and the implications of copyright. Further detailed reports will be considered in the closed agenda.

*Major Projects and Funding*

Work continues on the development of draft policy directions for matters dealing with climate change, waste and illegal dumping work procedures with a key focus on practical and cost effective measures. It is anticipated that this work will be presented to Council in the new year at workshop sessions. Follow up continues on the funding applications currently with the State Government for consideration or sign off.

*Internal Audit*

The Audit & Risk Management Committee met on the 13 December, 2013. Items discussed were Financial Sustainability and the Audit and Risk Management Committee self evaluation. The Minutes of the Audit & Risk Management Committee will be confirmed at the first Council Meeting in the new year.

*Corporate Communications*

The Corporate Communications report is attached for review, and the corporate communications team continues to work collaboratively across all activities in contributing to the successful promotion of events and activities across the region. The completion of the Annual Report has been a high focus this last ten months and a separate report is provided.

**4. Policy and Legal Implications**

Policy and legal implications will be addressed in future reports on matters that arise before Council.

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**5. Financial and Resource Implications**

Budget impacts will continue to be addressed through existing allocation and re-prioritisation as required.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

That the Governance and Policy report be received and noted.

**Attachments**



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**15.2 Disaster Management Monthly Update**

**Date:** 11 December 2013  
**Author:** David Mazzaferri, Manager Disaster Management (Recovery & Resilience) & Community Engagement  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

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**Summary:**

Lockyer Valley Regional Council is dedicated to the continuous improvement of Disaster Management through all levels including prevention, preparation, response and recovery. The added teams into the Disaster Management framework will focus on resilience in the community and also be a useful tool in conducting the community engagement framework.

**RESOLUTION:**  
**This document is for Council's information only.**

**RESOLUTION**  
**This document is for Council's information only.**

**Report**

**1. Introduction**

This report will summarise the activities of Disaster Management over the last month.

**2. Background**

Providing regular updates to Council on the disaster preparedness is good practice and demonstrates the continuous improvement pathway to all levels of disaster management & planning.

**3. Report**

With Summer now here we are not only vigilant for the wildfire threat, but also storms and flooding. This season we begin to see some of the recommendations from the Sustaining the Unstable- Police and Community Safety Review by Mr M.J.Keilty AO APM being introduced.

Two such recommendations include the amalgamation of Queensland Fire and Rescue Service (QFRS) and Emergency Management Queensland (EMQ) to form Queensland Fire and Emergency Service (QFES) and the appointment of former Queensland Fire Service deputy Commissioner Iain MacKenzie as the new Inspector General of Emergency Management.

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To ensure the Lockyer Valley Community remains one of the best possible prepared, the following initiatives have been conducted this month:

*Grantham Siren*

- 27 -29 November the Grantham Emergency Flood Alert System (Siren) was installed & tested. The community was informed by Australia Post letter box drop, along with placement of key information at the Grantham Shops and Garage. Grantham Local Disaster Community Coordination Committee (LDCCC )was also engaged to assist in informing the community of the siren and testing. Community members identified as being at risk were door knocked on Thursday 28 November 2013. Meeting was conducted with the Principal of Grantham State School on Wednesday 27 November 2013 to enable the school community to be appropriately prepared for the system testing.

*Local Disaster Management Group Meeting (LDMG)*

- LDMG Meeting was conducted, agenda items included:
  - Updates on the Guardian Incident Management System and new additions including road closure applications.
  - A presentation was conducted based in the BoM forecast for upcoming months.
  - Changes to State Reporting format for LDMG/LDCC including requirements to report between 05:00hrs and 06:00hrs, Situation Report to be completed between 11:00hrs and 12:00hrs and evening update 19:00 and 20:00hrs.

*Rainfall and River Height Gauges*

- Annual Maintenance of the Rainfall and River Height Gauges was completed by LVRC and BOM to ensure operational for the upcoming wet season.

*Disaster Management Training*

- Coordination Staff Training
  - QDMA Training – Delivered to 4 new staff
  - QFES Evacuation Training – Module 1 & 2 - 5 SES members attended and 1 LDMG member
  - Guardian Familiarisation & Road Closures - QIT Plus recently released a system update for Guardian and Road Closures, this update made the system more intuitive and user friendly. 16 people attended the Guardian and Road Closure Training.
  - AEMI Training – Trent Nibbs attended Manage Recovery Functions & Services and Narelle Poole attended Political Nous.

*SES*

- SES responded to four (4) Requests for Assistance on 23 November 2013 and on 30 November 2013 all for leaking roofs. This was in response to heavy rain in the region.
- Lockyer Valley SES Unit has been awarded the Regional Award for 'Operation of the Year' for the units operational response post EX Tropical Cyclone Oswald in the Lockyer Valley.



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**Attachments**

There are no attachments for this report.



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**15.3 Executive Manager Organisational Development & Performance  
Monthly Update**

**Date:** 10 December 2013  
**Author:** Dan McPherson, Executive Manager Organisational Development & Engagement  
**Responsible Officer:** Dan McPherson, Executive Manager Organisational Development & Engagement  
**File No:** Formal Papers

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**Summary:**

This report is to update Council on key issues currently being actioned.

**RESOLUTION:**  
**This document is for Council's information only.**

**RESOLUTION**  
**This document is for Council's information only.**

**Report**

- 1. Introduction**  
This report provides an update on key matters arising and being addressed since the last report.
- 2. Background**  
The previous reports provide the background information to date and only progress is being reported during September.
- 3. Report**

**ORGANISATIONAL DEVELOPMENT**

**2013 'Employee of the Year' and 'Team of the Year'**

Nominations are now closed for the 2013 'Employee of the Year' and 'Team of the Year' (EOY/TOY). These awards recognise Council staff and teams who have demonstrated outstanding performance in 2013, in line with behavioural and an outcome based criteria. Voting for the EOY/TOY has commenced and the winners will be announced at the Corporate Christmas function on 19 December 2013.

**Time 2 Lead**

Council recently ran the first of its Emerging Leaders Programs to develop participant's awareness of their accountabilities as leaders in LVRC with participants selected so as to be representative of a

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selection of potential leaders from across organisation. Positive feedback has been received on the success of this professional development training program conducted by PDE Australia, and facilitated by Kym Johnson of Council and Peter Crockett of LGMA Challenge fame,

The aim of the program is not only to ensure participants are aware of their accountabilities as Leaders in Council but also:

- To provide opportunities for participants to reflect on their current practice and identify areas for growth/improvement,
- To provide opportunities for participants to enhance and hone their leadership skills and capabilities through a variety of experiential learning methods,
- To develop specific individual development and action plans that will form the basis for the participant's leadership growth.

**COMMUNITY ENGAGEMENT TEAM**

*Community Development and Engagement Initiative Program*

The 2013 Resilient Australia Awards were held nationally, where the Community Development and Engagement Initiative program won the National Award in the Local Government category. The program involved 17 local Councils across Queensland, including LVRC Community Engagement Team. This initiative was designed to assist communities beyond the rebuilding and repairing of physical infrastructure and homes.

The projects aimed to restore the community's emotional, social, economic and physical wellbeing after the devastating events of January 2011. Some of the projects Councils Community Engagement Team worked on included *Movies under the Stars*, the *Health and Wellbeing Expo*, *Grant Writing Initiative* and *Mentoring Support for Community Groups*, to name a few.

On behalf of Council, Councillors and the Executive Leadership Team I would like to congratulate our Community Engagement staff (present and former) on the work they undertook throughout this program. I would also like to acknowledge those teams who assisted the CDEI to run their successful programs.

*Junction View Community Meeting*

An information session on weeds management was provided by Council as part of the Junction View Community Meeting on Friday 29 November 2013.

*Planter Boxes*

Planter boxes have been installed and were officially launched by the Mayor during the month at Withcott, Forest Hill and Laidley. This project was successfully co-ordinated by the Community Engagement Team in conjunction with the local communities whose representatives have provided support and assistance.

*Community Reference Group*

The Community Engagement Team working with the Community Reference Group met on Tuesday evening 26 November 2013.

Matters raised included:

- Parthenium Management

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- Potential Asian markets for local producers
- Public information system for road closures and utilising local people for the deployment of flooded road signage in isolated areas

*Strengthening Grantham Celebration*

On 7 December 2013, a “Thankyou” Strengthening Grantham Celebration luncheon was held at the Lockyer Valley Cultural Centre for all businesses, organisations, individuals and support services who provided much-needed assistance to Council and our residents following the 2010/11 floods. This event was to recognise those who worked together on this award-winning project to assist residents to move to new flood-free homes through an Australia first land-swap.

*RECOVERY AND RESILIENCE*

A separate report from Manager Disaster Management (Recovery & Resilience) & Community Engagement, Dave Mazzaferri has been submitted on this subject matter.

**Attachments**

There are no attachments for this report.

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**15.4 Executive Manager Corporate & Community Services Monthly Update**

**Date:** 12 December 2013  
**Author:** David Lewis, Group Manager Corporate & Community Services  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

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**Summary:**

This report provides Council with a brief summary of key operational activities undertaken by the Corporate and Community Services Group during November 2013.

**RESOLUTION:**  
**This document is for Council's information only.**

**RESOLUTION**  
**This document is for Council's information only.**

**Report**

**1. Introduction**

This report provides Council with a brief summary of key operational activities undertaken by the Corporate and Community Services Group during November 2013.

**2. Background**

Council should be aware of group activities to guide future decision making.

**3. Report**

A brief summary of the key outcomes of the Corporate and Community Services Group during November 2013 by functional grouping follows.

**WASTE**

- "On Premises" Indemnity documentation has now been received from our solicitors. Correspondence together with the indemnity documentation will now be sent to all domestic and commercial properties where waste collection vehicles service wheelie bins on properties under the new waste and recycling contract.
- The official opening of Tip Shop, Transfer Station and Contractors Depot at the Lockyer Valley Waste and Resource Centre (Gatton Landfill site) was held on 20 November 2013.
- The lease for the waste contractor's depot was sent via solicitors for Minister execution.

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- Final decision is still pending on the funding application to QRA for management of 2011 flood waste at the Gatton and Grantham waste management sites.

### COMMUNITY FACILITIES

A summary of the status of the key projects currently being managed by the Community Facilities Unit is set out in the following table.

Strategy / Activity / Project / Program	Update
Gatton Building Donations	Lockyer Drafting has prepared plans for the Mens Shed lunch room to enable an application to be lodged for a building permit. Quotes for toilets are currently being updated. A quote has also been requested for installation of a second firewall.
New Laidley CCTV System	Further investigations are continuing to enable new quotes to be obtained. Meeting to be held with Acting manager IT to discuss the possibility of using Council's network link to stream footage from Laidley to Gatton thus saving the purchase of recording equipment for Laidley.
Laidley Cultural Centre repairs	Stage 1 – completed. Retention held due to the rectification of minor issues.
Ropehill Community Centre	Completed fence alongside one oval. Materials ordered for second fence.
Testing and Tagging of electrical equipment	Testing and tagging to commence shortly to meet WH&S requirements.

### CULTURAL, HEALTH AND REGULATORY SERVICES

#### Environmental Health

- Letters sent to all existing child care businesses informing the business of their obligations under the Food Act 2006.
- Letters sent to existing ERA businesses informing the business of the change of Regulator from Local Government to DEHP as of 1 January 2014.
- Approximately 90% of all food businesses have now paid their food business licence renewal(s).

#### Pest Management

- 37 Expressions of Interest were received and registered by landowners who wish to participate in the Herbicide Subsidy Scheme. Herbicide has now been distributed to

## ORDINARY COUNCIL MEETING MINUTES 18 DECEMBER 2013

approximately 20 landholders. A community meeting and spray equipment demonstration was held at Junction View Hall.

### *Regulatory*

- Dog Attacks  
3 x dog attacks on a human reported.  
5 x dog attacks on an animal reported.

### *Child Care Centres*

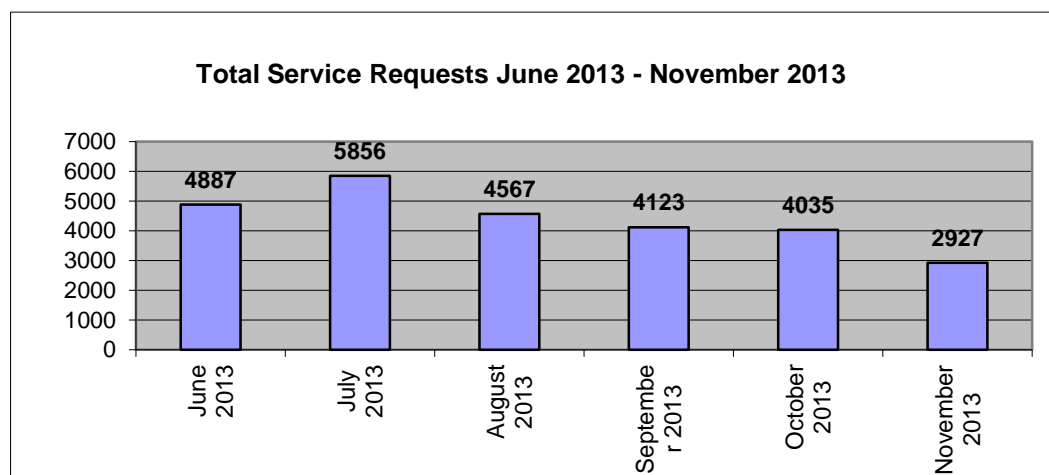
- Occupancy levels remained above 85%.

## **CUSTOMER SERVICES**

Key Customer Services statistics for November follow.

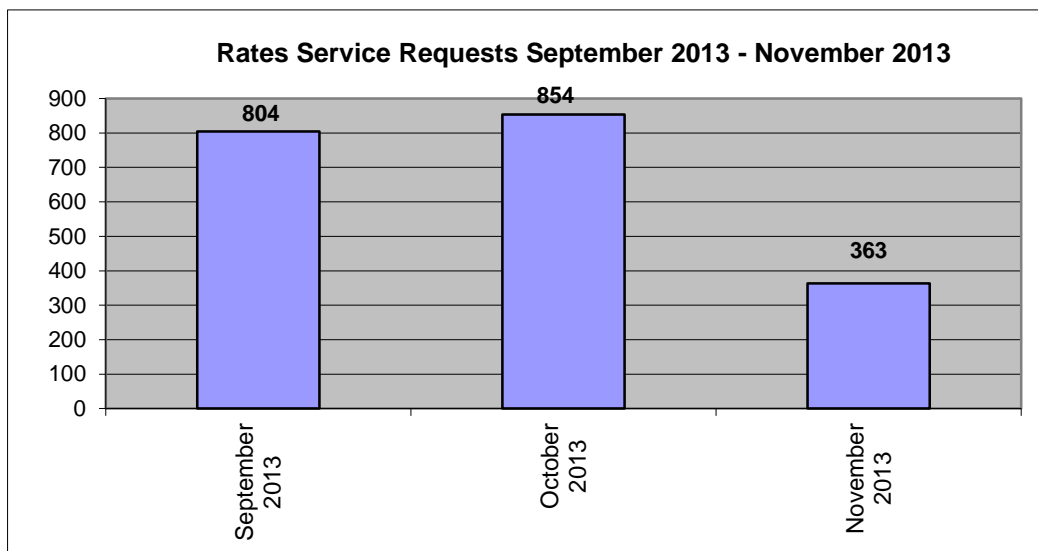
### *Service Requests*

2,927 service requests were received in November. Service request totals for the last six months shown in the following graph; interestingly this graph shows a fall of 50% in service requests since July 2013. While this is partially attributable to waste and rates, there is an overall steady underlying trend downwards in the number of service requests being received by Council.



The following graphs show the numbers of rates service requests for the last three months. Rates enquiries continue to be the largest of any business unit within Council - even with a 57% reduction during the month of November 2013.

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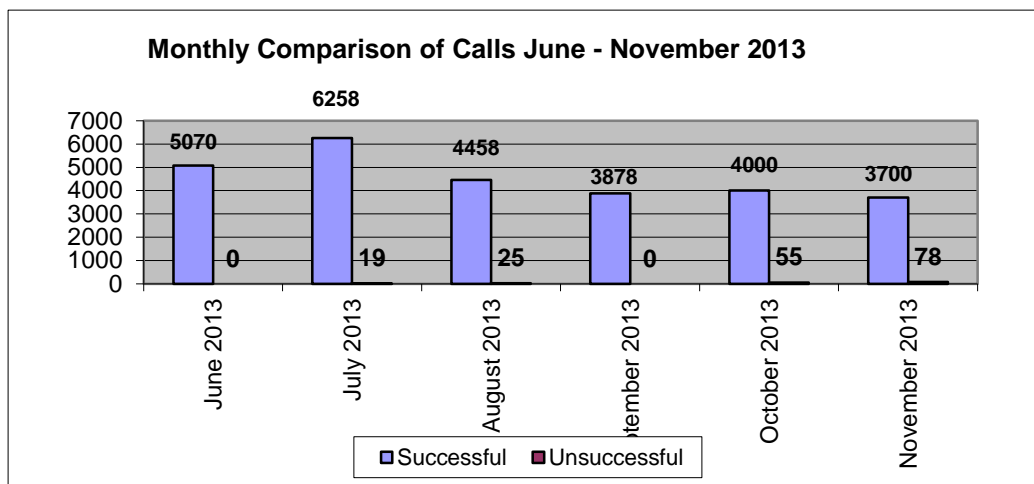


### *Outstanding Service Requests*

Since the changeover to One Council there has been some problems associated with the timing of requests; as such, no statistics in relation to outstanding services requests are currently available.

