



ORDINARY MEETING OF COUNCIL

AGENDA

17 JANUARY 2018



**ORDINARY MEETING OF
COUNCIL AGENDA
17 JANUARY 2018**

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1. MEETING OPENED

2. LEAVE OF ABSENCE

No Leave Of Absence

3. CONDOLENCES/GET WELL WISHES

3.1 Condolences/Get Well Wishes

Date: 10 January 2018
Author: Susan Boland, Governance & Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT letters of condolence be forwarded to the families of recently deceased persons from within or associated with the Lockyer Valley region.

4. 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.



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5. MAYORAL MINUTE

No Mayoral Minute

6. CONFIRMATION OF MINUTES

6.1 Confirmation of Ordinary Meeting Minutes of 13 December 2017

Date: 10 January 2018
Author: Ian Church, Chief Executive Officer
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT the Minutes of the Ordinary Meeting of the Lockyer Valley Regional Council held on Wednesday, 13 December 2017 be taken as read and confirmed.

6.2 Receival of the Minutes of the Audit and Risk Management Committee held on 7 December 2017

Date: 08 January 2018
Author: Madonna Brennan, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT the Minutes of the Audit and Risk Management Committee Meeting held on 7 December 2017, as attached, be received and noted as minutes of that meeting.

Attachments

1 [View](#) Minutes ARMC 7 December 2017 18 Pages



REGIONAL COUNCIL

AUDIT & RISK MANAGEMENT COMMITTEE

MINUTES

7 DECEMBER 2017



**AUDIT & RISK
MANAGEMENT COMMITTEE
MEETING MINUTES
7 DECEMBER 2017**

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ATTENDANCE:

Councillor Members

- Cr Jason Cook
- Cr Chris Wilson

Independent External Members (Voting)

- Graham Webb (Chairperson)
- Alison D'Costa
- Mike McGovern

Attendees (non-voting)

- Ian Church, Chief Executive Officer
- David Lewis, Executive Manager, Corporate & Community Services
- Tony Brett, Manager Finance & Customer Service
- Marita Corbett, BDO (Internal Audit)
- Matthew Monaghan, William Buck (External Audit)
- Debra Stolz, Queensland Audit Office
- Corrin Bischoff, Coordinator Governance & Strategy
- Susan Boland, Governance and Strategy Officer (Secretariat)

Apology

- Junaide Latif, William Buck (External Audit)
- Cr Tanya Milligan (Mayor) (ex officio)

1.0 MEETING OPENED

The Chair, Mr Graham Webb opened the meeting at 10.17 am.

2.0 APOLOGIES

There were no apologies.

3.0 DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST BY MEMBERS

3.1 Declaration of Material Personal Interest on any Item of Business

Pursuant to Audit and Risk Committee Charter and Code of Conduct, a member who has a material personal interest in an issue to be considered at a meeting of the committee must –

- (a) inform the meeting of the members 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.

3.2 Declaration of Conflict of Interest on any Item of Business

Pursuant to Audit and Risk Committee Charter and Code of Conduct, a member who has a real or perceived conflict of interest in a matter to be considered at a meeting of the Audit and Risk Committee must inform the meeting about the members personal interest in the matter and if the member participates in the meeting in relation to the matter, how the member intends to deal with the real or perceived conflict of interest.

The Chair, Mr Graham Webb, declared a perceived conflict of interest in relation to Item no 7.1 "Chief Executive Officer's Report", based on the fact that a family member of the Chair is acting on behalf of Council in legal proceedings. The Chair noted that he would remain in the meeting for the discussion and vote on item no 7.1.

4.1 Confirmation of Meeting Minutes Audit and Risk Management Committee Thursday 17 August 2017.

Officer's Recommendation:
THAT the Minutes of the Lockyer Valley Audit and Risk Management Committee held on Thursday, 17 August 2017 be taken as read and confirmed.

That the Minutes of the Lockyer Valley Audit and Risk Management Committee Meeting held on Thursday, 17 August 2017 be taken as read and confirmed.

Moved By: Cr Wilson **Seconded By:** Cr Cook
Resolution Number: ARMC/0043

CARRIED
5/0



**AUDIT & RISK
MANAGEMENT COMMITTEE
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5.0 BUSINESS ARISING FROM MINUTES

5.1 Review of Committee Self-Assessment Questionnaire

Date: 29 November 2017
Author: Madonna Brennan, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT the Audit and Risk Management Committee receive and note the summary of the outcomes from the review of the self-assessment questionnaire.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the summary of the outcomes from the review of the self-assessment questionnaire.

Moved By: Cr Wilson Seconded By: Cr Cook
Resolution Number: ARMC/0044

CARRIED
5/0



6.1 Draft Internal Audit Report - Capital Project Planning (Asset Management Framework)

Summary:

The Internal Audit was undertaken in October 2017 by BDO Pty Ltd and is presented to the Committee with this report in the initial draft form for review and discussion.

THAT the Audit and Risk Management Committee receive and note the draft Internal Audit Report on Council's Capital Project Planning (Asset Management).

THAT the Audit and Risk Management Committee receive and note the draft Internal Audit Report on Council's Capital Project Planning, (Asset Management).

Moved By: A D'Costa **Seconded By:** Cr Cook
Resolution Number: ARMC/0045

CARRIED
5/0



Date: 28 November 2017
Author: Madonna Brennan, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

Council's Internal Auditor, Marita Corbett from BDO Pty Ltd will facilitate a workshop on the proposed Internal Audit Program.

THAT the Audit and Risk Management Committee participate in the workshop on the proposed Internal Audit Program.

CARRIED
5/0



Date: 13 November 2017
Author: Tony Brett, Manager Finance and Customer Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Following completion of the audit process for 2016-2017 the audited financial statements and sustainability statements are attached for the Committee's information.

THAT the Audit & Risk Management Committee receive and note the 2016-2017 Audited Financial Statements.

CARRIED
5/0



Date: 29 November 2017
Author: Tony Brett, Manager Finance and Customer Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

THAT the Audit and Risk Management Committee receive and note the 2016/17 Closing Report and Briefing Paper prepared by William Buck on behalf of the Queensland Audit Office.

CARRIED
5/0



Date: 27 November 2017
Author: Tony Brett, Manager Finance and Customer Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Lockyer Valley Regional Council is unaffected by the issues identified in the Supreme Court's decision to invalidate the rates and charges levied by the Fraser Coast Regional Council over a number of financial years. The Court found that a clear and specific resolution to levy the rates and charges is required, and it was insufficient to adopt the rates and charges as part of the overall budget adoption resolution.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the rating resolutions report.

THAT the Audit and Risk Management Committee receive and note the Rating Resolutions report.

Moved By: Cr Wilson **Seconded By:** M McGovern
Resolution Number: ARMC/0049

CARRIED
5/0



Date: 28 November 2017
Author: Graham Cray, Manager Information Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

The purpose of this report is to seek the acceptance of the Audit and Risk Management Committee to amend the completion dates for medium and low risk recommendations from the Internal Review conducted on Cyber Security.

THAT the Audit and Risk Management Committee accept the changes to the forecasted dates for medium risk cyber security items as detailed in the report; And further;

THAT the forecasted completion dates for low risk cyber security items be amended to “when the opportunity arises”.

CARRIED
5/0



Date: 29 November 2017
Author: Madonna Brennan, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

This report provides the Audit and Risk Management Committee (Committee) with an update on the action to date on all recommendations identified in Council's Audit Register.

THAT the Audit and Risk Management Committee receive and note the update on Council's Audit Register.

THAT the Audit and Risk Management Committee receive and note the update of Council's Audit Register.

Resolution Number: ARMC/0051

5/0



Date: 29 November 2017
Author: Madonna Brennan, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

The purpose of this report is provide the Audit and Risk Management Committee (Committee) with an update on Council's risk management activity since the Committee's last meeting held on 17 August 2017.

THAT the Audit and Risk Management Committee endorse the draft risk register and identified treatment plans for Infrastructure Works and Services.

THAT the Audit and Risk Management Committee endorse the draft risk register and identified treatment plans for Infrastructure Works and Services.

Moved By: A D'Costa **Seconded By:** Cr Cook
Resolution Number: ARMC/0052

CARRIED
5/0



**AUDIT & RISK
MANAGEMENT COMMITTEE
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6.9 Rolling Work Plan and Proposed Meeting Dates for 2018

Date: 29 November 2017
Author: Madonna Brennan, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report is presented to the Audit and Risk Management Committee (Committee) to endorse the proposed rolling work plan/forward meeting schedule and to determine the meeting schedule for 2018.

Officer's Recommendation

THAT the Audit and Risk Management Committee accept the proposed rolling work plan and forward meeting schedule for 2018.
And further;
THAT the Committee nominate the most appropriate meeting dates from the options provided in the rolling work plan/forward meeting schedule for 2018.

RESOLUTION

THAT the Audit and Risk Management Committee accept the proposed rolling work plan and endorse the following scheduled meeting dates for 2018.

- 22 March 2018
- 28 June 2018
- 9 August 2018
- 6 December 2018

Moved By: M McGovern Seconded By: Cr Cook
Resolution Number: ARMC/0053

CARRIED
5/0



**AUDIT & RISK
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7.0 ITEMS FOR INFORMATION

7.1 Chief Executive Officers Report

Date: 28 November 2017
Author: Ian Church, Chief Executive Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to provide an update on matters relevant to the Audit and Risk Management Committee.

Officer's Recommendation

This Report is provided for the Audit and Risk Management Committee's information only.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the Chief Executive Officers Report.

Moved By: Cr Wilson **Seconded By:** A D'Costa
Resolution Number: ARMC/0054

CARRIED
5/0



**AUDIT & RISK
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7.2 Financial Reporting

Date: 27 November 2017
Author: Tony Brett, Manager Finance and Customer Service
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

This report provides the Committee with the summary of Council's financial performance against budget for the financial year to 31 October 2017. The report was presented to Council at the meeting on 8 November 2017 and the recommendation accepted without change.

Also included in this report is a copy of the budget review presented to Council at the meeting on 8 November 2017. Council reviews its budget on a regular basis, with the first one generally occurring around the end of September each year. The resolution was accepted as recommended and the budget has been amended accordingly.

This report is provided for the Audit and Risk Management Committee's information only.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the summary of Councils financial performance against budget for the period ended 31 October 2017 and the amended 2017/2018 budget and long term financial forecast, as attached to these Minutes.

Moved By: A D'Costa Seconded By: Cr Wilson
Resolution Number: ARMC/0055

CARRIED
5/0



**AUDIT & RISK
MANAGEMENT COMMITTEE
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7.3 Independent Committee Chairperson Annual Report

Date: 28 November 2017
Author: Madonna Brennan, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The third Annual Report by the current Independent Chairperson of the Audit and Risk Management Committee has been provided and presented to Council.

Officer's Recommendation

THAT the Committee receive and note the third Annual Report by the Independent Chairman of the Audit and Risk Management Committee, as attached to this report.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the third Annual Report by the Independent Chair.

Moved By: M McGovern Seconded By: A D'Costa
Resolution Number: ARMC/0056

CARRIED
5/0

8.0 MEETING CLOSED

There being no further items of discussion the meeting closed at 12.26 pm.



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6.3 **Receival of the Minutes of the Lake Apex Community Advisory Committee (LACAC) Meeting held on Tuesday, 12 December 2017.**

Date: 09 January 2018
Author: Myles Fairbairn, Executive Manager Infrastructure Works & Services
Responsible Officer: Myles Fairbairn, Executive Manager Infrastructure Works & Services

Officer's Recommendation:
THAT the Minutes of the Lake Apex Community Advisory Committee (LACAC) held on Tuesday, 12 December 2017, as attached, be received and noted as minutes of that meeting.

Attachments

1 [View](#) Minutes - 12/12/17

LAKE APEX COMMUNITY ADVISORY COMMITTEE (LACAC) MEETING

MEETING RECORD

Minutes of the Lake Apex Community Advisory Committee meeting held in the Gatton Council Chambers at the Lockyer Valley Regional Council, cnr Railway Street and North Street Gatton on Tuesday 12 December 2017.

Opening

The Chairperson, Alan Wearing, opened the meeting at 4:00pm.

In Attendance

- Mr Alan Wearing (Friends of Lake Apex) - Chairperson
- Cr Janice Holstein (Councillor)
- Cr Michael Hagan (Councillor)
- Mr Bill Beckman (Lockyer Chamber of Commerce and Industry)
- Mrs Jocelyn Wilson (Friends of Lake Apex)
- Mr Rob Wilson (Friends of Lake Apex)
- Ms Sigrid McGarva (Friends of Lake Apex)
- Mrs Di Lewin (Friends of Lake Apex)
- Mr Myles Fairbairn (LVRC Infrastructure Works and Services)
- Ms Belinda Whelband (LVRC Coordinator Environment and Pest)
- Ms Cheryl Douyere (LVRC – Minute Taker)

Apologies

- Mr Ian Church (LVRC - CEO)
- Mr Brendan Sippel (LVRC Parks and Open Spaces)
- Trevor Boheim (LVRC Planning and Environment)
- Mr Neil Williamson (LVRC – Community Development and Engagement)
- Ms Juanita Johnson (Lights on the Hill)

1. Welcome

The meeting was welcomed by Chairperson Alan Wearing.

2. Minutes of Previous Meeting

Jocelyn Wilson asked for an amendment to the minutes of 19 September 2017. The Chair referred the matter to Council Officers. Myles Fairbairn provided an overview of meeting procedure and minute taking.

The Chair allowed Jocelyn to move the following motion.

Moved by Jocelyn Wilson and seconded by Sigrid McGarva that comments made by Kerry Wilkins (Lights on the Hill) regarding plovers at the Gatton Show Grounds be included in the minutes of 19 September 2017.

The motion was voted upon and LOST.

Moved by Cr Janice Holstein and seconded by Myles Fairbairn that the minutes of the meeting held on Tuesday 19 September 2017 be taken as read and confirmed.

The motion was voted upon and CARRIED.

ECM3503018

Lake Apex Community Advisory Committee (LACAC) Meeting – meeting record
12 December 2017

3. Outstanding Actions

Refer to the outstanding actions items document (ECM3161961).

4. Correspondence

Inward emails

- 07/12/2017 – Lights on the Hill – advising change of committee membership (ECM3499599)
- 11/10/2017 – Jocelyn Wilson – latest memorial of Lake Apex (Mayor Milligan requested email be tabled at the 12/12/2017 meeting. (ECM3499600)

The Chair noted the change to the LOTH committee, and acknowledged the contribution made by Kerry Wilkins to LACAC and suggested Council write to a letter of appreciation. The meeting gave a round of applause to Kerry Wilkins.

Action	Send Kerry Wilkins a letter of appreciation
Who	Cheryl Douyere
Due	15/12/2017

5. Update on works at Lake Apex Park

Myles Fairbairn provided an overview and update on works at Lake Apex Park.

- Steps near main BBQ shelter are due to be replaced first with works to commence in January 2018. Other steps near monorail will depend on budget from remaining from the first set of steps.
- 12 December 2017 – trenching to commence to get power to set up irrigation controller for future irrigation works. It will be able to record water usage and budget accurately, leak detection if someone kicks of a sprinkler.
- Painting of shelters should be completed this week. Bottom shelter near bird hide has had to be jacked up and braced as it was sinking.
- Cameras to be submitted for budget consideration as well as storage facility for FOLA.
- Interactive artworks coming soon from FOLA. FOLA had received a Council Grant and have acquired 4 totem poles with image. Installation to be completed once location is confirmed.

6. Water Quality Report

Belinda Whelband advised the draft Lake Apex Water Quality report is being reviewed before presentation to Council at a workshop in the new year. The report will be provided to LACAC after it has been considered by Council.

7. Master Plan Review report

The Master Plan Review workshops were held on 12 September and 10 October 2017. The summary document was tabled and will be included in the minutes. When feedback is received, items will need to be considered in the 2018/19 Budget. Members are encouraged to identify new and additional projects– refer to page 9 (Item 10)

Action	Review Master Plan Review summary document and provide comments to Myles Fairbairn. Also provide additional projects on page 9 (Item 10)
Who	LACAC Members
Due	14/01/2018

ECM3503018

Page 2 of 3

Lake Apex Community Advisory Committee (LACAC) Meeting – meeting record
12 December 2017

8. Upcoming Events

8.1 Christmas Carols

Gatton Christmas Carols will be held at Lake Apex on 16 December 2017 at 5-6pm.