### *Telephones*

November inbound calls maintained the October pattern with 3,700 calls being captured in November 2013. Telephone calls for the last six months are shown in the following graph.



### *After Hours Calls*

There were a total of 190 after hours calls for November 2013, an increase of 126% over the previous month.

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*Receipting*

During November 2013, 1,063 receipts were processed through the system. This number reflects a further reduction in rates payments from September and October (13,844 and 5,371 receipts respectively).

*QGAP*

During November 2013, 103 transactions were processed in QGAP. Transport including NRMA/ Suncorp transactions, accounted for 84.1% of all QGAP transactions.

*INFORMATION TECHNOLOGY*

- Work on the new server room is progressing with the new fire walls in place and work on the electrical switchboards being conducted over weekends to minimise the impact on our services.
- A new set of ICT Policies is currently being developed that will provide strong governance and meet international standards. The policies are being developed with input from the business and governance areas of Council.

*FINANCE*

*Emergency Management Fire and Rescue Levy –*

All properties outside the Urban Fire Levy area will be affected by the State Government's Emergency Management Fire and Rescue Levy which commences on 1 January 2014. Properties currently paying the Urban Fire Levy will see an increase in the amount they are paying from that date as well. As Council is to collect the levy on behalf of the State Government, the amounts will be included on the rates notices issued from 1 January

It is proposed that a media campaign be conducted prior to the issue January 2014 rates notices to explain why the levy is being added to the rates notices, what it is for and how it might affect the amount being paid.

*Sale of Land for Unpaid Rates*

In accordance with Council's resolution, five properties (all vacant land) will be auctioned for unpaid rates on 6 December. The auction will be conducted by a local auction house and Council's debt collection agents will undertake the legal aspects of the sale.

*One Council*

The transition to One Council has resulted in a backlog of accounts payable invoices due to the time between the closure of the old system and commencement of the new system.

The bank reconciliation process has also been escalated to Technology One. This issue needs to be resolved before the close of business for the Christmas break.

*Finalisation of 2013 Annual Financial Statements*

The final draft Financial Statements were presented to the Audit Committee on 26 September 2013 and a final version provided to QAO for audit. The QAO audit team has substantially completed the field work with sign off on the statements in early December. At this time no major issues have been identified.



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An extension of time has been granted by the Minister for the audit to be finalised no later than 20 December 2013. A draft Community Financial Report has also been prepared.

**4. Policy and Legal Implications**

There are no policy or legal implications associated with this report.

**5. Financial and Resource Implications**

There are no financial or resource implications associated with this report.

**6. Delegations/Authorisations**

There are no delegation or authorisation issues associated with this report.

**7. Communication**

There are no communication matters in regards with this report.

**8. Conclusion**

A significant workload continues within the Corporate and Community Services Group as we continue to deliver major projects while maintaining delivering “business as usual” services to our community.

**Attachments**

There are no attachments for this report.

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**15.5 Executive Manager Planning and Development Services Monthly Update (November 2013)**

**Date:** 11 December 2013  
**Author:** Mark Piorkowski, Executive Manager Planning & Development Services  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

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**Summary:**

This report is to update Council on the big issues currently being actioned.

**RESOLUTION:**  
**This document is for Council's information only.**

**RESOLUTION**  
**This document is for Council's information only.**

**Report**

**1. Introduction**

This report provides an update on key matters arising and being addressed since the last report.

**2. Background**

The previous reports provide the background information to date and only progress is being reported during November 2013.

**3. Report**

*Council of Mayors (SEQ)*

A number of committees and taskforce groups met during the month of November. A separate, detailed report has been provided.

*REGIONAL DEVELOPMENT*

*Business Awards*

The event was a great success with 411 guests attending. Contingencies for wet weather were initiated and may impact on the budget. Feedback has been positive with a number of businesses indicating they wish to be sponsors or increase their sponsorship commitment for next year. The Regional Development team is currently following up with sponsors, judges and organising prizes including business workshop for winners. The RD team are exploring

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potential dates for the event slightly earlier to lessen the chance of rain or storms affecting the event. The RD team are also identifying new judges for next year. The Queensland Apprenticeship and Training organisers visited our hall prior to the event and were so impressed they have recommended that the 2014 QLD Training Awards be held in Gatton. The photo shoot of Alan Jones AO at the Lockyer Valley Cultural Centre (LVCC) generated quite of positive publicity on his radio show on the following Monday. Alan Jones provided his services as MC for the night and additional promotions all pro bono in support of our region and our farmers. The 2013 Business Awards was delivered within budget and has achieved all its targeted outcomes.

## List of winners provided below:

Category	Winner
Tourism	Mulgowie Hotel
Transport, Logistics, Manufacturing and Agricultural Services	Serco Australia Pty Ltd
Food and Dining	Smileybells Patisserie
Professional Services	OBT Financial Group
Retail	Foodworks Laidley
Trade Services	Masterhire
Health Services and Fitness	Coast to Country Chiropractic
Home Based Business	Kissed by Cupid
Environmental and Sustainability Award	Serco Australia Pty Ltd
Apprentice of the Year	Breanna Oyston - Bramwell Auto Group
Trainee of the Year	Gary Everuss - Serco Australia Pty Ltd
Employee of the Year	Trisha Colburn - Valley Waste Water Pty Ltd
People's Choice Awards	Eagle Rock Café
Mayor's Award	Laidley Landscaping Supplies
Business of the Year	Serco Australia Pty Ltd

## *Good Food and Wine Show*

The show took place from 8-10 November and was extremely successful. Whilst the RD team are still gathering feedback from the food operators that attended, Council initial feedback has been fantastic. The stand was also very busy with very interested customers. There were enquiries for Bauers veggies to be supplied to cafes and also stockiest enquiring to distribute Seatonfire's products. There was great interest into the competition and entries are currently being counted and entered into a spreadsheet. Whilst at the show, contact was made with

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celebrity chefs to promote the region to them but also to get them to try our products by providing them with a bag that includes items from our key stall holders as well a destination guide and promotional flyers on food related products and the LVCC. These were hand delivered along with a business card to Matt Moran, Matt Golinski and Alastair Mcleod. Contact with Dominique Rizzo was also achieved and he was invited to come meet our producers and key marketing personnel from BrisMark who are interested in running a promotion based on vegetables. On the Sunday of the show Alastair Mcleod was using Bauer's carrots on stage and gave the region a fantastic plug stating the carrots were the best you could buy. There were over 300 people on the audience and we took advantage of this promoting by distributing information on our stallholders and the destination guide as the audience departed, also encouraging them to visit our stand to go in the draw to win a trip to the farm that supplied the carrots that Alastair was talking about. Over 1,000 destination guides were also distributed during the show.

*Australia Day Awards*

Nominations closed on 2 December but were extended to 6 December. A total of 37 nominations representing 29 individuals or events, which is an increase of 27% on last year's nominations. Volunteer of the Year, one of the newly introduced categories was very popular with 13 nominations. The Australia Day Ambassador assigned to the Lockyer Valley Awards is Mrs Beverley Mirolo OAM, President of the Leukaemia Foundation Queensland. The 2013 winners have been invited to the awards ceremony.

*Support to Relay for Life Launch*

Includes VMS boards, window decals, and distribution of information to promote registrations for Lockyer Valley Relay for Life.

*Establishment of the Lockyer Valley Farmer and Industry Group*

Public meeting to form group scheduled for 20 November. There was good turnout of over 50 attending the inaugural meeting and the vote to establish the Lockyer Valleys growers group.

*Regional Development Strategic Advisory Panel Meeting*

The meeting scheduled for 26 November was cancelled due to the unavailability of many of the panel members. A full schedule of meeting dates for next year will be prepared and distributed to the panel members to put into calendars.

**PLANNING AND ENVIRONMENT**

Garth Moore and Quentin Underwood attended the Levees Workshop organised by the Department of Natural Resources and Mines on 21 November. It became very apparent that at this point in time the Department wishes to divest all responsibility for the assessment of riparian levees to Local Government. Despite this being contested by all Local Government attendees at the workshop, DNRM representatives attempted to maintain this position. An alternative position was suggested by LVRC representatives; that being the State Government commission a panel of specialist hydraulic engineers that would provide expert advice and assessment on the construction, approval and maintenance of levees throughout Queensland. DNRM representatives undertook to refer this suggestion back to the Minister.

The second draft of the revised Plan of Management for the Helidon Hills Reserve was presented to the Australian Government on 1 November. This represents a significant step forward in fulfilling our obligations under the Deed of Funding Agreement.

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At the Councillor workshop on 16 October a report on the intention to provide information to the residents of Station Street, Helidon about flying-foxes was submitted for noting. A letter and flier was sent to twelve households in the first week in November informing them of the likelihood (considered slight) of the return of the little red flying-foxes and explaining the role of Council and the State Government. One phone call was received by a Councillor suggesting that the flying-foxes had again begun to congregate. QPWS visited the site that afternoon and the next day and no flying-foxes were seen. A further site inspection was undertaken in response to a second enquiry regarding the feeding of flying-foxes on domestic fruit trees. No animals were evident during day light hours from inspection by National Parks and Wildlife officers and Council officers (four site inspections were undertaken). It was assumed that the feeding activity was occurring at night and no roost has been established on the enquirers land.

The flying-fox forum was held at the LVCC on 3 December 2013. LVRC hosted the event while Local Government Association of Queensland (LGAQ) developed the agenda and organised speakers. The presentations on the day had a strong emphasis on the issues and different mechanisms available in the management of flying-foxes in urban areas. Mayors in attendance were provided an opportunity to express their views at the end of the event. The emphasis from the Mayor's perspective was that Councils needed to be empowered to act decisively on bat roosts in urban areas. This includes the option to cull bat numbers where vulnerable individuals or groups live, work or recreate. Approximately 50 people attended the forum. A briefing on the forum was provided at the Councillor workshop on 4 December.

The directions hearing for the Westlink appeal was heard in the P&E Court on 14 November. Draft conditions of approval were approved by Council on 27 November. Draft conditions of approval were submitted to the P&E Court on 28 November. Copies of the draft conditions of approval were provided to all parties to the appeal on 28 November.

The Draft LVRC Planning Scheme was presented to the Deputy Premier and Minister for State Development Infrastructure and Planning on 1 November for State Interest Review.

Officers scheduled the State agency workshop on the draft planning scheme to be held at the Ipswich DSDIP office on 10 December.

Officers held quarterly update meeting with officers from Queensland Urban Utilities (QUU) and met with the new management team. Progress on the draft planning scheme and objectives for QUU in the coming financial year were discussed with QUU having a positive response to the direction undertaken and the key themes of the new planning scheme.

Officers have commenced the drafting process on the consultation and communications strategy for the new planning scheme.

A draft consultation strategy for the new planning scheme was presented at the Councillor workshop on the 6 November. There was strong support and agreement on the themes from attendees on the proposed consultation strategies and tools.

Officers have finalised the drafting of a business case and tender document for the new ePlanning solution (PDOnline). Tenders for PD Online will be called in December.

Laidley Futures bus tour was undertaken to provide Councillors and staff a first-hand view of main street developments in the Brisbane – Lockyer Valley corridor. Participants were

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requested to observe main street features including, scale of development in the main street, street form; use of trees and planters; use of traffic restrictions; brick pavers on sidewalks; awnings; signage; parking metres; the adaptive reuse of buildings and the way the mix and distribution of retail, commercial and residential development contributed or detracted from the functionality of the main street. The outcome was to examine if any of these features could be incorporated into the Laidley Futures project.

Officers have submitted a revised TLPI document in line with the existing hazard mapping (QPP v3 compliant) and revised planning scheme code to the Deputy Premier and Minister for State Development Infrastructure and Planning on 29 November.

*Plumbing and Building Services*

Queensland Urban Utilities requested LVRC to extend delegation for particular building work development applications (Build Over or Near Assets). Both Garth Moore and Lyle Kajewski have reviewed the Draft Instrument of Delegation and identified a willingness to QUU to support the delegation. Lyle has requested from QUU further information to clarify Councils role in the process. QUU is preparing the information to clarify these issues.

Somerset Regional Council requested the continued assistance from our plumbing officers (one day per week) until such time as they can employ another Plumbing Inspector. This arrangement is expected to continue to the end of January 2014.

Building officers have been assisting QFRS with regulatory issues around budget accommodation (fire safety, overcrowding) and are continuing with their reports on the status of Councils buildings built post flood i.e. emergency dongas.

**4. Policy and Legal Implications**

Policy and legal implications will be addressed in future reports on matters that arise before Council.

**5. Financial and Resource Implications**

Budget impacts will continue to be addressed through existing allocation and re-prioritisation as required.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

That the Planning and Development Services Monthly Update be received as information only.



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**Attachments**

There are no attachments for this report.

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**15.6 Council of Mayor's SEQ (COMSEQ) Committee Report (November 2013)**

**Date:** 11 December 2013  
**Author:** Mark Piorkowski, Executive Manager Planning & Development Services  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

**Summary:**

Current committee and taskforce activities for COMSEQ is reported.

**Officer's Recommendation:**  
**This document is for Council's information only.**

**RESOLUTION**  
**This document is for Council's information only.**

**Report**

**1. Introduction**

Lockyer Valley Regional Council is an active member of COMSEQ and this report is intended to provide Council with a summary of activity and key matters focusing on the Committee and Taskforce meetings.

**2. Background**

For the month of November 2013 there were five COMSEQ meetings attended by Council staff and elected members. The following report outlines the key discussion points from each of those meetings and where appropriate the implications for Lockyer Valley.

**3. Report**

Since the last COMSEQ Report to Council the following update on activities have been provided to Council:

Infrastructure Committee Meeting – 1 November (Attended Portfolio Councillor and Executive Manager Infrastructure Works & Services)

- There was some discussion around the new State Planning Policy and also the increased role of the Property and Infrastructure Cabinet Committee (PICC). The PICC will now be examining reform of how Queensland's infrastructure investment is prioritised and delivered across the whole of State Government. The PICC will be guided by the State Government's new Infrastructure for Economic Development document, which places an increased emphasis



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on making better use of existing assets before upgrading assets or building new assets. Some of the philosophies embodied within these reforms will undoubtedly have a flow-on effect to Councils and the way that they consider issues such as capital recycling in the provision of new assets.

Environment & Sustainability Committee Meeting – 15 November (Attended by Portfolio Councillor and Manager Planning & Environment)

- Peter Olah provided an update on the new SEQ Regional Plan. Peter advised that the development of a high level agreement for the whole of catchment management has been identified within the COMSEQ strategic plan. Healthy Waterways Report Card 2013, Julie McLellan, CEO of Healthy Waterways provided an overview of the Healthy Waterways Report Card to the committee. Andrew O'Neill, Manager Water By Design, Healthy Waterways presented the findings of region wide audit of erosion and sediment control from construction sites on behalf of Council. Diana Dawson provided the committee with an update on the Draft Water Quality Offsets Framework. Refer to attached report for further information.

Planning Reform Taskforce Meeting – 22 November (Attended by Coordinator Development Assessment)

- The principal item of the meeting was a presentation on the implementation of the State Assessment and Referral Agency (SARA) by Mr Steve Conner, Executive Director Development Assessment, Department of State Development Infrastructure and Planning. The focus of Mr Conner's presentation was to respond to some of the criticism of SARA by demonstrating that the reforms to State Agency referrals was delivering improvements, while acknowledging that much more still needed to be done. Mr Conner indicated that SARA is expected to be process 7,500 referrals per annum. Of particular interest to the meeting were indications by Mr Conner that the State Government was examining the recovery of a greater proportion of its costs through a review of the fee structure for applications referred to SARA. Figures provided by Mr Conner indicated that the State Government is presently only recovering about 7% of the cost of running SARA through application fees.
- A report was given to the meeting on the Council of Mayors (SEQ) submission to the State Government on infrastructure charging. It was noted by the members of the taskforce (which comprises Council and development industry representatives) that the lending practices of banks and property valuations, rather than infrastructure charges, are holding back development across South East Queensland. It was reported to the meeting that there was however evidence of an upturn in development activity in Brisbane City from August/September 2013 with planning applications up 25%, operational works applications up 20% and pre-lodgement meetings up 20% since that time.

Coordinators Meeting – 25 November (Attended by Executive Liaison Officer Mayor/CEO & Coordinator Mayor's Office)

Peter Olah (COMSEQ) provided an update on the agenda items for the next Council of Mayors (SEQ) Board Meeting scheduled for the 6 December with particular points of note for the Lockyer Valley being:

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- **Noosa Council Membership**

The Board will consider a formal resolution to invite Noosa Council to join COMSEQ as a member following its de-amalgamation from the Sunshine Coast Council.

- **Update: SEQ Regional Plan**

Two of the four SRG's have published their policy options papers with the final two due out 26 November and 29 November. COMSEQ will be putting together a briefing note for the Mayors and Coordinators following a review of all the policy papers. Peter advised there are no huge surprises from what we have seen. Whilst there are some areas where the plan has improved (i.e. the inclusion of urban footprints) the issue of flexibility around these and how they are applied remains and COMSEQ believes not "one size fits all". The three big issues for COMSEQ include the lack of infrastructure planning and links to land use planning, lack of infill consideration, and a lack of local interests included in the plan. The Coordinators noted that the Mayors must point out to the Deputy Premier where these three issues are heading to ensure he fully understands their concerns. Peter advised that the upcoming Regional Planning Committee is the key political mechanism that can address these issues.