9. General Business

9.1 Shade Shelters

Cr Holstein discussed the newly installed shade shelters at Queens Park, Toowoomba.

General discussion continued and all agreed that more shade shelters would be appreciated by the community and park users.

Action	Review and prepare a budget submission for new shade shelters similar to those installed at Queens Park, Toowoomba.
Who	Brendan Sippel
Due	20/03/2018

9.2 Merry Christmas message from the Chair

Alan expressed his appreciation to all LACAC Members for their contribution. Alan also thanked the LVRC staff who prepared for and attended the meetings, and acknowledged their busy schedules. Alan wished everyone a Merry Christmas and looks forward to 2018.

9.3 Message from FOLA

Jocelyn on behalf of FOLA expressed appreciation of the cooperation with the Parks and Gardens Team. FOLA will continue to enhance the park.

Jocelyn advised she is anxiously waiting for the Water Quality Report and looks forward to receiving a copy in 2018.

10. Next meeting dates

- 20 March 2018 4:00pm to 5:00pm at the Gatton Council Chambers.

Meeting was closed at 4.55pm.



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7. BUSINESS ARISING FROM MINUTES

No Business Arising from Minutes

8. COMMITTEE REPORTS

No Receival of Committee Reports as Minutes

9. DEPUTATIONS/PRESENTATIONS

9.1 Council of Mayors SEQ (COMSEQ)

Date: 10 January 2018
Author: Stephen Hart, Coordinator Council Business
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT at 10.15 am Scott Smith from Council of Mayors SEQ (COMSEQ) will address Council on their recent work, current activities and plans for the coming year.



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10. EXECUTIVE OFFICE REPORTS

10.1 Councillor By-Election

Date: 05 January 2018
Author: Corrin Bischoff, Coordinator Governance & Strategy
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report seeks confirmation of Council's preference for the type of ballot to be held for the Councillor By-Election to fill the vacancy left by Jim McDonald MP at the recent Queensland State Government Election of 25 November 2017.

Officer's Recommendation:

THAT the Lockyer Valley Regional Council Councillor By-Election is undertaken via an attendance ballot on 10 February 2018;

And Further;

THAT the Chief Executive Officer is authorised to negotiate the costs of conducting the attendance ballot with the Electoral Commission of Queensland.

Report

1. Introduction

At the recent Queensland State Government Election of 25 November 2017, Jim McDonald was elected as the Member for Lockyer and is therefore disqualified as a Councillor for Lockyer Valley Regional Council. This report seeks confirmation of Council's preference for the type of ballot to be held for the Councillor By-Election to fill the Councillor vacancy.

2. Background

The declaration of the State Government poll on 7 December 2017 resulted in a Councillor vacancy, which is to be filled through a by-election within 12 weeks of the declaration of the poll in accordance with the *Local Government Electoral Act 2011*.

The Electoral Commission of Queensland will conduct the by-election on behalf of Council. A request for information regarding the costs and benefits of holding both an attendance ballot poll and a full postal ballot to fill the vacancy was made in December 2017.

3. Report

The Electoral Commission of Queensland (ECQ) has proposed that the Councillor by-election is held on 10 February 2018 which aligns with the conduct of other by-elections across the State.

Advice from the ECQ regarding the cost of holding both an attendance ballot poll and a full postal ballot has been received. Following is a summary of each type of ballot:

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Attendance Ballot

An attendance ballot is where polling facilities are used for conducting an election.

A variety of voting options are available to voters with an attendance ballot. Voters are able to apply a vote at a polling booth on Election Day, pre-poll or apply for an individual postal ballot.

Attendance ballots often have higher voter turnout rates than full postal ballots. Both of the last two quadrennial elections for Lockyer Valley were conducted as full postal ballots. The participation rate for 2012 was 77.47% and in 2016 it was 70.44%. By way of comparison just under 90% of electors in the State District of Lockyer voted at the most recent State election which was an attendance ballot.

A number of community groups and schools use polling day to hold fundraising stalls. There are also a number of other social benefits to holding attendance ballots which bring members of the community together.

The ECQ cost estimate for an attendance ballot is \$168,000.

The primary cost drivers included in this total are:

- Polling booths at an estimated 16 location and polling officials \$72,000
- Statutory advertising \$15,000
- ECQ's call centre function \$27,000
- Telephone assisted voting \$9,500
- **Total: \$168,000**
- *Voter Information Card. \$26,000 (optional)*

Full Postal Ballot

A full postal ballot is where ballot papers are distributed to electors and returned by post. A full postal ballot negates the need for voters to attend a polling booth on Election Day or to pre-poll.

The reliability and time delays of the postal service can be a hindrance to the conduct of postal ballots. A full postal ballot does not provide options for voting e.g. pre-polling or attendance at a polling booth on Election Day.

Full postal ballots often result in low voter turnout. As noted above, both of the last two quadrennial elections for Lockyer Valley were conducted as full postal ballots with significantly lower participation rates.

A full postal ballot requires Council to seek the Minister's approval, which may change the estimated timeframe and change the date of the poll and subsequent advertising requirements. In 2015, Council sought Ministerial approval to conduct a full postal ballot for the 2016 Local Government election. This request was not approved on the basis that Council's reasons for the request were insufficient. The Minister of the day also stated that, "the majority of electors in the region do not have to travel for more than 20 minutes to cast their ballot and any potential savings associated with postal ballot voting are minor compared to the improved transparency and accountability and other social benefits afforded by attendance ballot polls."

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The 2016 Lockyer Valley Regional Council election was delayed due to the death of the sitting Mayor and a full postal ballot was held due to the delay.

The ECQ cost estimate for full postal ballot is \$156,000.

The primary cost drivers included in this total are:

- Returning Officer and their office \$20,000
- Central management of postal voting function \$95,000
- Statutory advertising \$15,000
- Smaller scale call centre \$6,500
- **Total: \$156,000**

On assessment of the costs and benefits of each type of election it is recommended that the attendance ballot is Council's preferred option. This option provides a range of voting options for the community allowing greater voter participation and is not significantly more expensive than a full postal vote.

It is also recommended that consideration be given to negotiating the costs associated with conducting the ballot with the ECQ. The list of proposed polling booths is attached to this report for the information of Councillors.

4. Policy and Legal Implications

The matters addressed in this report comply with the relevant provisions of the *Local Government Electoral Act 2011*; *Local Government Act 2009* and *Local Government Regulation 2012*.

5. Financial and Resource Implications

The cost of conducting a by-election is not provided for in the current budget. A budget amendment will be required to fund the by-election. This will be considered in the budget review process. The ECQ cost estimate for an attendance ballot is \$168,000. The ECQ cost estimate for full postal ballot is \$156,000. Discussions will be held with ECQ to negotiate the total cost.

6. Delegations/Authorisations

This report seeks authorisation for the Chief Executive Officer to negotiate the costs associated with conducting the ballot by the Electoral Commission Queensland. All other matters will be managed within current delegations.

7. Communication and Engagement

Councillors were engaged on 4 January 2018 regarding their preference for the type of ballot.

A "Notice of Election" will be published in the Gatton Star, Toowoomba Chronicle and Queensland Times.

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8. Conclusion

On assessment of the costs and benefits of each type of election it is recommended that the attendance ballot is Council's preferred option. This option provides a range of voting options for the community allowing greater voter participation and is not significantly more expensive than a full postal vote.

9. Action/s

- Advise the Electoral Commission Queensland of the preferred type of ballot for the by-election.
- Negotiate estimated costs associated with conducting the ballot with the Electoral Commission Queensland.

Attachments

1 [View](#) ECQ Proposed Polling Booth Locations for February 2018 Councillor By-Election 1 Page

ECQ Proposed Polling Booth Locations - February 2018 Councillor By-Election

LGA	Booth Name	Disabled Access	Address
Lockyer Valley Regional Council	Blenheim	Assisted	Blenheim State School, 81 Blenheim Road, BLENHEIM
Lockyer Valley Regional Council	Forest Hill	Assisted	Forest Hill State School, 11 Church Street, FOREST HILL
Lockyer Valley Regional Council	Gatton LG	Full	Gatton Shire Hall, 52 North Street, GATTON
Lockyer Valley Regional Council	Glenore Grove	None	Community Hall, 9 Brightview Road, GLENORE GROVE
Lockyer Valley Regional Council	Grantham	None	Grantham State School, 15 Victor Street, GRANTHAM
Lockyer Valley Regional Council	Hatton Vale	Assisted	Hatton Vale State School, 27-35 Hannant Road, HATTON VALE
Lockyer Valley Regional Council	Helidon	Assisted	Helidon State School, 16 School Street, HELIDON
Lockyer Valley Regional Council	Laidley	Assisted	Laidley District State School, 232 Patrick Street, LAIDLEY
Lockyer Valley Regional Council	Lake Clarendon	None	Lake Clarendon State School, 35 Lake Clarendon Road, LAKE CLARENDON
Lockyer Valley Regional Council	Ma Ma Creek	Full	Ma Ma Creek State School, Gatton-Clifton Highway, MA MA CREEK
Lockyer Valley Regional Council	Murphys Creek	None	Murphy's Creek State School, Murphys Creek Road, MURPHYS CREEK
Lockyer Valley Regional Council	Plainland	Assisted	Faith Lutheran College, 5 Faith Avenue, PLAINLAND
Lockyer Valley Regional Council	Stockyard Creek	Assisted	Public Hall, Stockyard Creek Road, STOCKYARD
Lockyer Valley Regional Council	Thornton	None	Thornton State School, 4 Thornton School Road, THORNTON
Lockyer Valley Regional Council	Upper Tenthill	Assisted	Baptist Church Hall, 979 Tenthill Creek Road, UPPER TENTHILL
Lockyer Valley Regional Council	Withcott	None	Withcott State School, 26 Biggs Road, WITHCOTT

**ORDINARY MEETING OF
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10.2 Public Interest Disclosure Policy and Procedure

Date: 09 January 2018
Author: Corrin Bischoff, Coordinator Governance & Strategy
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report seeks Council to adopt the updated Public Interest Disclosure Policy and Procedure in accordance with the *Public Interest Disclosure Act 2010*.

Officer's Recommendation:

THAT Council adopt the Public Interest Disclosure Policy and Public Interest Disclosure Procedure – January 2018 as attached to this report.

Report

1. Introduction

Under section 28 of the *Public Interest Disclosure Act 2010*, chief executive officers of public sector entities are required to establish reasonable procedures to deal with public interest disclosures (PIDs) in order to ensure PIDs are appropriately assessed and managed, and that support is offered to disclosers.

This report presents for adoption, updated versions of Council's Public Interest Disclosure Policy and Procedure which are compliant with current legislation.

This report relates to Corporate Plan 2017-2022, 5.7 Compliant with relevant legislation

2. Background

In 2013, Council adopted a Public Interest Disclosure Policy and Procedure to comply with the requirements of the *Public Interest Disclosure Act 2010*. The policy was reviewed in 2015 and adopted by Council.

In May 2017, the Queensland Ombudsman wrote to the Chief Executive Officer regarding the visibility review they were conducting of public sector agencies compliance with section 28 of the *Public Interest Disclosure Act 2010*. In this review, Council were requested to evaluate their policy and procedure in line with the legislation and Public Sector Disclosure Standard No.1.

Council officers liaised with the Office of the Queensland Ombudsman to review its Public Interest Disclosure Policy and Procedure.

3. Report

The *Public Interest Disclosure Act 2010* facilitates the disclosure, in the public interest, of information about wrongdoing in the public sector and provides protection for those who make such disclosures.

As a public sector entity Lockyer Valley Regional Council is subject to the *Public Interest Disclosure Act 2010* and all Council employees and Councillors are public officers for the purposes of the legislation. Council, therefore, has obligations placed on it related to receiving public interest disclosures and to ensure that persons making such disclosures are protected from reprisals.

In accordance with section 28 of the *Public Interest Disclosure Act 2010*, Council is required to adopt a policy and procedure clearly articulating the procedures Council has in place to deal with public interest disclosures ensuring they are appropriately assessed, managed and that disclosers are provided the proper protections from reprisal.

Council's policy and procedure have been updated to reflect the requirements of the *Public Interest Disclosure Act 2010* and the Public Interest Disclosure Standard No.1. In addition, the self-assessment checklist for the documents was completed.

The updated versions of these documents are presented in this report to Council for adoption.

4. Policy and Legal Implications

Council's policy framework has been adhered to in the development of the Public Interest Disclosure Policy. The document complies with the requirements of relevant legislation. The Public Interest Disclosure Procedure assists in implementing the policy. Any future policy and legal implications will be addressed as matters arise before Council.

5. Financial and Resource Implications

The content of this policy does not alter current budgetary requirements.

6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report. The Chief Executive Officer will manage requirements in line with existing delegations.

7. Communication and Engagement

Council officers liaised with the Office of the Queensland Ombudsman to review its Public Interest Disclosure Policy and Procedure. On adoption of the policy and procedure, the documents will be published on Council's website and the Queensland Ombudsman will be notified of the updated documents.

8. Conclusion

The Public Interest Disclosure Policy and Procedure presented in this report have been developed to ensure Council is compliant with the relevant legislation.



ORDINARY MEETING OF COUNCIL AGENDA 17 JANUARY 2018

9. Action/s

- Finalise the policy and procedure and publish on Council's website.
- Notify the Queensland Ombudsman of the updated documents

Attachments

- | | | |
|------------------------|---|----------|
| 1 View | Public Interest Disclosure Policy | 2 Pages |
| 2 View | Public Interest Disclosure Procedure - January 2018 | 12 Pages |



Policy document

Strategic/Governance SG 02

Public Interest Disclosure

Head of Power

Public Interest Disclosure Act 2010

Key Supporting Council Document

Corporate Plan 2017-2022 – 5.7 Compliant with relevant

Definitions

Public Interest Disclosures (PID) are broadly defined in the *Public Interest Disclosure Act 2010* as being all information disclosed to a proper authority about a public interest matter.

Policy Objective

The objectives of this policy are:

- To acknowledge Council's obligations as a Public Sector Entity as defined in the *Public Interest Disclosure Act 2010*
- To establish Council's commitment to the promotion and proper management of public interest disclosures
- To communicate the rights and obligations, and to outline a framework and provide a process to make appropriate disclosures.
- To ensure that Council fulfils its responsibility under the *Public Interest Disclosure Act 2010*.

Policy Statement

By virtue of their office or position, Council recognises the important role Councillors, Council employees and members of the public can play in the identification of cases of maladministration, corrupt conduct and the misuse of public resources or contraventions giving rise to dangers to public health and safety, the environment or to persons with disabilities.

In accordance with the objectives of the *Public Interest Disclosure Act 2010*, it is Council policy to:

- promote the public interest by facilitating public interest disclosures of wrongdoing in the public sector
- ensure that public interest disclosures are properly made, assessed, and when appropriate, properly investigated and dealt with
- ensure that appropriate consideration is given to the interests of persons who are the subject of a public interest disclosure and
- afford protection from reprisals to persons making public interest disclosures.

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Unit: Governance & Strategy
Approved: Ordinary Meeting (Resolution Number XXXX)
Date Approved: XX/XX/2018

Effective Date: XX/XX/2018
Version: 1.0 Last Updated: 09/01/2018
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Superseded/Revoked: Public Interest Disclosure Policy SG02
Approved 11/02/2015, Resolution Number 3880

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Policy document

Strategic/Governance SG 02

These outcomes (including information regarding how a PID may be made) are achieved via Council's Public Interest Disclosure Procedure which is developed and implemented by the Chief Executive Officer. A Public Interest Disclosure Coordinator is appointed by the Chief Executive Officer to be responsible for issues related to the management of Public Interest Disclosures. The Chief Executive Officer will implement effective systems to inform improvements to service delivery, business processes and internal control raised in the management of public interest disclosures. Council's Public Interest Disclosure policy and procedures will be evaluated and monitored annually to ensure their effectiveness in the management of public interest disclosures.

Council recognises the sensitivities which can be associated with public interest disclosures and the need to maintain public confidence in its process for managing public interest disclosures.