- **Infrastructure Charges Review**

The Cities Deal project is up and running with KPMG with the first meeting held between COMSEQ, the Property Council Australia and DSDIP and a further meeting planned for this week to drive the project forward. Peter advised there is a lot to consider and a lot of good will being shown around what can be achieved. An initial report will be provided to the Mayors before Christmas. KPMG have already proven their value with their in house knowledge on infrastructure financing models. The structure proposed will likely be some form of tax increment financing on a 3 tier level. There will likely be a two stage process between Local and State Government on tax gathering details with the Federal Government coming in later on a tri-tier system. KPMG are working on whether we can bring GST into the first stage. There are three factors to making this alternate model work; firstly the longevity of the asset, secondly the intensity of usage of the asset and thirdly the population density. There has been no discussion at the Federal level on this project but they are aware COMSEQ is doing this work. The immediate issue for COMSEQ is around the short term solution to infrastructure funding and there are ongoing meetings happening and recommendations being made on the infrastructure charges framework. Whilst it is unlikely to be a good outcome, COMSEQ doesn't believe it will be as disastrous as the original recommendations suggested. The good news is if we get the KPMG approach right, whatever problematic system we end up with we will only have for 2-3 years.

- **Strategic Waterways Management**

COMSEQ is working towards a whole of catchment management approach for our waterways. COMSEQ has spoken to the non-Government key players (i.e. water retailers, SEQ Water, SEQ Catchments, Port of Brisbane and Healthy Waterways) in moving towards a signed Heads of Agreement and despite some tensions most are on board. There is strong belief the current system is fragmented and not achieving desirable outcomes and the current funding model has reinforced silos. A unified 30-40 year approach is a better way to go with a 5-10 year engineering plan attached to funding. The State Government will not commit to a catchment management authority approach but have said that should a Heads of Agreement be in place, the Ministers may recommend action for State agency players. It is the intention of COMSEQ to utilise the Heads of Agreement as leverage with the State Government. The timeframe for achieving a signed MOU with all the key players is targeted for end of February

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or early March 2014. Any resulting Cabinet process may take several months. There is also a lot of work around river recovery initiatives which are being supported at a technical level by Healthy Waterways who will provide a presentation at the December Board meeting on their Healthy Waterways Report Card and next steps.

- **Grant Funding for MEDIA (Major Economic Development Investment Attraction) Project**  
COMSEQ in partnership with the Sunshine Coast Council has secured \$100k in local government funding under the State Government's Improving Financial Management and Sustainability Scheme programme <http://www.dlg.qld.gov.au/grants-and-subsidies-programs/improving-financial-management-and-sustainability-scheme.html>. COMSEQ will match these funds in kind to carry out some substantial work around the major investment attraction process.

Regional Plan and Growth Management Committee Meeting – 29 November (Attended by Portfolio Councillor and Manager Planning & Environment)

Update on new SEQ Regional Plan

- Peter Olah advised there had been significant activity on the Regional Plan however it had yet to be fully activated above the four Stakeholder Reference Groups (SRGs).
- Peter contended that the process had been rushed and disconnected with officers being 'ring fenced'. This assertion was contested from attendees, citing that the process of consultation though contained to specific topics, consultation was significantly more open to local government than the previous review of the SEQ Regional Plan.
- Peter offered that the State Planning Policy has identified state interests and the Regional Plan is therefore meant to be the tool for reconciling the outstanding regional issues however the overall process has shown an absence of any sequential flow. There is devolution of responsibility and of financial obligation.
- Council of Mayors (SEQ) has noted a number of key concerns:
  1. There is no link between the Regional Plan and a State Government's Infrastructure Plan.
  2. The terminology and language being used is about greenfield development and does not discuss infill development. A greater focus on infill rather than less infill should be the way forward. The incapacity to fund new infrastructure is a major hurdle and continues to be a key driver of discussion.
  3. There is very little inclusion of local government's interests in the documentation to date. It is simply about State interests.
- Peter suggested that the Regional Plan Committee (RPC) meeting on the 28 November would be a key meeting and the Council of Mayors (SEQ) Secretariat scheduled briefing meetings with each of the Mayors to ensure a united voice at the RPC. Peter advised that the State has shown their intent to correct issues that are not working and there is some evidence of this with the State responding positively to some of the requests by Council of Mayors (SEQ).

**4. Policy and Legal Implications**

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Policy and legal implications will be addressed through existing allocation and re-prioritisation as required.

**5. Financial and Resource Implications**

Budget impacts will continue to be addressed through existing allocation and re-prioritisation as required.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

That the Council of Mayor's SEQ (COMSEQ) Committee report be received and noted.

**Attachments**



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### 15.7 Queensland Urban Utilities (QUU) Progress Report

**Date:** 11 December 2013  
**Author:** Mark Piorkowski, Executive Manager Planning & Development Services  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

#### Summary:

Council has received an update in November from the QUU board which has highlighted information of interest to Lockyer Valley.

#### Officer's Recommendation:

**This document is for Council's information only.**

#### RESOLUTION

**This document is for Council's information only.**

#### Report

##### 1. Introduction

- LVRC maintains an ongoing working relationship with QUU on both operational and strategic aspects of water and sewerage provision.
- This report is an update on matters of significance with respect to QUU for Council's attention.

##### 2. Background

- QUU is a statutory body, created on 1 July 2010 as a result of Queensland Government changes to the way water is managed in South East Queensland.
- QUU is owned by the Brisbane and Ipswich City Councils, and Lockyer Valley, Scenic Rim and Somerset Regional Councils and governed by an independent Board.
- QUU's primary role is to deliver drinking water, recycled water and sewerage services to the cities and townships within the boundaries of these five local government areas.
- QUU is responsible for delivering water to customers, collecting, transporting and treating sewage, as well as charging and billing for water and waste water services for customers in the Brisbane, Ipswich, Lockyer Valley, Scenic Rim and Somerset local authority areas.

##### 3. Report

- The new QUU Depot on Industrial Road, Gatton was officially opened by the Mayor on Monday 18 November 2013. The opening in the afternoon was held after the QUU Board Meeting at the Lockyer Valley Cultural Centre.

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- Officers held quarterly update meeting with officers from QUU and met with the new management team. Progress on the draft planning scheme and objectives for QUU in the coming financial year were discussed with QUU having a positive response to the direction undertaken and the key themes of the new scheme. QUU were provided with a draft copy of the document to review, discussions are ongoing in this regard. QUU are outside of the formative State agency review process as such this review and resolution of issues will be undertaken at a senior officer level in a bilateral approach.

**4. Policy and Legal Implications**

Policy and legal implications will be addressed in future reports on matters that arise before Council.

**5. Financial and Resource Implications**

Budget impacts will continue to be addressed through existing allocation and re-prioritisation as required.

**6. Delegations/Authorisations**

No further delegations are required to manage the issues raised in this report.

**7. Communication**

The matters arising from this report that require further communication will be addressed through existing communication channels.

**8. Conclusion**

That the report be received as information only.

**Attachments**

There are no attachments for this report.

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**15.8 Executive Manager Infrastructure Works & Services Monthly Update**

**Date:** 12 December 2013  
**Author:** Myles Fairbairn, Executive Manager Infrastructure Works & Services  
**Responsible Officer:** Myles Fairbairn, Executive Manager Infrastructure Works & Services  
**File No:** Formal Papers

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**Summary:**

This report is to update Council on the emerging matters arising since Council last met in regards to the Infrastructure Works and Services Group.

**RESOLUTION:**  
**This document is for Council's information only.**

**RESOLUTION**  
**This document is for Council's information only.**

**Report**

**1. Introduction**

This report is to provide an update to Council on current matters arising for the Infrastructure Works and Services Group since Council's last meeting held on the 27<sup>th</sup> of November 2013.

**2. Background**

Previous Infrastructure Works and Services report to Council up to and including the 27<sup>th</sup> of November 2013.

**3. Report**

*NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) PROGRAM*

*2011 NDRRA program*

A current financial summary of the above-mentioned programme follows.

- Current estimated final cost (EFC) = \$113 million
- 2011 emergent works (now paid and acquitted by QRA) = \$21 million
- Value of works completed to end of November = \$101 million
- Submissions forwarded to QRA awaiting acquittal = \$20 million
- Submissions that have been acquitted by the QRA = \$3 million



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Projects of note:

- Rockmount Road bridge tenders (3No.) have been received and the procurement process will move to Part B during the week commencing 12 December 2013
- Thistlethwaite bridge tenders have been returned and are being assessed
- Asphalt works and two-coat seal works are now underway.

Key risks at the moment

- Potentially ineligible works already constructed
- Delays in Council making final submissions of projects for QRA acquittal
- Delays in subsequent QRA acquittal of Council submissions
- Project management office costs may be deemed by the QRA as being too great
- All of 2011 programme not completed by the QRA deadline (June 2014)

*2013 NDRRA program*

A current financial summary of the above-mentioned programme follows.

- Current estimated final cost (EFC) = \$59 million (includes 2013 Betterment projects)
- 2013 emergent works (paid, but not yet acquitted by QRA) = \$15 million
- 2013 works completed to start October = \$3.2 million
- Submissions forwarded to QRA awaiting acquittal = \$0
- Submissions that have been acquitted by the QRA = \$0
- 2013 Betterment projects submitted to QRA for assessment = \$10 million

Key risks at the moment

- Extent of complementary works, whilst good value, requiring Council contribution in 2014-15
- Potential overlap in scope definition between 2011 and 2013 events (this is being assessed by NDRRA team)
- Failure to obtain approvals for 2013 Betterment projects in the Three Valleys, meaning that Council reverts to the 'base case' of restoration
- All of 2013 programme not completed by the QRA deadline (June 2015)

*INVESTIGATION, PLANNING AND DESIGN UNIT*

*Laidley flood mitigation projects (DSDIP funding)*

- Narda Lagoon levee – concept design being formulated. Expecting to commence works in Q1 of 2014 calendar year, subject to weather
- Storr Street drain – this 'missing link' in the drainage system is expected to be executed in conjunction with the Narda Lagoon levee (which will receive some of the excavated fill material).
- Laidley CBD preparatory works (service relocations, vegetation removal, but no earthworks) – forecast to commence in Q2 of 2014

*Forest Hill flood levee*

- The second community information evening occurred on Wednesday the 20<sup>th</sup> of November 2013 at Forest Hill.
- The 2<sup>nd</sup> round of face-to-face discussions have finished with directly affected property owners (and residents that also request a meeting) in order to develop a more specific levee alignment.
- Qld Rail has commissioned SKM to provide flood modelling expertise.



#### *Council's Planning Scheme*

- Infrastructure Works and Services are supporting the Planning team through a review of the draft Planning Scheme.
- Works Manual preparation and review underway, but will take some months

#### *Catchments*

- Ongoing liaison with various parties regarding the flood models under development (or that have been developed), e.g., Healthy Waterways.

#### *Asset Management Unit*

- The team is working on the migration of the asset inventory and condition data to the TechnologyOne system.
- Work being done on the process of:  
CRM (customer requests) ⇒ raise defect notice ⇒ close CRM ⇒ raise works order ⇒ works activity ⇒ close defect notice.

#### *Plant & Fleet*

- Arrival of trucks occurred Wednesday the 11<sup>th</sup> of December 2013
- Finalising the preparation of the Business Case for the purchase of limited plant for 2013-14.

### *INFRASTRUCTURE DELIVERY UNIT*

#### *General works operations*

- Some NDRRA construction works jobs were impacted by recent rain with minor delays experienced.
- Capital and maintenance tasks are being used to keep crews fully utilised. These task/projects are necessary and the opportunity is being taken to complete them now.
- Asphalt works and two-coat seal works commencing.

#### *Safety*

- Safety culture is improving markedly across our teams, although some incidents continue to occur.

#### *Capital works programme*

- Hickey Street, Gatton, footpath works are finished.
- Preliminary designs prepared for Laidley District School carpark.

#### *RMPC Business Unit*

- Undertaking rockface descaling at Thiess cutting
- Ongoing RMPC maintenance activities

#### *Fire ants*

- Continuing to work with Biosecurity Queensland

### *PARKS AND OPEN SPACES UNIT*

#### *General operations of the unit*

- Implementation of TechOne across the team going well.



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- Preparing for Christmas shutdown, as we don't want there to be a bulk of grass build-up over the break

### *Signs, lines and vegetation clearance*

- Slashing operations have recommenced with the recent rains across the Region, e.g., Tenthill Creek Road and Blanchview Road
- Declared plant inspections in Three Valleys

*Customer request statistics for the period 21 November to 12 December 2013 are:*

Requests Taken	Completed	Outstanding
300	121	179

### **Attachments**

There are no attachments for this report.

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## 17.0 CONFIDENTIAL ITEMS

### 16.1 Shop 1, 33 Victoria Street, Forest Hill, Part of Lot 20 on SP192308

**Date:** 11 December 2013  
**Author:** Caitlan Natalier, Solicitor  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Act, 2009, as the matter involves contracts proposed to be made by it.*

#### Summary:

On 27 November 2013 Council was advised by Lockyer Valley Real Estate of a request by the Tenant of Shop 1, 33 Victoria Street, Forest Hill to be released from the lease on 28 February 2014 due to financial difficulty. The purpose of this Report is to consider this request and what requirements Council has in the event early termination is agreed.

#### Officer's Recommendation:

**THAT with respect to the lease of Shop 1, 33 Victoria Street, Forest Hill (part of Lot 20 on SP192308), Council resolves to:-**

- (a) Agree to the early termination of the lease as requested by the Tenant in email correspondence of 27 November 2013 from Lockyer Valley Real Estate and release the Tenant from its obligations under the lease, including the requirement to paint the interior of Shop 1; and**
- (b) Obtain a market valuation of the whole of Lot 20 on SP192308, including improvements, on the basis of future sale and lease of the property for further consideration by Council.**

#### **RESOLUTION**

**THAT with respect to the lease of Shop 1, 33 Victoria Street, Forest Hill (part of Lot 20 on SP192308), Council resolves to:-**

- (a) Agree to the early termination of the lease as requested by the Tenant in email correspondence of 27 November 2013 from Lockyer Valley Real Estate and release the Tenant from its obligations under the lease, including the requirement to paint the interior of Shop 1; and**
- (b) Obtain a market valuation of the whole of Lot 20 on SP192308, including improvements, on the basis of future sale and lease of the property for further consideration by Council.**



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**16.2 Application for Permit to Occupy - Part of Ruddocks Road,  
Derrymore Road & Abbotts Road, Derrymore**

**Date:** 12 December 2013  
**Author:** Caitlan Natalier, Solicitor  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

**Summary:**

Following further investigation into the application for a permit to occupy by the Mayor, this matter is being returned to Council so that a final resolution can be made and advised to the Department of Natural Resources and Mines in response to their request of 19 September 2013.

**Officer's Recommendation:**

**THAT with respect to the correspondence received from the Department of Natural Resources and Mines dated 19 September 2013 requesting Council's views in respect of the Application for Permit to Occupy over part of Ruddocks Road, Derrymore Road and Abbotts Road at Derrymore, Council resolves to confirm Resolution No. 3168 and write to the Department of Natural Resources and Mines objecting to the proposed Permit to Occupy for the following reasons which should be taken into consideration when assessing the application:-**

- (a) grazing along these roads poses a safety issue as these roads provide access to at least 11 surrounding properties, the majority of which contain residences and would require regular access;**
- (b) the roads proposed to be occupied are all gravel roads and will deteriorate quickly as a result of grazing. Significant cost would be incurred to maintain and repair any road damage;**
- (c) if the permit to occupy was granted, the permittee would need to effectively contain stock within the permit area. This would require the installation of grids and gates which Council policy discourages.**

**RESOLUTION**

**THAT with respect to the correspondence received from the Department of Natural Resources and Mines dated 19 September 2013 requesting Council's views in respect of the Application for Permit to Occupy over part of Ruddocks Road, Derrymore Road and Abbotts Road at Derrymore, Council resolves to confirm Resolution No. 3168 and write to the Department of Natural Resources and Mines objecting to the proposed**

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**Permit to Occupy for the following reasons which should be taken into consideration when assessing the application:-**

- (a) grazing along these roads poses a safety issue as these roads provide access to at least 11 surrounding properties, the majority of which contain residences and would require regular access;**
- (b) the roads proposed to be occupied are all gravel roads and will deteriorate quickly as a result of grazing. Significant cost would be incurred to maintain and repair any road damage;**
- (c) if the permit to occupy was granted, the permittee would need to effectively contain stock within the permit area. This would require the installation of grids and gates which Council policy discourages.**

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**16.3 Application for Surrender of a Lease - Lot 13 on G1279**

**Date:** 12 December 2013  
**Author:** Caitlan Natalier, Solicitor  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

**Summary:**

On 24 July 2013 Council received a request from the Department of Natural Resources and Mines to consider accepting trusteeship of Lot 13 on G1279 as a Reserve for either Public Halls or Recreation purposes, or to alternatively advise if it was aware of any community organisations who may be interested in purchasing the lease and using the land for a charity administration centre. This request has been considered by Council at its August and October Ordinary Meetings, and is now returned to Council to enable a final resolution to be made.