To that end Council will:

- ensure that public interest disclosures are managed appropriately in accordance with the requirements of *Public Interest Disclosure Act 2010*
- maintain confidentiality of public interest disclosures received (as per section 65 of *Public Interest Disclosure Act 2010*)
- prosecute any person who provides a false or misleading statement or information to Council with the intention of it being processed as a Public Interest Disclosure (as per section 66 of *Public Interest Disclosure Act 2010*)
- prosecute and/or take disciplinary action against any Councillor or Council employee who takes or attempts to take a reprisal action (refer section 40 & section 41 of *Public Interest Disclosure Act 2010*)
- ensure that the proper records of Public Interest Disclosures received (as per section 29 of *Public Interest Disclosure Act 2010*) are maintained, and that the confidentiality of all records created during the investigation and reporting of Public Interest Disclosures is preserved (as per section 65 of *Public Interest Disclosure Act 2010*)

Related Documents

Public Interest Disclosure Procedure – January 2018

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Public Interest Disclosure Procedure

January 2018

Document Control

This page will be re-issued every time amendments are made to controlled documents.
Amended documents will have their revision status and issue date updated accordingly.

Version	Clause(s)	Changes	Author	Issue Date
0		Initial draft	Susan Boland	01/08/2017
1		Adopted by Council		XX/01/2018
2				
3				
4				

DRAFT

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Introduction

The *Public Interest Disclosure Act 2010* facilitates the disclosure, in the public interest, of information about wrongdoing in the public sector and provides protection for those who make such disclosures. As a public sector entity Lockyer Valley Regional Council is subject to the *Public Interest Disclosure Act 2010* and all Council employees and Councillors are public officers for the purposes of the legislation. Council, therefore, has obligations placed on it related to receiving public interest disclosures and to ensure that persons making such disclosures are protected from reprisals.

Definitions

The following definitions apply for the purposes of this procedure:

Chief Executive Officer	is the Chief Executive Officer of the Lockyer Valley Regional Council or the Mayor (where a disclosure is about the Chief Executive Officer).
Detriment	(a) personal injury or prejudice to safety; (b) property damage or loss; (c) intimidation or harassment; (d) adverse discrimination, disadvantage or adverse treatment about career, profession, employment, trade or business; (e) financial loss; and (f) damage to reputation, including, for example, personal, professional or business reputation.
Discloser	is a person who makes a public interest disclosure.
Maladministration	is an administrative action that is unlawful, arbitrary, unjust, oppressive, improperly discriminatory or taken for an improper purpose; or a waste of public funds.
Corrupt Conduct	is conduct that could, if proved, be a criminal offence or a disciplinary breach providing reasonable grounds for terminating the person's services.
Proper Authority	is (a) a public sector entity, or (b) a member of the Legislative Assembly.
Public Interest Disclosure (PID)	is a disclosure of information by an employee to a proper authority about certain wrongdoing i.e. suspected corrupt conduct, maladministration, a substantial misuse of public resources, or a substantial and specific danger to public health or safety or the environment. Any person may also disclose to a proper authority a substantial and specific danger to the health or safety of a person with a disability, certain substantial and specific dangers to the environment or a reprisal.
Public Officer	is a person who is an employee, member or officer of a public sector entity regardless of their employment status, role or position, i.e. permanent, temporary, casual, part-time, contractors or volunteers.
Reprisal	occurs when any person causes or attempts or conspires to cause detriment to another person because or in the belief that (a) a person has made or may make a public interest disclosure or (b) a person has been, or intends to be, involved in a proceeding under the <i>Public Interest Disclosure Act 2010</i> . A public officer who is found to have taken a reprisal commits a criminal offence.

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Subject Officer	is any employee who is the subject of an allegation made against them which requires an investigation, review or other form of managerial response in order to have the allegation addressed.
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Statement of commitment

Lockyer Valley Regional Council is committed to encouraging the reporting of wrongdoing. The reporting of suspected corrupt conduct within Council is fundamental to its ongoing integrity.

Lockyer Valley Regional Council (LVRC) is fulfilling its commitment to open, transparent and accountable decision making. This comes from leadership that openly recognises the significant contribution staff make to our success and strongly encourages disclosure of unethical and fraudulent behaviour.

LVRC aims to provide clear guidance to staff on how to handle and deal with the complex issues associated with an ethical dilemma and when faced with potential wrongdoing.

Council is committed to the proper management of PIDs and to raising staff awareness about PIDs and Council's PID procedure as well as their obligations under the Employee Code of Conduct.

Responsibilities

The Chief Executive Officer is the responsible officer for receiving public interest disclosures and acting on them (or the Mayor if the disclosure is about the Chief Executive Officer).

Council will:

- Provide training to ensure staff can identify situations where behaviour may be unethical or fraudulent and know how to refer a PID to an appropriate officer as per this Procedure
- Provide training and awareness about PIDs to senior managers and other staff who may receive or manage PIDs
- Appoint a responsible officer for the management of issues relating to PIDs, including the appropriate delegated authority to manage PID matters
- Annually review its PIDs processes, procedures and internal controls and provide a mechanism for evaluation and monitoring of the effectiveness of PID policies and procedures

Council's Governance & Strategy Unit is responsible for the management and recording of all public interest disclosures and will ensure that effective systems and procedures are in place for issues arising from public interest disclosures. A Public Interest Coordinator, from the Governance & Strategy Team is appointed by the Chief Executive Officer to be responsible for issues related to the management of Public Interest Disclosures.

Protected disclosures

This Procedure applies to public interest disclosures within the meaning of the *Public Interest Disclosure Act 2010*. What constitutes a public interest disclosure depends on who is making the disclosure, with the *Public Interest Disclosure Act 2010* distinguishing between disclosures made by a public officer and those made by anyone else.

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A public officer can report wrongdoing to a proper authority about:

- a) the conduct of another person that could, if proved, be—
 - i. corrupt conduct; or
 - ii. maladministration that adversely affects a person's interests in a substantial and specific way; or
- b) a substantial misuse of public resources (other than an alleged misuse based on mere
- c) disagreement over policy that may properly be adopted about amounts, purposes or priorities of expenditure); or
- d) a substantial and specific danger to public health or safety; or
- e) a substantial and specific danger to the environment.

Any person can report wrongdoing to a proper authority about:

- a) a substantial and specific danger to the health or safety of a person with a 'disability' as defined in the *Disability Services Act 2006*; or
- b) a contravention of environmental law which is a substantial and specific danger to the environment (per provisions mentioned in Schedule 2 of the *Public Interest Disclosure Act 2010*); or
- c) the conduct of another person that could, if proved, be a reprisal.

To determine that a disclosure is a public interest disclosure, the disclosure must also satisfy either:

- a) the person making the disclosure honestly believes, on reasonable grounds, that the information tends to show the conduct or other matter is wrongdoing (subjective test) or
- b) the information tends to show the conduct or other matter is wrongdoing, regardless of whether the person making the complaint honestly believes the information (objective test).

The *Public Interest Disclosure Act 2010* only protects public interest disclosures that are made to a "proper authority". Council is a proper authority for conduct concerning the Council, a councillor or Council employee or behaviour that Council has the power to investigate or remedy. Disclosures made otherwise than in accordance with this procedure may not attract the protection of the *Public Interest Disclosure Act 2010*, including disclosures made to the media (except in special circumstances outlined in part 4 section 20 of the *Public Interest Disclosure Act 2010*); unions or professional associations; federal government departments and agencies; private organisations; and organisations operating outside of Queensland.

Making a disclosure

A Council employee may make a public interest disclosure to:

- their direct or indirect supervisor or manager
- any other person in a management position within Council
- the Chief Executive Officer.

A public interest disclosure can always be made to a member of the Legislative Assembly or an external agency if that agency has the power to investigate and remedy that type of disclosure, such as the Crime and Corruption Commission if it concerns corrupt conduct or the Queensland Ombudsman if it concerns maladministration or waste of public resources.

A disclosure may be made anonymously, however it is difficult in these circumstances to protect the person making the disclosure from any retributive action or reprisal. As such, although anonymous

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disclosures are permitted under the *Public Interest Disclosure Act 2010*, disclosers are encouraged to provide their contact details when making a disclosure.

A disclosure should be in writing, although it may be made orally. If a supervisor or manager receives a public interest disclosure, they should encourage the discloser to put the information in writing. If the discloser is unable or unwilling to do so, the supervisor or manager should document the disclosure and ask the discloser to confirm the contents before signing it. If circumstances prevent this occurring (e.g. telephone caller who remains anonymous), the supervisor or manager should promptly make a written note recording the precise matters raised and this should be referred to the Chief Executive Officer.

Under certain circumstances a person may make a disclosure to a journalist (refer to part 4 section 20 of *Public Interest Disclosure Act 2010*). This can only occur if a person has already made a disclosure to the proper authority and that proper authority:

- has decided not to investigate or deal with the disclosure; or
- investigated but did not recommend taking any action; or
- did not notify the discloser within six months of whether or not the disclosure was to be investigated or dealt with.