**Officer's Recommendation:**

**THAT with respect to the email correspondence received from the Department of Natural Resources and Mines dated 24 July 2013 requesting Council's consideration in accepting trusteeship of Lot 13 on G1279 as a Reserve for Public Halls purposes or Recreation purposes, Council resolves to write to the Department of Natural Resources and Mines advising that:-**

- (a) Council does not accept trusteeship of Lot 13 on G1279; and**
- (b) Council has identified the Downs Industry Schools Co-op (DISCO) as a community organisation that may be interested in purchasing the lease and using the lease for charity administration centre purposes.**

**RESOLUTION**

**THAT with respect to the email correspondence received from the Department of Natural Resources and Mines dated 24 July 2013 requesting Council's consideration in accepting trusteeship of Lot 13 on G1279 as a Reserve for Public Halls purposes or Recreation purposes, Council resolves to write to the Department of Natural Resources and Mines advising that:-**

- (a) Council does not accept trusteeship of Lot 13 on G1279; and**
- (b) Council has identified the Downs Industry Schools Co-op (DISCO) as a community organisation that may be interested in purchasing the lease and using the lease for charity administration centre purposes.**



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**16.4 Request for Removal of Local Government Agreement - Lot 1 on RP198154 and Lot 3 on RP198154**

**Date:** 11 December 2013  
**Author:** Caitlan Natalier, Solicitor  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

**Summary:**

Council has received a request from the owner of Lot 1 on RP198154 and Lot 3 on RP198154 to remove Local Government Agreement No. 602185498 made under Section 34 of the *Local Government Act 1936* from the title to Lot 3 on RP198154 in order to enable Survey Plan 262736, prepared in relation to DA2012/0059 reconfiguration of a lot, to be registered. The purpose of this Report is to consider this request and any requirements that Council will have if the Local Government Agreement is removed.

**Officer's Recommendation:**

**THAT in relation to the request by the owner of Lot 1 on RP198154 and Lot 3 on RP198154 to remove Local Government Agreement No. 602185498 from the title to Lot 3 on RP198154 for the purpose of enabling Survey Plan 262736 to be registered in compliance with the approval for DA2012/0059, Council resolves to remove the Local Government Agreement No. 602185498 from Lot 3 on RP198154 subject to the owner agreeing to enter into a Deed to the effect that in exchange for cancelling Local Government Agreement No. 602185498, the owner will:-**

- (a) execute a registered covenant pursuant to Section 97A(3)(c)(i) of the *Land Title Act 1994* over Lot 1 on RP198154 and Lot 4 on SP262736 which effectively mirrors the relevant provisions of Local Government Agreement No. 602185498 and ensures both lots remain in the one ownership;**
- (b) obtain her mortgagee's consent to the registered covenant;**
- (c) consent to Council registering the covenant over Lot 1 on RP198154 and Lot 4 on SP262736; and**

**pay all costs and expenses incurred by Council in removal of Local Government Agreement No. 602185498 and the registration of the covenant.**

**RESOLUTION**

**THAT in relation to the request by the owner of Lot 1 on RP198154 and Lot 3 on RP198154 to remove Local Government Agreement No. 602185498 from the title to Lot 3 on RP198154 for the purpose of enabling Survey Plan 262736 to be registered in**

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compliance with the approval for DA2012/0059, Council resolves to remove the Local Government Agreement No. 602185498 from Lot 3 on RP198154 subject to the owner agreeing to enter into a Deed to the effect that in exchange for cancelling Local Government Agreement No. 602185498, the owner will:-

- (a) execute a registered covenant pursuant to Section 97A(3)(c)(i) of the *Land Title Act 1994* over Lot 1 on RP198154 and Lot 4 on SP262736 which effectively mirrors the relevant provisions of Local Government Agreement No. 602185498 and ensures both lots remain in the one ownership;
- (b) obtain her mortgagee's consent to the registered covenant;
- (c) consent to Council registering the covenant over Lot 1 on RP198154 and Lot 4 on SP262736; and

pay all costs and expenses incurred by Council in removal of Local Government Agreement No. 602185498 and the registration of the covenant.

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**16.5 Local Government Boundary Anomaly - Lot 355 on CH312304**

**Date:** 12 December 2013  
**Author:** Caitlan Natalier, Solicitor  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

**Summary:**

On 28 October 2013, Council received notification from the Department of Natural Resources and Mines that Lot 355 on CH312304 has been identified as affected by an anomaly pertaining to Council's local government boundaries. This anomaly has a direct effect on maintaining correct suburb/locality boundaries, which are essential for the delivery of business and emergency services.

The purpose of this Report is to consider whether Council will seek a determination for a local government change by requesting that the Minister for Local Government refer the matter to the Local Government Change Commissioner to assess boundary changes under the provisions of the *Local Government Act 2009*.

**Officer's Recommendation:**

**THAT with respect to the correspondence received from the Department of Natural Resources and Mines dated 28 October 2013 notifying Council of a local government boundary anomaly affecting Lot 355 on CH312304, Council resolves to authorise the Chief Executive Officer to:-**

- (a) Write to the Minister for Local Government and request that this matter be referred to the Local Government Change Commissioner (Electoral Commission of Queensland) to assess a boundary change in respect of Lot 355 on CH312304 under the provisions of the *Local Government Act 2009*; and**
- (b) Raise the following issues for consideration by the Local Government Change Commissioner (Electoral Commission of Queensland) when assessing the change to local government boundaries:- In which local government area legal and practical access to Lot 355 on CH312304 is situated;**
  - (i) Whether any affected and adjoining properties are owned by the same registered owner and therefore should remain together in the one local government area for service delivery and rates assessment purposes;**
  - (ii) Best service delivery, particularly in respect of emergency services;**
  - (iii) Any other matters that the Chief Executive Officer in his discretion considers appropriate.**
- (c) Delegate authority to the Chief Executive Officer the finalisation of this minor boundary change;**

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**RESOLUTION**

**THAT** with respect to the correspondence received from the Department of Natural Resources and Mines dated 28 October 2013 notifying Council of a local government boundary anomaly affecting Lot 355 on CH312304, Council resolves to authorise the Chief Executive Officer to:-

- (a)** Write to the Minister for Local Government and request that this matter be referred to the Local Government Change Commissioner (Electoral Commission of Queensland) to assess a boundary change in respect of Lot 355 on CH312304 under the provisions of the *Local Government Act 2009*; and
- (b)** Raise the following issues for consideration by the Local Government Change Commissioner (Electoral Commission of Queensland) when assessing the change to local government boundaries:- In which local government area legal and practical access to Lot 355 on CH312304 is situated;
  - (i)** Whether any affected and adjoining properties are owned by the same registered owner and therefore should remain together in the one local government area for service delivery and rates assessment purposes;
  - (ii)** Best service delivery, particularly in respect of emergency services;
  - (iii)** Any other matters that the Chief Executive Officer in his discretion considers appropriate.
- (c)** Delegate authority to the Chief Executive Officer the finalisation of this minor boundary change;

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**16.6 Exemption from Obtaining Competitive Officers - December 2013**

**Date:** 11 December 2013  
**Author:** David Lewis, Group Manager Corporate & Community Services  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Act, 2009, as the matter involves contracts proposed to be made by it.*

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**Summary:**

Under Section 235 of the *Local Government Regulation 2012* (the Regulation), a local government may enter into a medium-sized or large-sized contractual arrangement without first inviting written quotes or tenders if –

- (a) the local government resolves it is satisfied that there is only one supplier who is reasonably available; or
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- (c) a genuine emergency exists

Under the Regulation, a medium-sized contract is between \$15,000 and \$200,000 (exclusive of GST) with a large-sized contract being greater than \$200,000 (exclusive GST).

To comply with the requirements of the Regulation, Council is required to make a resolution in relation to Section 235 of the Regulation in relation to these contractual obligations.

**Officer's Recommendation:**

**THAT Council resolves to enter into a medium-sized contract under Section 235 (a) of the Local Government Regulation 2012 without first inviting written quotes or tenders (as it is satisfied that a genuine emergency exists) with Mullarch P/L to provide Architectural Consultancy for the proposed Clubhouse at the Laidley Recreational reserve.**

**RESOLUTION**

**THAT Council resolves to enter into a medium-sized contract under Section 235 (a) of the Local Government Regulation 2012 without first inviting written quotes or tenders (as it is satisfied that a genuine emergency exists) with Mullarch P/L to provide Architectural Consultancy for the proposed Clubhouse at the Laidley Recreational reserve.**



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**16.7 Future Management Lockyer Valley Regional Aquatic Centre and  
Gatton Sports Centre**

**Date:** 11 December 2013  
**Author:** Brad Domrow, Manager Community Facilities  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Act, 2009, as the matter involves contracts proposed to be made by it.*

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**Summary:**

The purpose of this report is to recommend to Council the preferred option for determining the management arrangements for the new Regional Aquatic Centre which is expected to commence operations in August/ September 2014.

**Officer's Recommendation:**

**THAT Council call for tenders for the lease of the Regional Aquatic Centre and Gatton Sports Centre and/ or separable portions of the Regional Aquatic Centre and Gatton Sports Centre and that the Manager of the Gatton Sports Centre be formally notified that his current Management Agreement will expire on 31 July 2014.**

**RESOLUTION**

**THAT Council call for tenders for the lease of the Regional Aquatic Centre and Gatton Sports Centre and/ or separable portions of the Regional Aquatic Centre and Gatton Sports Centre and that the Manager of the Gatton Sports Centre be formally notified that his current Management Agreement will expire on 31 July 2014.**



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**16.8 Lockyer Valley BMX Club Inc. Trustee Lease Application**

**Date:** 11 December 2013  
**Author:** Brad Domrow, Manager Community Facilities  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

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**Summary:**

At its November 2013 Ordinary Council meeting, Council resolved to enter into discussions with the Lockyer Valley BMX Club Inc. to establish a 20 year trustee lease over part of the former Gatton tip site.

Subsequent to this report, further investigations have revealed the need under the *Local Government Regulation 2012* for a more specific resolution in relation to the establishment a trustee lease.

**Officer's Recommendation:**

**THAT with respect to the request for a Trustee Lease over Lot 35 on CP846028 by the Lockyer Valley BMX Club Inc., Council resolves to:-**

- (a) apply the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 to the Trustee Lease; and**
- (b) write to the Lockyer Valley BMX Club Inc. and advise that it supports an application for a Trustee Lease over part of the reserve land on the eastern boundary adjacent to Lot 10 on CP846027 comprising a maximum of two hectares to be determined by a Survey Plan, on the following conditions:**
  - (i) the lease shall be for a term of 20 years with no further options to renew;**
  - (ii) the land is to be kept free of Class 1 and Class 2 declared weeds at all times pursuant to Section 77 of the Land Protection (Pest and Stock Route Management) Act 2002;**
  - (iii) the Lockyer Valley BMX Club Inc. shall be responsible for all costs incurred in the preparation and registration of the Trustee Lease, including survey costs and registration fees;**
  - (iv) the Lockyer Valley BMX Club Inc. shall be responsible for all outgoings, including but not limited to insurance and utility expenses, incurred in respect of the leased premises; and**

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- (v) formal consent to the Trustee Lease by the Minister for Department of Natural Resources and Mines is required before the lease term can commence.

**RESOLUTION**

**THAT with respect to the request for a Trustee Lease over Lot 35 on CP846028 by the Lockyer Valley BMX Club Inc., Council resolves to:-**

- (a) apply the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 to the Trustee Lease; and
- (b) write to the Lockyer Valley BMX Club Inc. and advise that it supports an application for a Trustee Lease over part of the reserve land on the eastern boundary adjacent to Lot 10 on CP846027 comprising a maximum of two hectares to be determined by a Survey Plan, on the following conditions:
- (i) the lease shall be for a term of 20 years with no further options to renew;
  - (ii) the land is to be kept free of Class 1 and Class 2 declared weeds at all times pursuant to Section 77 of the Land Protection (Pest and Stock Route Management) Act 2002;
  - (iii) the Lockyer Valley BMX Club Inc. shall be responsible for all costs incurred in the preparation and registration of the Trustee Lease, including survey costs and registration fees;
  - (iv) the Lockyer Valley BMX Club Inc. shall be responsible for all outgoings, including but not limited to insurance and utility expenses, incurred in respect of the leased premises; and
  - (v) formal consent to the Trustee Lease by the Minister for Department of Natural Resources and Mines is required before the lease term can commence.



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**16.9 Request by Historic Speedway Association of Australia and  
Vintage International Speedway Spectaculars to held Events at  
Gatton Showgrounds**

**Date:** 11 December 2013  
**Author:** Brad Domrow, Manager Community Facilities  
**Responsible Officer:** David Lewis, Group Manager Corporate & Community Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

**Summary:**

The Historic Speedway Association of Australia Inc. (HSAA) and the Vintage International Speedway Spectaculars (VISS) have both requested Council approval to hold separate events at the Gatton Showgrounds. The HSAA are requesting approval to hold one Members Club Day annually while the VISS are requesting approval to hold a three day event in May 2014.

**Officer's Recommendation:**

**THAT Council resolves to note the contents of this report; and;  
THAT Council forward correspondence to the Historic Speedway Association of Australia to advise that Council's preference is for the club to hold its activities in conjunction with a Lockyer Valley Speedway Association speedway event;  
And further;  
THAT Council forward correspondence to the Vintage International Speedway Spectaculars to advise that the dates requested in May 2014 are unavailable and that it is unlikely a suitable time can be found at the venue for a three day event.**

**RESOLUTION**

**THAT Council resolves to note the contents of this report; and;  
THAT Council forward correspondence to the Historic Speedway Association of Australia to advise that Council's preference is for the club to hold its activities in conjunction with a Lockyer Valley Speedway Association speedway event;  
And further;  
THAT Council forward correspondence to the Vintage International Speedway Spectaculars to advise that the dates requested in May 2014 are unavailable and that it is unlikely a suitable time can be found at the venue for a three day event.**



**Planning and Environment Court Appeal Wallangarra Pastoral Company v Lockyer Valley Regional Council & Anor - Endorsement of Conditions for settlement of appeal**

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (g) of the Local Government Act, 2009, as the matter involves starting or defending legal proceedings involving it.*

The decision of the Department of Environment and Resource Management (DERM) in October 2012 to issue an amended referral agency response and so withdraw its direction that development application DA4678 is to be refused now allows this development to be approved. Negotiations over the past nine months between Council officers, the proponents and the legal representatives of both parties have resulted in agreement of a set of conditions to be attached by the Court to the approval. This report seeks Council's endorsement of these conditions so that the appeal may be finalised.

**THAT Council resolves to endorse the Draft Conditions of Approval for DA4678 and advice as a basis for the settlement of Planning and Environment Court Appeal – Wallangarra Pastoral Company v Lockyer Valley Regional Council & Anor.**

- 1. The site shall be developed generally in accordance with the following plans and drawings included in Schedule 1:**

  - (a) Subdivision Plan, Urbis Drawing No. PP01, Rev F, Project No. BA2156, dated 17.07.13;**
  - (b) Proposed Infrastructure Plan, Urbis Drawing No PP02, Rev B Project No. BA2156, dated 17.07.13;**
  - (c) Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 11.11.13;**
  - (d) Staging Plan, Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13; and**
  - (e) Lot 1 Fire Trail Plan, Yurrah Drawing No.VM.06 Job No. 1109044-7, dated 12.07.13.**
- 2. The development shall be staged over seven (7) stages generally as outlined on**

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the Staging Plan, Urbis Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13, and in accordance with the following:

- (a) the development may, but need not, proceed in the numerical order of the stages shown on Staging Plan;
  - (b) each of the stages may be developed separately or in conjunction with another stage; and
  - (c) the use of each stage may commence upon the completion of the development works in that stage in accordance with all necessary operational works permits and other approvals.
3. For each stage, all conditions relevant for that stage must be complied with or bonds must be lodged prior to the plan of survey being sealed by Council.
  4. The relevant period for the development approval is 6 years from the date the approval takes effect.

**Works - General**

5. No on-site works shall commence for any stage of the development until approval for operational works for the associated stage has been obtained from Council.
6. Prior to undertaking any construction works or clearing on the site, Operational Works documentation in the form of detailed plans, drawings and calculations must be lodged with Council for review for compliance with the Approval Conditions and Council's general requirements.

Submission of Operational Works documentation will include:

- Plans showing full construction details, layout dimensions and finished surface levels.
  - All drawings must be checked, approved and signed by a current RPEQ with their registration number.
  - Three full sets of the drawings will be submitted in A3 size.
  - Calculations supporting stormwater management proposals are to be included.
  - A copy of the detailed plans and drawings must be provided to the relevant authorities to ensure practical designs for power and telecommunications facilities are possible.
7. For non-standard designs prepared by a private consultant and submitted as part of an application for operational works, a Design Checking Fee (approval of engineering drawings) based on Council's estimated cost of the works shall be payable. The fee is to be paid prior to design approval being given. Refer to

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Lockyer Valley Regional Council current Fees and Charges for calculation.

8. Where works associated with this development are to be carried out, the constructing body shall be appointed by the developer as Principal Contractor under the Workplace Health and Safety Act 1995 and all subordinate legislation, and shall comply with all requirements of the same. Completing and returning Form 34 to the Council shall provide evidence of such appointment.
9. Should any works associated with the development be carried out by agencies other than Council, an Inspection Fee based on Council's estimated cost of the works shall be payable calculated in accordance with the Lockyer Valley Regional Council's Fees and Charges current at the date notice of the works is given to Council. The Inspection Fee will be valid for six months after notice of works is given to Council.
10. With regards to the construction of Council Infrastructure:
  - A "Certificate of Design" must be submitted by an RPEQ, certifying that the design is in accordance with all relevant engineering standards, Council's requirements and standards, relevant development conditions of approval, and sound engineering practice with appropriate fees payable.
  - All works must be supervised by an RPEQ competent in civil works.
  - A pre-start meeting will be held with the Contractor, the supervising RPEQ Engineer and Council prior to construction commencing.
  - Council will inspect the works at critical points during the construction with appropriate fees payable.
  - On completion of all work, Council will inspect the work prior to acceptance 'On maintenance' for twelve (12) months with a maintenance security deposit payable.
  - The Developer will be responsible for the repair of any defects during the maintenance period.
11. All works must be undertaken by a nominated Principal Contractor experienced in the construction of Council Infrastructure. Council reserves the right to request evidence of the Principal Contractor's competency. Should it be deemed by the Director Engineering Services that the contractor does not have the necessary competency or has previously constructed substandard works for Council, Council reserves the right to reject the nominated contractor, alternatively, Council may require an extended Maintenance Period.
12. Council Infrastructure must be accepted "On Maintenance" prior to commencement of use. A maintenance bond equal to 10% of the construction cost (minimum of \$1,000.00) must be retained by Council for a minimum period of twelve months, or until such time as the works are accepted "Off Maintenance" by Council.

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13. Prior to plan sealing the developer shall provide a letter to Council which evidences compliance or negotiated variation, with each condition of the Reconfiguration of a Lot and Operational Works approvals, e.g. nominates date and receipt number for fees and contribution payments, RPEQ supervision certificates, "as constructed" data and confirms compliance with individual design and construction conditions.
14. On completion of all infrastructure works and prior to Application for Sealing of the Plan, the Developer is to provide Council with 'as constructed' drawings of infrastructure in digital format compatible with AutoCAD DWG/DXF files. The levels and positions of all infrastructure shall be referenced to GDA 94 (Zone 56) and AHD.
15. On completion of the works a certificate must be submitted to Council by a RPEQ certifying that the works have been constructed in accordance with Council's construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification.
16. All vegetation cleared on the site will be removed and correctly disposed of or mulched on site and reused for tree planting.
17. Cleared areas on newly created lots and any balance area must be seeded to achieve 80% grass coverage at off-maintenance at each stage.
18. Adequate permanent survey marks shall be installed in accordance with the requirements of the Department of Natural Resources and Mines (DNRM). The developer shall submit a certificate signed by a licensed surveyor, stating that after the completion of all works associated with the development, permanent survey marks are in their correct position, in accordance with the plan of survey.
19. Any costs from repairs due to damage caused to Council assets as a result of proposed works undertaken shall be met by the developer. Where pedestrian and vehicular traffic safety is exposed to hazards created from damage, the damage shall be repaired immediately upon associated works being completed.

**Excavation and Filling**

20. Earthworks must be carried out in accordance with AS 3798-1996 "Guidelines on Earthworks for commercial and residential developments".
21. All batters resulting from earthworks (cut and fill) associated with the development must:
  - (a) be located within the subject land; and
  - (b) have a maximum slope, including table drain batters, shall be 1V:4H, unless otherwise approved. Such approval will only be considered due to site constraints.

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22. Any constructed dams on the subject property that will be located within a residential allotment shall be drained and filled. The fill is to be Level 1 standard “controlled fill” in accordance with AS 3798 –“Guidelines on earthworks for commercial and residential developments”.
23. A geotechnical assessment report is to be provided prior to sealing the plans for any stage showing that the filled areas are controlled fill and have a site classification under AS2870 “Residential Slabs and Footings-Construction” that is equal to or less reactive than the existing soil classification on the lot/s.

**Sediment and Erosion Control**

24. The Developer will with the Operational Works Application, submit engineering drawings for establishing, maintaining and inspecting erosion and sediment management devices. The drawings shall show staging of works, where practical in order to limit the risk of the whole site being disturbed at the one time. This will include details of progressive revegetation of disturbed areas.
25. The developer shall be responsible for the installation and maintenance of silt management facilities from the time of commencement of construction until the stage has been released off maintenance by Council. All silt management facilities including diversion drains, sediment basins and energy dissipation structures as necessary are to be designed, constructed and maintained in accordance with ‘Best Practice Erosion and Sediment Control’ published by International Erosion Control Association Australasia.
26. The Developer will inspect all erosion and sediment control management devices after all significant rain events and where necessary these devices will be modified, repaired or improved to prevent any erosion or sediment discharge from the Development in future rain events.
27. The developer is responsible for the removal of any silt/sediment that enters the road reserve during the construction phase of the development.

**Ecology**

28. Public and private open space is to be developed and managed generally in accordance with Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 11.11.13.
29. The requirements of the Department of Natural Resources and Mines as outlined in their Amended Concurrence Agency response to Council in relation to this proposal shall be complied with (refer Schedule 2).
30. Before sealing the plan of survey for Stages 1, 2 and 4 the developer will enter into an environmental covenant with the Council pursuant to section 97A of the Land Title Act 1994 to ensure the protection and management of the Significant Habitat Trees located on or affecting privately owned lots within that stage of the development, as identified on the Covenant Plan, Urbis Drawing No PP05, Rev D, Project No. BA2156, dated 13.11.13.

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31. Prior to or concurrently with the initial operational works application for the development, the developer must submit covenant terms for approval by the Council. The covenant terms shall as a minimum detail the responsibilities, liabilities, measures, remedies and intents necessary to protect the Significant Habitat Trees and will prohibit within the covenant area all earthworks, infrastructure, buildings or structures and any land practices that may cause permanent or significant damage to the vegetation in terms of its health or longevity, unless otherwise approved.
32. The covenant areas for the Significant Habitat Trees will be determined at the time of survey to establish Tree Protection Zones in accordance with AS4970-2009 – Protection of trees on development sites.
33. The environmental covenants must be lodged for registration on the titles of the affected lots at the time the survey plan creating the lots is lodged for registration in the Land Titles Office.

**Parkland and Public Open Space Management**

34. Parkland is to be progressively dedicated to Council with each stage of the development generally as indicated on the Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13 and prepared by Urbis.
35. The developer shall prepare a Public Open Space Management Plan, to be submitted for Council approval prior to or concurrently with the operational works application which:
  - (a) details the segmentation and staged handover of open space in accordance with areas of approved allotments and road constructions;
  - (b) is prepared in accordance with relevant Council documentation, guidelines and policies;
  - (c) is prepared in accordance with the conclusions derived from the technical studies carried out for the site;
  - (d) lists components of specific management plans (hydraulic, bushfire, ecological etc.) prepared for the site which relate to the dedication and protection of the public open space areas;
  - (e) defines and sets out parameters for minimum standards for the quality of public open space areas;
  - (f) responds to specific Council Development Codes which influence the protection and use of proposed open space areas;
  - (g) as a minimum, includes details of embellishments, planting and species schedules, materials proposed, car parking design, pedestrian and cycle paths that provide connectivity through the site;



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- (h) provides for the removal of weeds within the public open space network and the progressive rehabilitation of affected areas;
- (i) provides for the use of locally indigenous trees for plantings in streetscapes or other open spaces affected by the development or requiring active rehabilitation; and
- (j) will delineate the 1:10 year flood level affecting areas of proposed public open space as confirmed by a registered surveyor.

- 36. The developer shall comply with the requirements of the approved Public Open Space Management Plan.
- 37. All edging on public land including road reserves, footpaths, parks etc. shall be constructed of material with suitable longevity properties both in and above ground level. Treated or untreated hardwood or softwood is not to be used.
- 38. The unconstrained parkland must be above the 1:10 year flood level. The provision of drainage reserve below the 1 in 10 year level will not count as unconstrained parkland. The developer is to show any constrained land clearly within the Public Open Space Management Plan.

**Bushfire**

- 39. The estate is to be developed and managed in accordance with the recommendations of the Bushfire Risk Assessment and Mitigation Plan prepared by Bushland Protection Systems Pty Ltd (dated 11.11.13)(refer to Schedule 2).
- 40. Bushfire trails and asset protection zones are to be established generally as indicated on the Covenant Plan, Urbis Drawing No. PP05, Rev C, Project No. BA2156, dated 17.07.13 and maintained in accordance with the Bushfire Risk Assessment and Mitigation Plan prepared by Bushland Protection Systems Pty Ltd (dated 11.11.13).
- 41. The developer must provide a fire trail within proposed Lot 1. The fire trail must be developed generally in accordance with the Lot 1 Fire Trail Plan, Yurrah Drawing No. VM.06, Job No.1109044-7 dated 12.07.13. A lockable gate must be installed at the entrance to the fire trail on Adare Road.
- 42. The developer shall grant an Easement in favour of the State of Queensland represented by the Department of Community Safety on that Department's standard terms and conditions (Land Titles Office Document 712851620) to permit access for emergency vehicles and a safe evacuation route along the bushfire trail within proposed Lot 1, as indicated on the Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 08.11.13.

**Water Supply**

- 43. Water reticulation drawings shall be submitted for approval prior to works occurring.
- 44. Each allotment shall be connected to reticulated water supply infrastructure.



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45. Water supply is to be generally in accordance with the water supply assessment report by Gilbert and Sutherland of May 2011 and the requirements of Queensland Urban Utilities outlined in their advice to Council of 6 December 2013, QUU Reference 119/80/979/189/13 (refer to Schedule 3).

**Sewerage**

46. Each allotment within the development shall contain an area of approximately 450-520m<sup>2</sup> with less than 10% slope that is capable of dedication as an effluent disposal area to cater for an on-site aerobic waste water treatment system unless otherwise approved.
47. Any accompanying on site effluent disposal system is to be retained wholly within the lot containing the house it services and is to comply with Australian Standard 1547:12 On-site Domestic Wastewater Management.

**Stormwater Management and Control**

48. All unlined open drains shall be turfed to a level at least 300mm above the 100 ARI flow level as soon as practicable after construction and regular watering shall occur to ensure required establishment. The proposed schedules of turfing shall be shown on the Works Program. Additional measures to line open drains shall be required if flow velocities exceed the values shown in QUDM Table 9.05.3.
49. The 100 ARI local flood levels and 100 ARI regional flood level (if applicable) shall be determined for the development by an RPEQ with experience in flood modelling. The ground level of all new lots shall be 300mm above both the local and regional flood levels. The local Q100 ARI flood event extents shall be contained within a drainage easement. Council has information on the regional flood levels in parts of Gatton and Laidley. Please liaise with Council's Engineering Assessment Officer to access this information.
50. An RPEQ with experience in flood modelling shall provide a report which details depths of flow, velocities and also provide a flood hazard and risk assessment to assess risk to property and life.
51. The developer must provide all necessary internal and external stormwater drainage infrastructure to service the development. Such drainage works must be designed and constructed in accordance with QUDM and the Gatton Shire Planning Scheme such that the overall drainage system caters for a storm event with an ARI of 100 years.
52. All stormwater drainage structures (surface and underground) and accessories shall be designed and constructed to effectively drain all stormwater falling on and coming to the proposed subdivision to a point of satisfactory legal discharge. The legal point of discharge shall be identified for each drainage path which crosses the development site boundary.
53. All stormwater flows within and adjacent to the developments shall be confined

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to road reserves, drainage reserves, registered easements or parkland. The registered drainage easements if related to piped drainage shall be centrally located over such underground pipe system and shall not be less than 4m wide. In addition, the easement shall be of suitable width to contain the predicted overland flow from the stormwater event with an ARI of 100 years in that location.

54. No ponding or redirection of stormwater shall occur onto adjoining land.
55. Overland flow paths must be suitably designed to cater for the water from a storm event with an ARI of 100 years. In the case where the piped system is carrying part of the flow, the overland flow paths must be designed to cater for that volume which is represented by the difference between the predicted volume from the storm event with an ARI of 100 years and the capacity of the pipe system, noting the requirements of QUDM.
56. As part of an application for operational works, detailed stormwater management plans will be prepared by a suitably qualified professional generally in accordance with the stormwater management plan prepared by Gilbert and Sutherland titled "Stormwater Management Plan 63 Redbank Creek Road, Adare, Queensland" dated February 2010 including amendments detailed in the letter from Gilbert and Sutherland to Urbis dated 5 October 2012.
57. The developer shall be responsible for obtaining approval and bearing all costs associated with registering in favour of Council all necessary stormwater drainage easements, within and external to the subject land, in order for drainage path to reach a legal point of discharge.
58. The peak rate of stormwater discharge from the site shall not exceed the peak rate of stormwater discharge for the site prior to development for all rainfall events (i.e. 1 year, 2 years, 5 years, 10 years, 20 years, 50 years and 100 year ARI events). This shall be achieved by appropriate detention facilities and WSUD design features, and shall be generally consistent with the SWMP provided as part of the application.
59. Lots which drain to the street shall have a standard galvanised kerb adaptor installed in the kerb at the lowest corner of the lot.
60. Stormwater drainage piping shall have a minimum diameter of 375mm with the exception of rear inter-allotment drainage
61. The developer shall provide all stormwater drainage associated with the Redbank Creek Road frontage of Stage 1, including upgrading of existing cross drainage which shall be designed in accordance with QUDM.
62. The developer shall provide all stormwater drainage associated with the Adare Road frontage of Stage 4, including upgrading of existing cross drainage which shall be designed in accordance with QUDM.
63. The developer shall provide all stormwater drainage associated with the Adare Road frontage of Stage 5, including upgrading of existing cross drainage which

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shall be designed in accordance with QUDM.

64. The developer shall provide all stormwater drainage associated with the Adare Road frontage of Stage 7, including upgrading of existing cross drainage which shall be designed in accordance with QUDM.

**Public Utility Services**

65. All above and below ground services potentially affected by the proposed subdivision works shall have alignment and level determined prior to any detailed design or construction works being undertaken. Any conflicts associated with proposed and existing services shall be forwarded to the appropriate controlling authority by the developer for decision.
66. In relation to telecommunication supply for the development:
- (a) the developer will arrange with the service supplier(s) that operate(s) in the local area for the reticulation of external cable within the development;
  - (b) telecommunication conduits (ducts) and pits, including trenching and design, are to be provided to service the development in accordance with the NBN Co Installing Pit and Conduit Infrastructure – Guidelines for Developers. Documentary evidence shall be provided to Council which confirms the NBN Co requirements have been satisfied and the infrastructure has been installed and are fibre-ready;
  - (c) the developer will submit a 'Certificate of Supply' to Council verifying that telecommunications are available to all proposed allotments or that the developer has entered into a suitable agreement with the relevant authority for the provision of telecommunications to the new lots prior to endorsement of the Survey Plan.
67. In relation to electricity supply for the development:
- (a) Underground electricity is to be provided to serve all new internal allotments. Overhead power is only acceptable on external roads with an existing overhead supply;
  - (b) The developer will submit a 'Certificate of Supply' to Council verifying that electricity supply is available to all proposed allotments or that the developer has entered into a suitable agreement with the relevant authority for the supply of electricity to the new lots prior to endorsement of the Survey Plan.
68. All underground plant installed by public utility providers shall be in accordance with Council's standard detail for Footpath Allocations for Public Utilities as contained in the Council's Planning Scheme.
69. Adequate provision shall be made in all proposed road reserves, access strips and easements to cater for the public utility services to serve the development.
70. The developer will, where practical, arrange trench sharing with relevant

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authorities.

71. The developer must provide appropriate road crossing conduits and kerb markers shall be installed to identify the location of cross road services e.g. water, electricity and telecommunications.
72. The developer shall grant such easements for public utility services on the terms and conditions of the relevant public utility provider as are necessary to facilitate the provision of those services to the development.
73. The developer shall provide detailed design drawings for both electricity and telecommunications with the drawings approved by the relevant authority at the time of Operational Works.
74. The telecommunication and electricity layouts must also be shown on the water reticulation layout plan, stormwater layout plan and the sewerage layout plan where applicable, and all the plans are to be certified by the relevant authority.

**Road Network Infrastructure - General**

75. The requirements of Queensland Transport and Main Roads outlined in their Amended Concurrence Agency Response of 14 February 2013 (Reference TMR 13-005392) in relation to this proposal shall be complied with (refer Schedule 3).
76. All roadworks shall be designed and constructed in accordance with Council's standards outlined in LVRC Road Hierarchy Table unless specifically detailed otherwise in other conditions of this reconfiguration approval.
77. All roadworks shall be designed and constructed with regard to the Department of Main Roads Road Planning and Design Manual, Austroad publications and the Institute of Public Works Engineering Association Queensland Standard Drawings.
78. The design and construction of each road or street must ensure that the speed environment, geometry, sight distances, carriageway widths, lighting, bus stops, vehicle movements, on street parking other physical attributes are consistent with the function and role of the road or street in the transport network.
79. The design and construction of all roadworks is to be in accordance with the nominated design speed in LVRC Road Hierarchy Table and general accordance with Queensland Streets Design Guidelines for "Subdivisional Street Works". Appropriate intersection treatment and geometric design is required to meet this requirement. Such devices shall not restrict service vehicle access.
80. All internal roads within the development shall be sealed to a standard suitable for the designated road type and in accordance with LVRC standards.
81. All street surfacing for new road construction shall consist of an approved asphaltic concrete. Patterned, reinforced concrete, concrete pavers or segmental clay pavers shall only be used in feature areas.