A public interest disclosure can be made about an unidentified person. A person can involuntarily make a public interest disclosure if they are legally compelled to do so. A public interest disclosure can be made in a proceeding in a court or tribunal as part of giving information to the court or tribunal.

A public interest disclosure can concern an event that happened or may have happened even if the event occurred before the enactment of the *Public Interest Disclosure Act 2010*. The public interest disclosure can also concern a current or potential event that will or may happen.

There is no limit to the number of public interest disclosures that can be made. When making a public interest disclosure, the discloser has the responsibility to provide honest and accurate information. It is a criminal offence under the *Public Interest Disclosure Act 2010* to make a disclosure which is intentionally false or misleading and the discloser may face disciplinary action and criminal prosecution. Knowingly providing false or misleading information is different to providing information that turns out to be incorrect or unable to be substantiated.

Council encourages persons contemplating the making of a public interest disclosure to give due prior consideration to that course to ensure that matters raised have substance and are soundly based. Under the *Public Interest Disclosure Act 2010* a person is not liable civilly, criminally or under an administrative process, including disciplinary action, for making a public interest disclosure.

Assessing a disclosure

When a disclosure is made to a supervisor or manager, the supervisor or manager must communicate the disclosure immediately to the Chief Executive Officer. The Chief Executive Officer must ensure that a disclosure made to Council or referred to it by another entity or Member of the Legislative Assembly is assessed.

The Chief Executive Officer will assess the public interest disclosure to determine whether the disclosure requires:

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- referral to another public sector entity, e.g. all cases of suspected corrupt conduct must be referred to the Crime and Corruption Commission
- further enquiries to be made
- investigation; or
- finalisation.

In assessing a disclosure, the Chief Executive Officer will determine if:

- the person making the disclosure is able to receive the protection of the *Public Interest Disclosure Act 2010*
- the disclosure concerns a matter about which a public interest disclosure can be made
- the disclosure meets either the subjective or objective test set out in the *Public Interest Disclosure Act 2010*
- the disclosure has been made to an individual or entity who may receive a public interest disclosure; and
- the disclosure has been made in accordance with Council's procedure or to a person listed in the *Public Interest Disclosure Act 2010*.

If there is doubt whether a disclosure is a public interest disclosure, the Chief Executive Officer will assume the disclosure is protected by the *Public Interest Disclosure Act 2010* and manage the disclosure as if it is a public interest disclosure.

Each separate allegation should be reported as a separate public interest disclosure, unless the matters are clearly linked and it would be reasonable to view them as a single disclosure. Council cannot decline to receive and/or assess a disclosure as a public interest disclosure. The Chief Executive Officer may decide not to investigate or deal with a public interest disclosure if:

- the substance of the disclosure has already been investigated or dealt with by another appropriate process; or
- Council reasonably considers that the disclosure should be dealt with by another appropriate process; or
- the age of the information the subject of the disclosure makes it impracticable to investigate; or
- Council reasonably considers that the disclosure is too trivial to warrant investigation and that dealing with the disclosure would substantially and unreasonably divert the resources of Council from the performance of its functions; or
- another entity that has the jurisdiction to investigate the disclosure has notified Council that investigation of the disclosure is not warranted.

If Council decides not to investigate or deal with a public interest disclosure, written reasons for this decision will be given to the person making the disclosure. A person who receives written reasons for a decision not to investigate may apply to the Chief Executive Officer for a review of the decision within 28 days after receiving the written reasons.

Whether a complaint has been assessed as a public interest disclosure, the appropriate investigation procedure identified in the Council's Complaints Management Policy and Procedure for general complaints will apply.

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Referral of disclosure

In accordance with section 31 of the *Public Interest Disclosure Act 2010*, a public sector entity to which a public interest disclosure is made may refer the disclosure to another public sector entity (the referral entity) if the disclosure is about –

- The conduct of the referral entity or a public officer of the referral entity; or
- The conduct of an entity (including itself), or another matter, that the referral entity has the power to investigate or remedy.

The power of a public sector entity to investigate or remedy conduct that is the subject of a public interest disclosure is not limited by a referral of the disclosure.

The public sector entity must not refer a public interest disclosure to another public sector entity if it considers there is an unacceptable risk that a reprisal would happen because of the referral. In considering whether there would be an unacceptable risk, the public sector entity must, if practicable, consult with the person who made the public interest disclosure.

Informing the discloser

The Chief Executive Officer will provide the discloser or the entity that referred the disclosure reasonable information about the disclosure in writing, including:

- confirmation that the disclosure was received by Council
- a description of the action proposed to be taken, or taken, by Council in relation to the disclosure
- if action has been taken by Council in relation to the disclosure – a description of the result of the action
- the likely timeframes (if possible)
- their involvement in the investigation process
- the importance of maintaining confidentiality
- the protections under the *Public Interest Disclosure Act 2010* that will apply
- that Council will keep the information disclosed, including the discloser's identity, confidential, except as allowed under the *Public Interest Disclosure Act 2010*
- how they will be advised of progress and outcomes; and
- who to contact if they want further information or are concerned about reprisals.

Regular follow up with the discloser should be arranged by agreement to provide advice on the progress of resolving the public interest disclosure (where this is desired by the discloser, and it is safe to do so).

Discloser support and protection

As soon as possible after receiving a public interest disclosure, the Chief Executive Officer will determine the level of protection and support appropriate for a discloser by conducting a risk assessment of a reprisal to the discloser and others associated with the discloser (including those who may wrongly be suspected of being a discloser). Council will also take into account any consequences if reprisals do occur.

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The Chief Executive Officer will ensure protective measures are in place which are appropriate to the risk of reprisal, and the potential consequences of a reprisal. If the risk is assessed as sufficiently high, Council will prepare a protection plan to protect the discloser. Where feasible, this will be developed in consultation with the discloser and other relevant stakeholders.

When assessing the risk, an assessment of the discloser's need for support will also be conducted. Where it is determined that a discloser requires support, Council will offer the appropriate level of support to the discloser.

This may include:

- acknowledging that making a public interest disclosure was the right action to take and is valued
- making a clear statement that the entity will support the discloser
- appointing an appropriate person (separate from the investigations function) with sufficient authority to ensure the discloser has appropriate support and protection from reprisals
- regularly checking on the discloser's wellbeing, where this is warranted
- advising the discloser of the availability of the employee assistance scheme; and
- where the health of the discloser becomes a concern, liaising with officers responsible for occupational workplace health and safety.

Managing reprisals

Council has a duty of care to support and protect employees from negative action, including reprisals that occur as a result of a disclosure. Reprisals are not condoned or tolerated by Council. The Chief Executive Officer will ensure effective systems and procedures are in place to monitor a discloser's workplace for any signs of reprisal action. In the event of a reprisal being alleged or suspected, Council will act in the interest of the discloser by:

- attending to the safety of the discloser or affected third parties as a matter of priority
- reviewing the risk assessment of reprisal and any protective measures needed; and
- managing any allegation of a reprisal as a public interest disclosure in its own right.

Any employees found to have engaged in reprisals will be the subject of disciplinary action up to dismissal. Criminal action may be taken with respect to reprisal and penalties under the *Public Interest Disclosure Act 2010* may apply.

Council may be vicariously liable for reprisal actions taken by employees, but may be able to raise as a defence, on the balance of probabilities, that reasonable steps were taken to prevent the employee taking reprisal action.

Reasonable management action is not prevented in relation to an employee who has made a public interest disclosure. Any management action can be only taken if the manager's reasons for taking the action do not include the fact that the person has made a public interest disclosure.

Protecting the rights of the subject officer

All public interest disclosures will be assessed and managed impartially, fairly and reasonably. The rules of natural justice will apply to any subject officer under investigation in respect of an allegation raised against them. Accordingly, subject officers will be advised of the nature of allegations against

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them at the appropriate time and are to be afforded an opportunity to respond. Employees who are the subject of a public interest disclosure may seek assistance from their employee association (e.g. Union) or may engage their own private legal representation. An employee may also utilise the services of Council's employee assistance scheme.

Investigation

The assessment about whether the reported conduct constitutes a public interest disclosure and the determination of appropriate action to be taken will be determined by the Chief Executive Officer on a case by case basis.