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82. The road pavement design details and test results are to be submitted for Council approval. Pavement design shall be undertaken in accordance with Austroads Guide to Pavement Technology Part 2: Pavement Structural Design. The minimum pavement thickness, including 30mm of AC, shall not be less than 300mm. A minimum 30mm AC surfacing is required. The total pavement thickness as determined from the design charts is not to include the thickness of AC surfacing which is deemed to be a wearing surface only unless the AC thickness is greater than 75mm.
83. Where new and old pavements meet, the join shall be of a neat standard with respect to horizontal and vertical alignments. The join shall have no significantly noticeable irregularities in the running surface at or adjacent to the join for the length of the construction. Works may be necessary on the existing pavement for a satisfactory standard to be met.
84. Where kerb and channel is proposed, the developer must establish the location of existing structures and services (including existing kerb and channel and vegetation) and take these into account in the detailed design of the kerb and channel alignment.
85. Where kerb and channel is installed, an 800mm continuous strip of turf with additional filter strips at 5.0m spacing shall be laid behind all new kerb and channel. The remaining unsealed verge area shall be filled, graded and either fully turfed or appropriately grassed seeded to achieve 80% grass coverage at off maintenance.
86. All lots must allow for the provision of vehicular access to the roadway.
87. For any stage of the development involving a battle axe allotment, the developer shall construct a vehicular access driveway from the carriageway to the allotment in accordance with Council's Property Access & Access Crossings: Design, Construction & Maintenance policy prior to the sealing of the plans for that stage. Where possible, the driveway shall join the proposed carriageway at an angle of 90 degrees to provide for suitable vehicular access to and from the allotment. Provision of conduits for underground services being water supply, electricity, telephone cabling or other such utilities is required as part of the access driveway unless the access is constructed in conjunction with Operational Works, a Permit to Undertake Work on a Road Reserve is required.
88. Any terminating roads that may be extended as a part of a later stage must be constructed with a gravel turnaround area with a minimum diameter of 18m, with a two coat bitumen seal. Hazard markers and delineator posts must be erected to define the turn around.
89. All traffic signs and delineation shall be designed in accordance with MUTCD.
90. Street lighting will be designed and installed in accordance with the Australian Standard Code of practice for public lighting, AS1158, with the exception of light spacing. M50 mercury lights, or suitable approved alternatives, will be fitted at each intersection and at any problem areas as determined in consultation with Council. All street lighting will be certified by an RPEQ competent in electrical

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reticulation design, with the exception of the light spacing.

91. The Developer shall submit to Council a list of preferred street names for any proposed new street for consideration by Council (in accordance with Council's Policy for the naming of new streets). Street names proposed will not be the same or similar to other street names within the Lockyer Valley Regional Council area. Council retains the right to name one street within the Development.
92. The developer shall provide through road priority for the collector street nominated as a potential bus route in the Department of Transport and Mains Roads Concurrence Agency Response 14.02.13 (Schedule 3). The developer shall submit an amended development plan to Council for approval prior to submission of the application for operational works such that the geometry of the road way accommodates the manoeuvre path of the bus identified in the Department of Transport and Main Concurrence Agency Response 14.02.13 (Schedule 3) and is contained within road reserve including all altered intersection priorities.

**Road Network Infrastructure – Stage 1 Works**

93. Existing roads shall be widened and kerbed for the frontage of subject land, as follows:-
  - Road Name Redbank Creek Road
  - Classification- Collector Street
  - Construction Standard- Road shall be widened on the northern side of Redbank Creek Road including kerb and channel to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to kerb invert). The treatment shall extend along the full frontage of the subject land from the intersection of Redbank Creek Road, Fords Road and Adare Road to the eastern boundary of Stage 1.
94. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-
  - Lots 108, 109, 116-119 Treatment Type 1
  - Lots 109-111, 116, 120-123, 130-132 Treatment Type 2
  - Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
  - Treatment Type 2 - Construction Standard. The Road Reserve Width is to be



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16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 2 Works**

95. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 82-85, 106, 107 Treatment Type 1
- Lots 82, 86-88, 101-105, 106, 112-115, 134 Treatment Type 2
- Lots 115, 133, 134 Treatment Type 3
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- Treatment Type 2 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- Treatment Type 3 - Construction Standard. The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 3 Works**

96. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 89-100, 135-142 Treatment Type 1
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved

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by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 4 Works**

97. Existing roads shall be widened for the frontage of subject land, as follows:-

- Road Name Adare Road
- Classification- Collector Street
- Construction Standard- Road shall be widened on the eastern side of Adare Road to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to edge of bitumen). The treatment shall extend along the full frontage of the subject land from which point the bitumen edge shall taper at a minimum 1 in 10 to join neatly with the existing bitumen edge. Swales must be constructed in accordance with QUDM design standards between Adare Road and each lot fronting onto Adare Road. Constructed crossovers must also be provided for all lots fronting onto Adare Road.

98. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 43-45, 51, 52, 58, 68-70, 143 Treatment Type 1
- Lots 39, 46-51, 58, 68, 143 Treatment Type 2
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- Treatment Type 2 - Construction Standard. The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 5 Works**

99. Existing roads shall be widened for the frontage of subject land, as follows:-

- Road Name Adare Road
- Classification- Collector Street
- Construction Standard- Road shall be widened on the eastern side of Adare



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Road to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to edge of bitumen). The treatment shall extend from the intersection of Redbank Creek Road and Adare Road to the northern boundary of stage 5, from which point the bitumen edge shall taper at a minimum 1 in 10 to join neatly with the existing bitumen edge. Swales must be constructed in accordance with QUDM design standards between Adare Road and each lot fronting onto Adare Road. Constructed crossovers must also be provided for all lots fronting onto Adare Road

100. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 71-73 Treatment Type 1
- Lots 59-67, 71-77. Treatment Type 2
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- Treatment Type 2 - Construction Standard. The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 6 Works**

101. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 15-17, 18-19, 28-31 Treatment Type 1
- Lots 19-28, 31-37 Treatment Type 2
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- Treatment Type 2 - Construction Standard. The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and

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channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 7 Works**

102. Existing roads shall be widened for the frontage of subject land, as follows:-
- Road Name Adare Road
  - Classification- Collector Street
  - Construction Standard- Road shall be widened on the eastern side of Adare Road to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to edge of bitumen). The treatment shall extend from the northern boundary of stage 4 to the northern boundary of stage 7, from which point the bitumen edge shall taper at a minimum 1 in 10 to join neatly with the existing bitumen edge. Swales must be constructed in accordance with QUDM design standards between Adare Road and each lot fronting onto Adare Road. Constructed crossovers must also be provided for all lots fronting onto Adare Road.
103. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-
- Lots 1-14 Treatment Type 1
  - Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
104. The developer shall provide a cul-de-sac adjacent to proposed lot 1 and at the terminating end of the internal collector street. The cul-de-sac shall be circular head type with a minimum diameter of 18.0m. The developer shall submit an amended development plan to Council for approval prior to submission of the application for operational works such that the cul-de-sac is contained within road reserve with a minimum verge width of 5.0m.

**Infrastructure Charges**

105. The developer is to pay Infrastructure charges for the proposed development in accordance with the *LVRC Adopted Infrastructure Charges Resolution*. Council will issue Infrastructure Charges Notices for the development. The charges relating to a particular stage of the development are required to be paid prior to plan sealing for that stage and can be obtained from Council at that time. The developer may pay the contributions for any or all of the stages in advance (for example, it may pay all of the infrastructure contributions for the development upfront). The amount payable will be required at the rate applicable at the time of

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payment.

**Schedules**

**Schedule 1 Approved Plans and Drawings**

- Subdivision Plan, Urbis Drawing No. PP01, Rev F, Project No. BA2156, dated 17.07.13
- Proposed Infrastructure Plan, Urbis Drawing No. PP02, Rev B, Project No. BA2156, dated 17.07.13
- Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 11.11.13
- Staging Plan, Urbis Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13
- Lot 1 Fire Trail Plan, Yurrah Drawing No. VM.06, Job No. 1109044-7, dated 12.07.13

**Schedule 2 Approved Assessments and Reports**

- Bushfire Risk Assessment and Mitigation Plan, Bushland Protection Systems Pty Ltd (dated 11.11.13).
- G&S Reports - Gilbert and Sutherland titled "Stormwater Management Plan 63 Redbank Creek Road, Adare, Queensland" dated February 2010 including amendments detailed in the letter from Gilbert and Sutherland to Urbis dated 5 October 2012.

**Schedule 3 Concurrence, Advice and Third Party Responses**

- Department of Natural Resources and Mines Amended Concurrence Agency Response.
- Department of Transport and Main Roads Amended Concurrence Agency Response 14.02.13
- Queensland Urban Utilities Decision Stage Comments dated 06.12.13.

**Advice provided by the Assessment Manager and Referral Agencies**

- (a) All works associated with this approval may not start until all subsequent approvals have been obtained, and the conditions attached to these approvals have been satisfied.
- (b) It is considered essential that any consultants engaged to prepare any subsequent reports, plans or applications, liaise with the relevant Council Officers to ensure they are prepared in accordance with the conditions of approval and all relevant standards.
- (c) Any additions or modifications to the approval may be subject to a further application for development approval. To ensure works or activities are not undertaken outside the scope of this approval please contact Council.
- (d) The relevant period for this development permit is four years. After the Relevant Period expires, if an extension of the relevant period has not been obtained the approval will no longer be current.
- (e) The entities commissioned to undertake all construction activities shall be aware

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of and comply with the requirements of all relevant State environmental regulations, including those relating to hours of construction.

- (f) Each further development approval required as a result of this approval must be obtained within the relevant period.
- (g) All proposed structures and works should be positioned clear of any services which traverse the subject land. To determine where existing services are located, please contact Council or the owner of the services.
- (h) In accordance with the *Plant Protection Act 1989* and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.

It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 13 25 23 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:

Director General  
Department of Primary Industries  
GPO Box 46, Brisbane QLD 4001

It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website: [www.dpi.qld.gov.au](http://www.dpi.qld.gov.au).

- (i) All persons undertaking works on the land have obligations and responsibilities under the *Aboriginal Cultural Heritage Act, 2003*.
- (j) 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”).
- (k) Applicants are also encouraged to undertake a search of the Aboriginal Cultural heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Environment and Resource Management. Application forms to undertake a free search of the Cultural heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM Website: [http://www.derm.qld.gov.au/cultural\\_heritage/index.html](http://www.derm.qld.gov.au/cultural_heritage/index.html)
- (l) Should the operator discover an item of cultural heritage significance or any evidence of heritage place the Cultural Heritage Act 1992 requires that they immediately contact the Department of Environment and Heritage Protection for direction.
- (m) Evidence of Portable Long Service Leave having been paid is required for projects

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over \$80,000 in contract value (Submit yellow copy to Council). This is required prior to the issue by Council of the Operational Works approval.

**RESOLUTION**

**THAT Council resolves to endorse the Draft Conditions of Approval for DA4678 and advice as a basis for the settlement of Planning and Environment Court Appeal – Wallangarra Pastoral Company v Lockyer Valley Regional Council & Anor.**

**General**

- 1. The site shall be developed generally in accordance with the following plans and drawings included in Schedule 1:**
  - (a) Subdivision Plan, Urbis Drawing No. PP01, Rev F, Project No. BA2156, dated 17.07.13;**
  - (b) Proposed Infrastructure Plan, Urbis Drawing No PP02, Rev B Project No. BA2156, dated 17.07.13;**
  - (c) Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 11.11.13;**
  - (d) Staging Plan, Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13; and**
  - (e) Lot 1 Fire Trail Plan, Yurrah Drawing No.VM.06 Job No. 1109044-7, dated 12.07.13.**
- 2. The development shall be staged over seven (7) stages generally as outlined on the Staging Plan, Urbis Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13, and in accordance with the following:**
  - (a) the development may, but need not, proceed in the numerical order of the stages shown on Staging Plan;**
  - (b) each of the stages may be developed separately or in conjunction with another stage; and**
  - (c) the use of each stage may commence upon the completion of the development works in that stage in accordance with all necessary operational works permits and other approvals.**
- 3. For each stage, all conditions relevant for that stage must be complied with or bonds must be lodged prior to the plan of survey being sealed by Council.**
- 4. The relevant period for the development approval is 6 years from the date the approval takes effect.**

**Works - General**

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5. No on-site works shall commence for any stage of the development until approval for operational works for the associated stage has been obtained from Council.
6. Prior to undertaking any construction works or clearing on the site, Operational Works documentation in the form of detailed plans, drawings and calculations must be lodged with Council for review for compliance with the Approval Conditions and Council's general requirements.

Submission of Operational Works documentation will include:

- Plans showing full construction details, layout dimensions and finished surface levels.
  - All drawings must be checked, approved and signed by a current RPEQ with their registration number.
  - Three full sets of the drawings will be submitted in A3 size.
  - Calculations supporting stormwater management proposals are to be included.
  - A copy of the detailed plans and drawings must be provided to the relevant authorities to ensure practical designs for power and telecommunications facilities are possible.
7. For non-standard designs prepared by a private consultant and submitted as part of an application for operational works, a Design Checking Fee (approval of engineering drawings) based on Council's estimated cost of the works shall be payable. The fee is to be paid prior to design approval being given. Refer to Lockyer Valley Regional Council current Fees and Charges for calculation.
  8. Where works associated with this development are to be carried out, the constructing body shall be appointed by the developer as Principal Contractor under the Workplace Health and Safety Act 1995 and all subordinate legislation, and shall comply with all requirements of the same. Completing and returning Form 34 to the Council shall provide evidence of such appointment.
  9. Should any works associated with the development be carried out by agencies other than Council, an Inspection Fee based on Council's estimated cost of the works shall be payable calculated in accordance with the Lockyer Valley Regional Council's Fees and Charges current at the date notice of the works is given to Council. The Inspection Fee will be valid for six months after notice of works is given to Council.
  10. With regards to the construction of Council Infrastructure:
    - A "Certificate of Design" must be submitted by an RPEQ, certifying that the design is in accordance with all relevant engineering standards, Council's

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requirements and standards, relevant development conditions of approval, and sound engineering practice with appropriate fees payable.

- All works must be supervised by an RPEQ competent in civil works.
  - A pre-start meeting will be held with the Contractor, the supervising RPEQ Engineer and Council prior to construction commencing.
  - Council will inspect the works at critical points during the construction with appropriate fees payable.
  - On completion of all work, Council will inspect the work prior to acceptance 'On maintenance' for twelve (12) months with a maintenance security deposit payable.
  - The Developer will be responsible for the repair of any defects during the maintenance period.
11. All works must be undertaken by a nominated Principal Contractor experienced in the construction of Council Infrastructure. Council reserves the right to request evidence of the Principal Contractor's competency. Should it be deemed by the Director Engineering Services that the contractor does not have the necessary competency or has previously constructed substandard works for Council, Council reserves the right to reject the nominated contractor, alternatively, Council may require an extended Maintenance Period.
12. Council Infrastructure must be accepted "On Maintenance" prior to commencement of use. A maintenance bond equal to 10% of the construction cost (minimum of \$1,000.00) must be retained by Council for a minimum period of twelve months, or until such time as the works are accepted "Off Maintenance" by Council.
13. Prior to plan sealing the developer shall provide a letter to Council which evidences compliance or negotiated variation, with each condition of the Reconfiguration of a Lot and Operational Works approvals, e.g. nominates date and receipt number for fees and contribution payments, RPEQ supervision certificates, "as constructed" data and confirms compliance with individual design and construction conditions.
14. On completion of all infrastructure works and prior to Application for Sealing of the Plan, the Developer is to provide Council with 'as constructed' drawings of infrastructure in digital format compatible with AutoCAD DWG/DXF files. The levels and positions of all infrastructure shall be referenced to GDA 94 (Zone 56) and AHD.
15. On completion of the works a certificate must be submitted to Council by a RPEQ certifying that the works have been constructed in accordance with Council's construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification.



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16. All vegetation cleared on the site will be removed and correctly disposed of or mulched on site and reused for tree planting.
17. Cleared areas on newly created lots and any balance area must be seeded to achieve 80% grass coverage at off-maintenance at each stage.
18. Adequate permanent survey marks shall be installed in accordance with the requirements of the Department of Natural Resources and Mines (DNRM). The developer shall submit a certificate signed by a licensed surveyor, stating that after the completion of all works associated with the development, permanent survey marks are in their correct position, in accordance with the plan of survey.
19. Any costs from repairs due to damage caused to Council assets as a result of proposed works undertaken shall be met by the developer. Where pedestrian and vehicular traffic safety is exposed to hazards created from damage, the damage shall be repaired immediately upon associated works being completed.

**Excavation and Filling**

20. Earthworks must be carried out in accordance with AS 3798-1996 "Guidelines on Earthworks for commercial and residential developments".
21. All batters resulting from earthworks (cut and fill) associated with the development must:
  - (a) be located within the subject land; and
  - (b) have a maximum slope, including table drain batters, shall be 1V:4H, unless otherwise approved. Such approval will only be considered due to site constraints.
22. Any constructed dams on the subject property that will be located within a residential allotment shall be drained and filled. The fill is to be Level 1 standard "controlled fill" in accordance with AS 3798 –"Guidelines on earthworks for commercial and residential developments".
23. A geotechnical assessment report is to be provided prior to sealing the plans for any stage showing that the filled areas are controlled fill and have a site classification under AS2870 "Residential Slabs and Footings-Construction" that is equal to or less reactive than the existing soil classification on the lot/s.

**Sediment and Erosion Control**

24. The Developer will with the Operational Works Application, submit engineering drawings for establishing, maintaining and inspecting erosion and sediment management devices. The drawings shall show staging of works, where practical in order to limit the risk of the whole site being disturbed at the one time. This will include details of progressive revegetation of disturbed areas.
25. The developer shall be responsible for the installation and maintenance of silt



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management facilities from the time of commencement of construction until the stage has been released off maintenance by Council. All silt management facilities including diversion drains, sediment basins and energy dissipation structures as necessary are to be designed, constructed and maintained in accordance with 'Best Practice Erosion and Sediment Control' published by International Erosion Control Association Australasia.

26. The Developer will inspect all erosion and sediment control management devices after all significant rain events and where necessary these devices will be modified, repaired or improved to prevent any erosion or sediment discharge from the Development in future rain events.
27. The developer is responsible for the removal of any silt/sediment that enters the road reserve during the construction phase of the development.

**Ecology**

28. Public and private open space is to be developed and managed generally in accordance with Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 11.11.13.
29. The requirements of the Department of Natural Resources and Mines as outlined in their Amended Concurrence Agency response to Council in relation to this proposal shall be complied with (refer Schedule 2).
30. Before sealing the plan of survey for Stages 1, 2 and 4 the developer will enter into an environmental covenant with the Council pursuant to section 97A of the Land Title Act 1994 to ensure the protection and management of the Significant Habitat Trees located on or affecting privately owned lots within that stage of the development, as identified on the Covenant Plan, Urbis Drawing No PP05, Rev D, Project No. BA2156, dated 13.11.13.
31. Prior to or concurrently with the initial operational works application for the development, the developer must submit covenant terms for approval by the Council. The covenant terms shall as a minimum detail the responsibilities, liabilities, measures, remedies and intents necessary to protect the Significant Habitat Trees and will prohibit within the covenant area all earthworks, infrastructure, buildings or structures and any land practices that may cause permanent or significant damage to the vegetation in terms of its health or longevity, unless otherwise approved.
32. The covenant areas for the Significant Habitat Trees will be determined at the time of survey to establish Tree Protection Zones in accordance with AS4970-2009 – Protection of trees on development sites.
33. The environmental covenants must be lodged for registration on the titles of the affected lots at the time the survey plan creating the lots is lodged for registration in the Land Titles Office.

**Parkland and Public Open Space Management**

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34. Parkland is to be progressively dedicated to Council with each stage of the development generally as indicated on the Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13 and prepared by Urbis.
35. The developer shall prepare a Public Open Space Management Plan, to be submitted for Council approval prior to or concurrently with the operational works application which:
- (a) details the segmentation and staged handover of open space in accordance with areas of approved allotments and road constructions;
  - (b) is prepared in accordance with relevant Council documentation, guidelines and policies;
  - (c) is prepared in accordance with the conclusions derived from the technical studies carried out for the site;
  - (d) lists components of specific management plans (hydraulic, bushfire, ecological etc.) prepared for the site which relate to the dedication and protection of the public open space areas;
  - (e) defines and sets out parameters for minimum standards for the quality of public open space areas;
  - (f) responds to specific Council Development Codes which influence the protection and use of proposed open space areas;
  - (g) as a minimum, includes details of embellishments, planting and species schedules, materials proposed, car parking design, pedestrian and cycle paths that provide connectivity through the site;
  - (h) provides for the removal of weeds within the public open space network and the progressive rehabilitation of affected areas;
  - (i) provides for the use of locally indigenous trees for plantings in streetscapes or other open spaces affected by the development or requiring active rehabilitation; and
  - (j) will delineate the 1:10 year flood level affecting areas of proposed public open space as confirmed by a registered surveyor.
36. The developer shall comply with the requirements of the approved Public Open Space Management Plan.
37. All edging on public land including road reserves, footpaths, parks etc. shall be constructed of material with suitable longevity properties both in and above ground level. Treated or untreated hardwood or softwood is not to be used.
38. The unconstrained parkland must be above the 1:10 year flood level. The provision of drainage reserve below the 1 in 10 year level will not count as

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unconstrained parkland. The developer is to show any constrained land clearly within the Public Open Space Management Plan.

**Bushfire**

39. The estate is to be developed and managed in accordance with the recommendations of the Bushfire Risk Assessment and Mitigation Plan prepared by Bushland Protection Systems Pty Ltd (dated 11.11.13)(refer to Schedule 2).
40. Bushfire trails and asset protection zones are to be established generally as indicated on the Covenant Plan, Urbis Drawing No. PP05, Rev C, Project No. BA2156, dated 17.07.13 and maintained in accordance with the Bushfire Risk Assessment and Mitigation Plan prepared by Bushland Protection Systems Pty Ltd (dated 11.11.13).
41. The developer must provide a fire trail within proposed Lot 1. The fire trail must be developed generally in accordance with the Lot 1 Fire Trail Plan, Yurrah Drawing No. VM.06, Job No.1109044-7 dated 12.07.13. A lockable gate must be installed at the entrance to the fire trail on Adare Road.
42. The developer shall grant an Easement in favour of the State of Queensland represented by the Department of Community Safety on that Department's standard terms and conditions (Land Titles Office Document 712851620) to permit access for emergency vehicles and a safe evacuation route along the bushfire trail within proposed Lot 1, as indicated on the Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 08.11.13.

**Water Supply**

43. Water reticulation drawings shall be submitted for approval prior to works occurring.
44. Each allotment shall be connected to reticulated water supply infrastructure.
45. Water supply is to be generally in accordance with the water supply assessment report by Gilbert and Sutherland of May 2011 and the requirements of Queensland Urban Utilities outlined in their advice to Council of 6 December 2013, QUU Reference 119/80/979/189/13 (refer to Schedule 3).

**Sewerage**

46. Each allotment within the development shall contain an area of approximately 450-520m<sup>2</sup> with less than 10% slope that is capable of dedication as an effluent disposal area to cater for an on-site aerobic waste water treatment system unless otherwise approved.
47. Any accompanying on site effluent disposal system is to be retained wholly within the lot containing the house it services and is to comply with Australian Standard 1547:12 On-site Domestic Wastewater Management.

**Stormwater Management and Control**

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48. All unlined open drains shall be turfed to a level at least 300mm above the 100 ARI flow level as soon as practicable after construction and regular watering shall occur to ensure required establishment. The proposed schedules of turfing shall be shown on the Works Program. Additional measures to line open drains shall be required if flow velocities exceed the values shown in QUDM Table 9.05.3.
49. The 100 ARI local flood levels and 100 ARI regional flood level (if applicable) shall be determined for the development by an RPEQ with experience in flood modelling. The ground level of all new lots shall be 300mm above both the local and regional flood levels. The local Q100 ARI flood event extents shall be contained within a drainage easement. Council has information on the regional flood levels in parts of Gatton and Laidley. Please liaise with Council's Engineering Assessment Officer to access this information.
50. An RPEQ with experience in flood modelling shall provide a report which details depths of flow, velocities and also provide a flood hazard and risk assessment to assess risk to property and life.
51. The developer must provide all necessary internal and external stormwater drainage infrastructure to service the development. Such drainage works must be designed and constructed in accordance with QUDM and the Gatton Shire Planning Scheme such that the overall drainage system caters for a storm event with an ARI of 100 years.
52. All stormwater drainage structures (surface and underground) and accessories shall be designed and constructed to effectively drain all stormwater falling on and coming to the proposed subdivision to a point of satisfactory legal discharge. The legal point of discharge shall be identified for each drainage path which crosses the development site boundary.
53. All stormwater flows within and adjacent to the developments shall be confined to road reserves, drainage reserves, registered easements or parkland. The registered drainage easements if related to piped drainage shall be centrally located over such underground pipe system and shall not be less than 4m wide. In addition, the easement shall be of suitable width to contain the predicted overland flow from the stormwater event with an ARI of 100 years in that location.
54. No ponding or redirection of stormwater shall occur onto adjoining land.
55. Overland flow paths must be suitably designed to cater for the water from a storm event with an ARI of 100 years. In the case where the piped system is carrying part of the flow, the overland flow paths must be designed to cater for that volume which is represented by the difference between the predicted volume from the storm event with an ARI of 100 years and the capacity of the pipe system, noting the requirements of QUDM.
56. As part of an application for operational works, detailed stormwater management plans will be prepared by a suitably qualified professional generally in accordance with the stormwater management plan prepared by Gilbert and

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Sutherland titled "Stormwater Management Plan 63 Redbank Creek Road, Adare, Queensland" dated February 2010 including amendments detailed in the letter from Gilbert and Sutherland to Urbis dated 5 October 2012.

57. The developer shall be responsible for obtaining approval and bearing all costs associated with registering in favour of Council all necessary stormwater drainage easements, within and external to the subject land, in order for drainage path to reach a legal point of discharge.
58. The peak rate of stormwater discharge from the site shall not exceed the peak rate of stormwater discharge for the site prior to development for all rainfall events (i.e. 1 year, 2 years, 5 years, 10 years, 20 years, 50 years and 100 year ARI events). This shall be achieved by appropriate detention facilities and WSUD design features, and shall be generally consistent with the SWMP provided as part of the application.
59. Lots which drain to the street shall have a standard galvanised kerb adaptor installed in the kerb at the lowest corner of the lot.
60. Stormwater drainage piping shall have a minimum diameter of 375mm with the exception of rear inter-allotment drainage
61. The developer shall provide all stormwater drainage associated with the Redbank Creek Road frontage of Stage 1, including upgrading of existing cross drainage which shall be designed in accordance with QUDM.
62. The developer shall provide all stormwater drainage associated with the Adare Road frontage of Stage 4, including upgrading of existing cross drainage which shall be designed in accordance with QUDM.
63. The developer shall provide all stormwater drainage associated with the Adare Road frontage of Stage 5, including upgrading of existing cross drainage which shall be designed in accordance with QUDM.
64. The developer shall provide all stormwater drainage associated with the Adare Road frontage of Stage 7, including upgrading of existing cross drainage which shall be designed in accordance with QUDM.

**Public Utility Services**

65. All above and below ground services potentially affected by the proposed subdivision works shall have alignment and level determined prior to any detailed design or construction works being undertaken. Any conflicts associated with proposed and existing services shall be forwarded to the appropriate controlling authority by the developer for decision.
66. In relation to telecommunication supply for the development:
  - (a) the developer will arrange with the service supplier(s) that operate(s) in the local area for the reticulation of external cable within the development;

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- (b) telecommunication conduits (ducts) and pits, including trenching and design, are to be provided to service the development in accordance with the NBN Co Installing Pit and Conduit Infrastructure – Guidelines for Developers. Documentary evidence shall be provided to Council which confirms the NBN Co requirements have been satisfied and the infrastructure has been installed and are fibre-ready;
- (c) the developer will submit a 'Certificate of Supply' to Council verifying that telecommunications are available to all proposed allotments or that the developer has entered into a suitable agreement with the relevant authority for the provision of telecommunications to the new lots prior to endorsement of the Survey Plan.

**67. In relation to electricity supply for the development:**

- (a) Underground electricity is to be provided to serve all new internal allotments. Overhead power is only acceptable on external roads with an existing overhead supply;
  - (b) The developer will submit a 'Certificate of Supply' to Council verifying that electricity supply is available to all proposed allotments or that the developer has entered into a suitable agreement with the relevant authority for the supply of electricity to the new lots prior to endorsement of the Survey Plan.
- 68. All underground plant installed by public utility providers shall be in accordance with Council's standard detail for Footpath Allocations for Public Utilities as contained in the Council's Planning Scheme.**
- 69. Adequate provision shall be made in all proposed road reserves, access strips and easements to cater for the public utility services to serve the development.**
- 70. The developer will, where practical, arrange trench sharing with relevant authorities.**
- 71. The developer must provide appropriate road crossing conduits and kerb markers shall be installed to identify the location of cross road services e.g. water, electricity and telecommunications.**
- 72. The developer shall grant such easements for public utility services on the terms and conditions of the relevant public utility provider as are necessary to facilitate the provision of those services to the development.**
- 73. The developer shall provide detailed design drawings for both electricity and telecommunications with the drawings approved by the relevant authority at the time of Operational Works.**
- 74. The telecommunication and electricity layouts must also be shown on the water reticulation layout plan, stormwater layout plan and the sewerage layout plan where applicable, and all the plans are to be certified by the relevant authority.**

**Road Network Infrastructure - General**



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75. The requirements of Queensland Transport and Main Roads outlined in their Amended Concurrence Agency Response of 14 February 2013 (Reference TMR 13-005392) in relation to this proposal shall be complied with (refer Schedule 3).
76. All roadworks shall be designed and constructed in accordance with Council's standards outlined in LVRC Road Hierarchy Table unless specifically detailed otherwise in other conditions of this reconfiguration approval.
77. All roadworks shall be designed and constructed with regard to the Department of Main Roads Road Planning and Design Manual, Austroad publications and the Institute of Public Works Engineering Association Queensland Standard Drawings.
78. The design and construction of each road or street must ensure that the speed environment, geometry, sight distances, carriageway widths, lighting, bus stops, vehicle movements, on street parking other physical attributes are consistent with the function and role of the road or street in the transport network.
79. The design and construction of all roadworks is to be in accordance with the nominated design speed in LVRC Road Hierarchy Table and general accordance with Queensland Streets Design Guidelines for "Subdivisional Street Works". Appropriate intersection treatment and geometric design is required to meet this requirement. Such devices shall not restrict service vehicle access.
80. All internal roads within the development shall be sealed to a standard suitable for the designated road type and in accordance with LVRC standards.
81. All street surfacing for new road construction shall consist of an approved asphaltic concrete. Patterned, reinforced concrete, concrete pavers or segmental clay pavers shall only be used in feature areas.
82. The road pavement design details and test results are to be submitted for Council approval. Pavement design shall be undertaken in accordance with Austroads Guide to Pavement Technology Part 2: Pavement Structural Design. The minimum pavement thickness, including 30mm of AC, shall not be less than 300mm. A minimum 30mm AC surfacing is required. The total pavement thickness as determined from the design charts is not to include the thickness of AC surfacing which is deemed to be a wearing surface only unless the AC thickness is greater than 75mm.
83. Where new and old pavements meet, the join shall be of a neat standard with respect to horizontal and vertical alignments. The join shall have no significantly noticeable irregularities in the running surface at or adjacent to the join for the length of the construction. Works may be necessary on the existing pavement for a satisfactory standard to be met.
84. Where kerb and channel is proposed, the developer must establish the location of existing structures and services (including existing kerb and channel and vegetation) and take these into account in the detailed design of the kerb and channel alignment.

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85. Where kerb and channel is installed, an 800mm continuous strip of turf with additional filter strips at 5.0m spacing shall be laid behind all new kerb and channel. The remaining unsealed verge area shall be filled, graded and either fully turfed or appropriately grassed seeded to achieve 80% grass coverage at off maintenance.
86. All lots must allow for the provision of vehicular access to the roadway.
87. For any stage of the development involving a battle axe allotment, the developer shall construct a vehicular access driveway from the carriageway to the allotment in accordance with Council's Property Access & Access Crossings: Design, Construction & Maintenance policy prior to the sealing of the plans for that stage. Where possible, the driveway shall join the proposed carriageway at an angle of 90 degrees to provide for suitable vehicular access to and from the allotment. Provision of conduits for underground services being water supply, electricity, telephone cabling or other such utilities is required as part of the access driveway unless the access is constructed in conjunction with Operational Works, a Permit to Undertake Work on a Road Reserve is required.
88. Any terminating roads that may be extended as a part of a later stage must be constructed with a gravel turnaround area with a minimum diameter of 18m, with a two coat bitumen seal. Hazard markers and delineator posts must be erected to define the turn around.
89. All traffic signs and delineation shall be designed in accordance with MUTCD.
90. Street lighting will be designed and installed in accordance with the Australian Standard Code of practice for public lighting, AS1158, with the exception of light spacing. M50 mercury lights, or suitable approved alternatives, will be fitted at each intersection and at any problem areas as determined in consultation with Council. All street lighting will be certified by an RPEQ competent in electrical reticulation design, with the exception of the light spacing.
91. The Developer shall submit to Council a list of preferred street names for any proposed new street for consideration by Council (in accordance with Council's Policy for the naming of new streets). Street names proposed will not be the same or similar to other street names within the Lockyer Valley Regional Council area. Council retains the right to name one street within the Development.
92. The developer shall provide through road priority for the collector street nominated as a potential bus route in the Department of Transport and Main Roads Concurrence Agency Response 14.02.13 (Schedule 3). The developer shall submit an amended development plan to Council for approval prior to submission of the application for operational works such that the geometry of the road way accommodates the manoeuvre path of the bus identified in the Department of Transport and Main Concurrence Agency Response 14.02.13 (Schedule 3) and is contained within road reserve including all altered intersection priorities.



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93. Existing roads shall be widened and kerbed for the frontage of subject land, as follows:-

- Road Name Redbank Creek Road
- Classification- Collector Street
- Construction Standard- Road shall be widened on the northern side of Redbank Creek Road including kerb and channel to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to kerb invert). The treatment shall extend along the full frontage of the subject land from the intersection of Redbank Creek Road, Fords Road and Adare Road to the eastern boundary of Stage 1.

94. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 108, 109, 116-119 Treatment Type 1
- Lots 109-111, 116, 120-123, 130-132 Treatment Type 2
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- Treatment Type 2 - Construction Standard. The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 2 Works**

95. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 82-85, 106, 107 Treatment Type 1
- Lots 82, 86-88, 101-105, 106, 112-115, 134 Treatment Type 2
- Lots 115, 133, 134 Treatment Type 3
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and

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channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

- **Treatment Type 2 - Construction Standard.** The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- **Treatment Type 3 - Construction Standard.** The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 3 Works**

96. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- **Lots 89-100, 135-142** **Treatment Type 1**
- **Treatment Type 1 - Construction Standard.** The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 4 Works**

97. Existing roads shall be widened for the frontage of subject land, as follows:-

- **Road Name Adare Road**
- **Classification- Collector Street**
- **Construction Standard-** Road shall be widened on the eastern side of Adare Road to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to edge of bitumen). The treatment shall extend along the full frontage of the subject land from which point the bitumen edge shall taper at a minimum 1 in 10 to join neatly with the existing bitumen edge. Swales must be constructed in accordance with QUDM design standards between Adare Road and each lot fronting onto Adare Road. Constructed crossovers must also be provided for all lots fronting onto Adare Road.