Where appropriate, an investigator will be engaged to investigate the public interest disclosure. In all cases the investigator must:

- have the necessary skills or training to perform that task in a professional manner; and
- not be under the direction of a person being investigated
- be sufficiently removed from the issue as to not have a conflict of interest or perceived conflict of interest when undertaking the investigation; and
- when assessing (and where necessary, investigating and taking action on) a public interest disclosure, take account of Council's obligations to the subject officer.

The fact that Council is relying on information obtained through a public interest disclosure for any subsequent disciplinary process does not exempt Council from its obligations to the subject officer.

On conclusion of the investigation, the investigator will provide the Chief Executive Officer with a written report detailing the process followed and their findings. The Chief Executive Officer will utilise that report as appropriate to:

- inform improvements to service delivery, business processes and internal controls
- recommend any amendments to Council policies and/or procedures
- recommend amendments to this procedure to improve its effectiveness; or
- investigate disciplinary action.

Where reasonable, an edited extract of the report may be forwarded to the discloser upon application through the right to information process. A person dissatisfied with Council's handling of their public interest disclosure has an internal right of review to the Chief Executive Officer. Disclosers are also entitled to raise the matter with other entities, such as the Queensland Ombudsman in cases of maladministration.

Confidentiality

An employee who gains confidential information because he or she receives a public interest disclosure or is involved in dealing with a public interest disclosure must not make a record of the information, or intentionally or recklessly disclose the information to anyone, other than:

- for the *Public Interest Disclosure Act 2010*
- to discharge a function under another Act including, for example, to investigate something disclosed by a public interest disclosure
- for a proceeding in a court or tribunal
- if the person to whom the confidential information relates consents in writing to the making of the record or disclosure of the information

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Unit: Governance & Strategy
Approved: Chief Executive Officer
Date Approved: XX/XX/2018
ECM:

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- if the employee cannot reasonably obtain consent from the person to whom the confidential information relates and making the record or disclosing the information is unlikely to harm the interests of the person to whom the confidential information relates and is reasonable in all the circumstances
- if the person reasonably believes that making the record or disclosing the information is necessary to provide for the safety or welfare of a person; or
- if authorised under a regulation or another Act.

In certain circumstances, natural justice may require a person to disclose information to a person whose rights would otherwise be detrimentally affected. The identity of the discloser may only be disclosed if it is essential to do so under the principles of natural justice and it is unlikely that a reprisal will be taken against a discloser because of the public interest disclosure. Making a record of confidential information or disclosing information to anyone (other than for the reasons noted above) is an offence under the *Public Interest Disclosure Act 2010*.

Record keeping and reporting

The *Public Interest Disclosure Act 2010* requires Council to keep adequate record of public interest disclosures, including details of the discloser (where known), the nature of the information disclosed and action taken by Council, even where the disclosure is investigated and found to be incorrect. Council will maintain a confidential file pertaining to each potential public interest disclosure, with the following minimum requirements:

- the name of the person making the disclosure (if known)
- details of the disclosure
- the determination made in respect of the disclosure; and
- action taken on the disclosure (including review, investigation or other form of managerial response).

All records of public interest disclosure and their investigation will be kept in Council's content management system and will be kept strictly confidential. Responsibility for creating records and for fulfilling Council's reporting obligations rests with Council's public interest disclosure coordinator who is part of Council's Governance & Strategy Team.

Council will also provide the Queensland Ombudsman with the required information via the PID Database.

Related Documents

Public Interest Disclosure Policy
Employee Code of Conduct
Complaints Management Process Policy
Complaints Management Procedure

Public Interest Disclosure Act 2010

Crime and Corruption Act 2001

Public Interest Disclosure Standard – effective 1 January 2011

Managing a Public Interest Disclosure Program – A guide for public sector organisations 2011

Handling a Public Interest Disclosure – A guide for public sector managers and supervisors 2011

Making a Public Interest Disclosure – A guide for individuals working in the public sector 2011

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10.3 Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018

Date: 09 January 2018
Author: Corrin Bischoff, Coordinator Governance & Strategy
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

With the *Environmental Protection Regulation 2008* Chapter 5A and the *Waste Reduction and Recycling Regulation 2011* section 7 (enabling local government to manage waste within its area) set to expire on 1 July 2018, Council is required to introduce a new local law and subordinate local law on waste management.

The purpose of this report is to comply with the steps of the making an 'other' local law process previously adopted by Council to propose making:

- a) *Local Law No.7 (Waste Management) 2018*; and
- b) *Subordinate Local Law No.7 (Waste Management) 2018*.

Officer's Recommendation:

THAT Council propose to make *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018* as attached to this report;
Further;

THAT Council delegate authority to the Chief Executive Officer to consult with the Department of Environment and Heritage Protection about the overall State interest in *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018* in accordance with Section 29A(3) of the *Local Government Act 2009*.

Further;

THAT Council note that compliance with the 'National Competition Policy Guidelines for conducting reviews on anti-competitive provisions in local laws' as required by Section 38 of the *Local Government Act 2009* has occurred and apply the following exclusions from further assessment of anti-competitive provisions and public interest consultation processes:

- a) the local laws are intended as legitimate measures to combat the spread of pests and disease; and
- b) the local laws are being implemented to ensure accepted public health and safety standards are met.

Further;

THAT Council delegate authority to the Chief Executive Officer to undertake public consultation with regard to the proposed *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018*

Further;

THAT Council delegate authority to the Chief Executive Officer to seek the written agreement from the chief executive of the Department of Transport and Main Roads in accordance with section 66(5) of the *Transport Operations (Road Use Management)*

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Act 1995 regarding the making of Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018.

Further;

THAT Council delegate authority to the Chief Executive Officer to make any minor formatting or typographical changes to *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018*, if required.

Report

1. Introduction

The purpose of this report is to enable the formal making an “other” local law process to commence to make Council’s:

- a) *Local Law No.7 (Waste Management) 2018*; and
- b) *Subordinate Local Law No.7 (Waste Management) 2018*.

With the *Environmental Protection Regulation 2008* Chapter 5A and the *Waste Reduction and Recycling Regulation 2011* section 7 (enabling local government to manage waste within its area) set to expire on 1 July 2018, Council is required to introduce a new local law and subordinate local law on waste management.

This report aligns to Council’s Corporate Plan 2017-2022 commitment: Compliance with governance obligations.

2. Background

The proposed *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018* seeks to replicate the provisions of Chapter 5A of the *Environmental Protection Regulation 2008* (the Regulation) and Part 2A of the *Waste Reduction and Recycling Regulation 2011* (WRRR), which will both expire on 1 July 2018. The local law and subordinate local law will allow Council to continue to regulate the appropriate storage and removal of general waste from premises within the region under Council’s local laws.

This report addresses the first relevant steps of the Making an “other” local law process adopted by Council on 19 August 2015 to enable the making of *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018 to regulate* the appropriate storage and removal of general waste from premises within the region.

The steps in the process are:

Step 1	By resolution, propose to make the proposed local law
Step 2	Consult with relevant government entities about the overall State interest in the proposed local law
Step 3	If the local law proposed for adoption contains an anti-competitive provision, comply with the procedures outlined in the regulation for the review of anti-competitive provisions.
Step 4	Consult with the public about the proposed local law for at least 21 days.

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Step 5	Accept and consider every submission properly made to Council.
Step 6	Seek consent of the Chief Executive of Department of Transport & Main Roads for the application of the proposed Local Law & Subordinate Local Law to all State-controlled roads in Council's local government area pursuant to s66(5) <i>Transport Operations (Road Use Management) Act 1995</i> .
Step 7	By resolution, Council is to decide whether to proceed with the proposed local law advertised; make amendments to the proposed local law or not proceed. If amendments are accepted Step 3 and 4 may need to be re-visited.
Step 8	If Council proceeds with the proposed local law, within 1 month of Council's resolution Council must let the public know that the local law has been made by publishing a notice of making the local law in the gazette and on Council's website.
Step 9	Provide a copy of the local law for inspection at Council's offices and on the website.
Step 10	Within 14 days after the notice is published in the gazette, provide the Minister with a copy of the notice and local law
Step 11	Update Council's local law register

At the December 2017 Councillor Workshop, an overview of the components to be included in the local law and subordinate local law were provided to Councillors. In order to prepare this report, step 3 has already been completed.