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98. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 43-45, 51, 52, 58, 68-70, 143 Treatment Type 1
- Lots 39, 46-51, 58, 68, 143 Treatment Type 2
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- Treatment Type 2 - Construction Standard. The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 5 Works**

99. Existing roads shall be widened for the frontage of subject land, as follows:-

- Road Name Adare Road
- Classification- Collector Street
- Construction Standard- Road shall be widened on the eastern side of Adare Road to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to edge of bitumen). The treatment shall extend from the intersection of Redbank Creek Road and Adare Road to the northern boundary of stage 5, from which point the bitumen edge shall taper at a minimum 1 in 10 to join neatly with the existing bitumen edge. Swales must be constructed in accordance with QUDM design standards between Adare Road and each lot fronting onto Adare Road. Constructed crossovers must also be provided for all lots fronting onto Adare Road

100. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 71-73 Treatment Type 1
- Lots 59-67, 71-77. Treatment Type 2
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 6.0m. The road must provide for kerb and

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channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

- **Treatment Type 2 - Construction Standard.** The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 6 Works**

**101. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-**

- **Lots 15-17, 18-19, 28-31** **Treatment Type 1**
- **Lots 19-28, 31-37** **Treatment Type 2**
- **Treatment Type 1 - Construction Standard.** The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.
- **Treatment Type 2 - Construction Standard.** The Road Reserve Width is to be 16.0m and Carriageway Width 6.0m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

**Road Network Infrastructure – Stage 7 Works**

**102. Existing roads shall be widened for the frontage of subject land, as follows:-**

- **Road Name Adare Road**
- **Classification- Collector Street**
- **Construction Standard-** Road shall be widened on the eastern side of Adare Road to provide half the total road width required by the Lockyer Valley Regional Council Road Hierarchy Table (minimum 3.75m from road centreline to edge of bitumen). The treatment shall extend from the northern boundary of stage 4 to the northern boundary of stage 7, from which point the bitumen edge shall taper at a minimum 1 in 10 to join neatly with the existing bitumen edge. Swales must be constructed in accordance with QUDM design standards between Adare Road and each lot fronting onto Adare Road. Constructed crossovers must also be provided for all lots

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fronting onto Adare Road.

103. Proposed new roads shall be constructed for the entire frontage of subject land, as follows:-

- Lots 1-14 Treatment Type 1
- Treatment Type 1 - Construction Standard. The Road Reserve Width is to be 20.0m and Carriageway Width 7.5m. The road must provide for kerb and channel, or as an alternative, a design that provides for a safe and sustainable solution for stormwater management having regard to slopes and soil types. Any alternative solution must be submitted to and approved by Council prior to construction. No footpath is required.

104. The developer shall provide a cul-de-sac adjacent to proposed lot 1 and at the terminating end of the internal collector street. The cul-de-sac shall be circular head type with a minimum diameter of 18.0m. The developer shall submit an amended development plan to Council for approval prior to submission of the application for operational works such that the cul-de-sac is contained within road reserve with a minimum verge width of 5.0m.

#### Infrastructure Charges

105. The developer is to pay Infrastructure charges for the proposed development in accordance with the *LVRC Adopted Infrastructure Charges Resolution*. Council will issue Infrastructure Charges Notices for the development. The charges relating to a particular stage of the development are required to be paid prior to plan sealing for that stage and can be obtained from Council at that time. The developer may pay the contributions for any or all of the stages in advance (for example, it may pay all of the infrastructure contributions for the development upfront). The amount payable will be required at the rate applicable at the time of payment.

#### Schedules

##### Schedule 1 Approved Plans and Drawings

- Subdivision Plan, Urbis Drawing No. PP01, Rev F, Project No. BA2156, dated 17.07.13
- Proposed Infrastructure Plan, Urbis Drawing No. PP02, Rev B, Project No. BA2156, dated 17.07.13
- Covenant Plan, Urbis Drawing No. PP05, Rev D, Project No. BA2156, dated 11.11.13
- Staging Plan, Urbis Drawing No. PP06, Rev D, Project No. BA2156, dated 17.07.13
- Lot 1 Fire Trail Plan, Yurrah Drawing No. VM.06, Job No. 1109044-7, dated 12.07.13

##### Schedule 2 Approved Assessments and Reports

- Bushfire Risk Assessment and Mitigation Plan, Bushland Protection Systems Pty Ltd (dated 11.11.13).
- G&S Reports - Gilbert and Sutherland titled "Stormwater Management Plan 63 Redbank Creek Road, Adare, Queensland" dated February 2010 including amendments detailed in the letter from Gilbert and Sutherland to Urbis dated 5

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October 2012.

**Schedule 3 Concurrence, Advice and Third Party Responses**

- Department of Natural Resources and Mines Amended Concurrence Agency Response.
- Department of Transport and Main Roads Amended Concurrence Agency Response 14.02.13
- Queensland Urban Utilities Decision Stage Comments dated 06.12.13.

**ICE**

**Advice provided by the Assessment Manager and Referral Agencies**

- (a) All works associated with this approval may not start until all subsequent approvals have been obtained, and the conditions attached to these approvals have been satisfied.
- (b) It is considered essential that any consultants engaged to prepare any subsequent reports, plans or applications, liaise with the relevant Council Officers to ensure they are prepared in accordance with the conditions of approval and all relevant standards.
- (c) Any additions or modifications to the approval may be subject to a further application for development approval. To ensure works or activities are not undertaken outside the scope of this approval please contact Council.
- (d) The relevant period for this development permit is four years. After the Relevant Period expires, if an extension of the relevant period has not been obtained the approval will no longer be current.
- (e) The entities commissioned to undertake all construction activities shall be aware of and comply with the requirements of all relevant State environmental regulations, including those relating to hours of construction.
- (f) Each further development approval required as a result of this approval must be obtained within the relevant period.
- (g) All proposed structures and works should be positioned clear of any services which traverse the subject land. To determine where existing services are located, please contact Council or the owner of the services.
- (h) In accordance with the *Plant Protection Act 1989* and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.

It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 13 25 23 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:

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Director General  
Department of Primary Industries  
GPO Box 46, Brisbane QLD 4001

It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website: [www.dpi.qld.gov.au](http://www.dpi.qld.gov.au).

- (i) All persons undertaking works on the land have obligations and responsibilities under the *Aboriginal Cultural Heritage Act, 2003*.
- (j) 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”).
- (k) Applicants are also encouraged to undertake a search of the Aboriginal Cultural heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Environment and Resource Management. Application forms to undertake a free search of the Cultural heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3239 3647 or on the DERM Website: [http://www.derm.qld.gov.au/cultural\\_heritage/index.html](http://www.derm.qld.gov.au/cultural_heritage/index.html)
- (l) Should the operator discover an item of cultural heritage significance or any evidence of heritage place the Cultural Heritage Act 1992 requires that they immediately contact the Department of Environment and Heritage Protection for direction.
- (m) Evidence of Portable Long Service Leave having been paid is required for projects over \$80,000 in contract value (Submit yellow copy to Council). This is required prior to the issue by Council of the Operational Works approval.





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16.11

**NDRRA - Tender - Rockmount Road**

**Date:** 12 December 2013  
**Author:** Myles Fairbairn, Executive Manager Infrastructure Works & Services  
**Responsible Officer:** Myles Fairbairn, Executive Manager Infrastructure Works & Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Act, 2009, as the matter involves contracts proposed to be made by it.*

**Summary:**

This report is to update Council on the emerging matters arising since Council last met in regards to the NDRRA Program.

**Officer's Recommendation:**

**THAT Council authorise the Chief Executive Officer to award Contract Number LVRC-13-93 Rockmount Road Bridge and Road Deviation to Shadforths Civil Engineering Contractors Pty Ltd if and when Part B of the tender process has been completed to the satisfaction of the CEO.**

**RESOLUTION**

**THAT Council authorise the Chief Executive Officer to award Contract Number LVRC-13-93 Rockmount Road Bridge and Road Deviation to Shadforths Civil Engineering Contractors Pty Ltd if and when Part B of the tender process has been completed to the satisfaction of the CEO.**





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**16.12                                      Acquisition of Land for Water Purposes - Part of Lot 3 on SP145204**

**Date:** 12 December 2013  
**Author:** Quentin Underwood, Senior Engineering Water & Projects; Caitlan Natalier, Solicitor  
**Responsible Officer:** Myles Fairbairn, Executive Manager Infrastructure Works & Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Act, 2009, as the matter involves contracts proposed to be made by it.*

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**Summary:**

Council requires approximately 4,040m<sup>2</sup> of freehold land to be acquired in order to facilitate mitigation configurations as part of the Laidley Flood Mitigation Scheme. The purpose of this Report is to obtain a resolution authorising the land acquisition and enabling the legalities to be finalised. A delegation is being sought due to the tight timeframe allowed by the State Government funding on delivery and the discontinuity of Council process posed by the holiday season.

**Officer's Recommendation:**

**THAT with respect to the proposed mitigation works at 21 Hope Street, Laidley to construct a new flood levee and ancillary works, Council resolve to authorise the Chief Executive Officer to:-**

- (a) Negotiate with the owners and interest holders of freehold property situated at 21 Hope Street, Laidley and described as Lot 3 on SP145204 to acquire approximately 4,040m<sup>2</sup> of the land for water purposes pursuant to Part 2 of the *Acquisition of Land Act 1967*.**
- (b) Obtain a market valuation and other associated compensation items at the Project's cost to determine the amount of compensation to be provided to the landowners and other affected persons in respect of the land acquisition; and**
- (c) To otherwise do all things necessary to finalise the acquisition of land and implement this configuration for flood mitigation.**

**RESOLUTION**

**THAT with respect to the proposed mitigation works at 21 Hope Street, Laidley to construct a new flood levee and ancillary works, Council resolve to authorise the Chief Executive Officer to:-**

- (a) Negotiate with the owners and interest holders of freehold property situated at 21 Hope Street, Laidley and described as Lot 3 on SP145204 to acquire approximately 4,040m<sup>2</sup> of the land for water purposes pursuant to Part 2 of the**

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***Acquisition of Land Act 1967.***

- (b) Obtain a market valuation and other associated compensation items at the Project's cost to determine the amount of compensation to be provided to the landowners and other affected persons in respect of the land acquisition; and**
- (c) To otherwise do all things necessary to finalise the acquisition of land and implement this configuration for flood mitigation.**

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**16.13 NDRRA Program Update**

**Date:** 12 December 2013  
**Author:** Anthony Trace, Manager Business Improvement & Program Performance  
**Responsible Officer:** Jason Bradshaw, Executive Manager Governance & Performance  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

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**Summary:**

The following Report provides a status of the 2010/11 and 2013 Lockyer Valley Regional Council (LVRC) NDRRA Program as at 10<sup>th</sup> December, 2013.

The NDRRA arrangements are administered and managed State-wide by the Queensland Reconstruction Authority (QldRA). Ongoing liaison and negotiation with QldRA is essential to ensure the constructed works meet the NDRRA guidelines for funding.

NDRRA works are required to be completed by June 2014 for 2010/11 Restoration works and by June 2015 for 2013 Restoration works.

**Officer's Recommendation:**

**THAT Council review and adopt the NDRRA Program Report up to 10 December 2013.**

**RESOLUTION**

**THAT Council review and adopt the NDRRA Program Report up to 10 December 2013.**



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16.14

### Australia Day Awards Selection

**Date:** 12 December 2013  
**Author:** Colleen Daniel, Event & Marketing Officer  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

#### Summary:

Nominations for the 2014 Lockyer Valley Regional Council Australia Day Awards were advertised through the month of November through public notices in the Gatton Star, press ads – Gatton Star and Laidley Plainland Leader, media releases, letters and emails to community groups, sporting clubs and schools and on Council's website.

This year we received a total of 37 nominations representing 29 individuals, groups or events. This is an increase of 27% in nominations but only 7% in individuals, groups or events.

Nominations closed on Friday 6 December 2013.

New categories were introduced this year – Volunteer of the Year and Community Group of the Year, with Sports Administrator being replaced with Sporting Group of the Year. Senior and Junior Cultural Awards were replaced with Cultural Group or Individual of the Year.

There was only one group nominated in the Sporting Group of the Year – Gatton Rugby League Football Club (Gatton Hawks) and Council needs to decide if a winner will be nominated in this category.

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

That Council assess the applications in each category and decide on (1) one winner per category. There is scope to award any of those who may be a close second with an Australia Day Achievement Award in that particular category if necessary.

Categories that winners must be awarded in include:

- Citizen of the Year - 4 nominees
- Young Citizen of the Year - 2 nominees
- Junior Sports Award - 5 nominees
- Senior Sports Award - 2 nominees
- Sporting Group of the Year - 1 nominee
- Cultural Group/Individual of the Year - 3 nominees
- Community Event of the Year - 4 nominees
- Community Group of the Year - 2 nominees

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- Volunteer of the Year - 13 nominees

## **RESOLUTION**

That Council assess the applications in each category and decide on (1) one winner per category. There is scope to award any of those who may be a close second with an Australia Day Achievement Award in that particular category if necessary.

Categories that winners must be awarded in include:

- Citizen of the Year - 4 nominees
- Young Citizen of the Year - 2 nominees
- Junior Sports Award - 5 nominees
- Senior Sports Award - 2 nominees
- Sporting Group of the Year - 1 nominee
- Cultural Group/Individual of the Year - 3 nominees
- Community Event of the Year - 4 nominees
- Community Group of the Year - 2 nominees
- Volunteer of the Year - 13 nominees



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### 16.15 Lockyer Valley Remediation Tender 13/14-05 Assessment

**Date:** 17 December 2013  
**Author:** Leo Jensen, Executive Advisor Projects  
**Responsible Officer:** Ian Flint, Chief Executive Officer  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Act, 2009, as the matter involves contracts proposed to be made by it.*

#### Summary:

This report considers the assessment and recommended tender for the remediation of those lots in the Grantham locality that have been identified as contaminated with flood debris namely asbestos fragments embedded in surface soil. The report also highlights the associated works and costs associated with these works for Council's further consideration.

The report recommends that Council accept the tender of Caylamax to undertake the necessary works as outlined in the tender specifications issued by Council, and the subsequent agreed methodology and disposal option to address this matter.

#### Officer's Recommendation:

**THAT Council accept the tender of Caylamax and authorise the Chief Executive Officer to execute the necessary documentation to appoint the successful tenderer to undertake those works as specified in tender 13/14-05 for the adjusted lump sum price of \$242,708.00 (ex GST).**

**And further;**

**THAT Council delegate to the Chief Executive Officer the authority to undertake the necessary actions and secure the necessary resources to support the completion of the tender works.**

#### RESOLUTION

**THAT Council accept the tender of Caylamax and authorise the Chief Executive Officer to execute the necessary documentation to appoint the successful tenderer to undertake those works as specified in tender 13/14-05 for the adjusted lump sum price of \$242,708.00 (ex GST).**

**And further;**

**THAT Council delegate to the Chief Executive Officer the authority to undertake the necessary actions and secure the necessary resources to support the completion of the tender works.**

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**16.16**

**Agricultural Industry Precinct Plan Report**

**Date:** 17 December 2013  
**Author:** Mark Piorkowski, Executive Manager Planning & Development Services  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Act, 2009, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

**Summary:**

Establishment of an agricultural industry precinct within the Grantham Reconstruction Area Development Scheme.

**Officer's Recommendation:**

**THAT Council resolves to adopt the proposed Agricultural Industry Precinct Pasterplan within the Grantham Reconstruction Area Development Scheme.**

**RESOLUTION**

**THAT Council resolves to adopt the proposed Agricultural Industry Precinct Pasterplan within the Grantham Reconstruction Area Development Scheme.**



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**16.17                                      Tender for the Development and Disposal of Part of Lot 1 on  
RP175534 for an Agricultural Industry Food Processing Facility**

**Date:** 17 December 2013  
**Author:** Caitlan Natalier, Solicitor  
**Responsible Officer:** Mark Piorkowski, Executive Manager Planning & Development Services  
**File No:** Formal Papers

*That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Act, 2009, as the matter involves contracts proposed to be made by it.*

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**Summary:**

The Report recommends a resolution to enable the reconfiguration of Lot 1 on RP175534 and the advertisement of a request for tenders for the sale and/or development of part of the land comprising approximately 5 hectares for the purpose of establishing and Agricultural Industry Food Processing Facility to support the local economy.

**Officer's Recommendation:**

**THAT with respect to the proposal for the development of an Agricultural Industry Food Processing Facility on part of Lot 1 on RP175534 comprising an area of approximately 5 hectares, the Chief Executive Officer be granted delegated authority to reconfigure Lot 1 on RP175534 to create a separate lot of approximately 5 hectares for an Agricultural Industry Food Processing Facility to be developed;**

**And further;**

**THAT Council call for tenders for the sale and/or development of the land comprising part of Lot 1 on RP175534 as shown on the Agricultural Industry Precinct Master Plan pursuant to Section 228 of the *Local Government Regulation 2012*.**

**RESOLUTION**

**THAT with respect to the proposal for the development of an Agricultural Industry Food Processing Facility on part of Lot 1 on RP175534 comprising an area of approximately 5 hectares, the Chief Executive Officer be granted delegated authority to reconfigure Lot 1 on RP175534 to create a separate lot of approximately 5 hectares for an Agricultural Industry Food Processing Facility to be developed;**

**And further;**

**THAT Council call for tenders for the sale and/or development of the land comprising part of Lot 1 on RP175534 as shown on the Agricultural Industry Precinct Master Plan pursuant to Section 228 of the *Local Government Regulation 2012*.**





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**18.0 MEETING CLOSED**