3. Report

The proposed *Local Law No.7 (Waste Management) 2018* and *Subordinate Local Law No.7 (Waste Management) 2018* simply replicate the current provisions of Chapter 5A of the *Environmental Protection Regulation 2008* (the Regulation) and Part 2A of the *Waste Reduction and Recycling Regulation 2011* (WRRR).

These legislative provisions, amongst other things:

- allow Council to define areas where domestic waste collection is to occur
- require owners or occupiers to supply rubbish bins; (if not supplied by Council)
- ensure occupiers maintain bins in good repair
- prohibit placing dangerous materials in a bin, for example something that is alive or smouldering
- nominate a place where bins can be stored or how long they can be left on a street
- regulate who can collect waste and when collection can be made
- enable instructions to be given by Council staff at waste facilities where rubbish is to be deposited.
- Enable Council to recover as a debt, the costs to replace lost stolen or damaged bins.

Most of these requirements currently exist. Council, like numerous other local governments, is simply duplicating existing laws in preparation for the expiry of State legislation in July. Some additional provisions have been included to address specific identified issues eg. cost-recovery for supplying replacement bins. The object of the local law and subordinate local law will be to not only maintain the environment but also protect public health and amenity.

This report addresses the first four steps in the process.

Step 1:

At Step 1 of the local law making process, Council is obliged to propose, by resolution, to make the proposed amending subordinate local law. A recommendation is made in this report

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seeking to propose *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018*.

Step 2:

Step 2 requires consultation with relevant government entities about the overall State interest in the proposed local law. The key agency identified is the Department of Environment and Heritage Protection who regulates waste management. A recommendation is made in this report seeking Council to authorise the CEO to consult with the Department of Environment and Heritage Protection on the proposed local law and subordinate local law. The purpose of this is to ensure the proposed LL & SLL are not inconsistent with State laws and do not adversely impact state interests. If they do, amendments will be required to avoid invalidity.

Step 3:

This step requires consideration to be given to any anti-competitive provisions in the proposed local law and subordinate local law for the purposes of drafting the proposed LL & SLL and this report, this step has been completed. It has been determined that the following exclusions contained in step 2 of the “National Competition Policy Guidelines for conducting reviews on anti-competitive provisions in local laws guidelines” are applicable:

1. intended as legitimate measures to combat the spread of pests and disease
2. being implemented to ensure accepted public health and safety standards are met.

A recommendation has been made in this report for Council to resolve to apply these exclusions so that further assessment & public interest consultation processes are not required to be undertaken.

Council has obtained legal advice which confirms the above assessment to rely on these exclusions, for the following reasons:

- The local law largely replicates Chapter 5A of the *Environmental Protection Regulation 2008*
- Waste collection is one of the primary health and safety roles of council
- A waste collection service is not only relevant to community health through the frequent removal and proper disposal of waste but also relevant to community safety due to the risk posed by the heavy vehicles required to perform such a service and the need for those collection vehicles to access pedestrian areas, such as driveways and footpaths.
- The local laws do not seek to regulate commercial waste and the industry has indicated that this is all it is concerned with
- The industrial waste provisions in the local laws do not impede the ability for industrial waste services to be provided by industry
- As there is no regulation of commercial waste, no barrier to competition in providing industrial waste services, and the industry is not concerned with providing domestic waste services, it is not considered that there is any barrier to entry to, or competition within, the market above the current waste management environment.

Step 4 & 5:

Step 4 is for public consultation to be undertaken. The recommendation made proposes to adopt the *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018* and delegate authority to the Chief Executive Officer to undertake the required public consultation process.

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All properly made submissions will be considered and it is possible some amendments may be made to the proposed LL & SLL.

Step 6:

An additional recommendation made in this report requests that Council delegate authority to the CEO to seek written agreement from the chief executive of the Department of Transport and Main Roads for the local laws as per section 66(5) of the *Transport Operations (Road Use Management) Act 1995*. This consent must be obtained before the LL & SLL are made in order for the LL & SLL to apply to declared roads in Councils local government area. This is necessary for Council to enforce compliance for waste collection services occurring along state controlled roads.

4. Policy and Legal Implications

The resolutions made in this report comply with the legislative requirements set out to facilitate:

- (a) the proposal for making an “other” local law process;
- (b) undertake appropriate State interest check
- (c) the identification and review of possible anti-competitive provisions; and
- (d) public consultation about the proposed amending subordinate local laws, and
- (e) Seeking the chief executives approval for application to declared roads.

While Council is required by law to undertake a public consultation process in respect of the proposed local laws, the public interest testing review process related to the review of anti-competitive provisions can be avoided on the basis of the exclusions outlined in this report.

During the public consultation process, Council is obliged to accept and consider all submissions properly made to Council about the proposed local laws. Having considered all submissions, Council will be obliged to decide whether to proceed with the making of the local law and subordinate local law either as advertised, with amendments, or not at all.

If significant amendments are to be considered the timing for this will be relevant as steps 2 – 6 may need to be repeated. A LL & SLL must be made & effective before 1 July 2018 in order to minimise risk to the continuation and regulation of current waste management services.

5. Financial and Resource Implications

The only foreseeable cost to Council in to make the local law and amending local law are the costs to advertise the public consultation process in the Gatton Star newspaper. All other work to complete the local law making process will be undertaken by Council’s Legal Services & Property Coordinator. If Council resolves to adopt the local law and subordinate local law in Step 6 of the process, Council will also incur gazettal fees.

The effect of the proposed local law and subordinate local law if adopted will be to duplicate existing laws in preparation for the expiry of State legislation in July and address specific issues relevant to Council local government area. The object of the local law and subordinate local law will be to not only maintain the environment, ensure public health and safety standards are met and combat the spread of pests and disease (exclusion wording).

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6. Delegations/Authorisations

Authority is sought from Council for the Chief Executive Officer to:

- to consult with the Department of Environment and Heritage Protection about the overall State interest in *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018* in accordance with Section 29A(3) of the *Local Government Act 2009*.
- to undertake public consultation with regard to the proposed *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018*
- seek the written agreement from the chief executive of the Department of Transport and Main Roads in accordance with section 66(5) of the *Transport Operations (Road Use Management) Act 1995 regarding the making of Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018*
- make any minor formatting amendments to the proposed amending subordinate local law (if required) prior to the public consultation.
- This authority will enable the public consultation process to be undertaken.

7. Communication and Engagement

Consultation has been undertaken with internal stakeholders including officers and Councillors through a series of workshops as part of the broader Local Law Review Project. External legal advice has also been sought in the development of the draft local law and subordinate local law.

Council will engage with the relevant State Government Departments in the making of *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018*.

Notices advertising the public consultation period for the local law and subordinate local law will be published in the Gatton Star newspaper, on Council's website and in Council's public offices in Gatton and Laidley. Copies of the documents will be available for inspection on Council's website and in hard copy from Council's public offices in Gatton and Laidley.

8. Conclusion

The proposed *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018* outlined in this report seeks to replicate the provisions of Chapter 5A of the *Environmental Protection Regulation 2008* (the Regulation) and Part 2A of the *Waste Reduction and Recycling Regulation 2011* (WRRR), which will both expire on 1 July 2018. The local law and subordinate local law will allow Council to continue to regulate the appropriate storage and removal of general waste from premises within the region under Council's local laws. The recommendations in this report address the first relevant steps of the making an "other" local law process adopted by Council on 19 August 2015 to enable the making of *Local Law No.7 (Waste Management) 2018 and Subordinate Local Law No.7 (Waste Management) 2018*.

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9. Action/s

1. Undertake State interest check
2. Undertake public consultation in respect of the proposed local laws.
3. Seek permission from the chief executive of the Department of Transport and Main Roads with respect to the proposed local laws
4. Accept and consider all properly made public submissions.
5. Draft further amendments if required.
6. Repeat steps 2 – 6 if necessary
7. Report to Council in line with Step 6 of the making an “other” local law process to determine how to proceed.

Attachments

- | | | |
|-----------------------|---|----------|
| 1View | Draft Local Law No.7 (Waste Management) 2018 | 17 Pages |
| 2View | Draft Subordinate Local Law No. 7 (Waste Management) 2018 | 16 Pages |

Local Law No. 7 (Waste Management) 2018

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 7 (Waste Management) 2018*.

2 Objects

The object of this local law is to protect the public health, safety and amenity related to waste management and to prevent and combat the spread of pests and disease within its local government area by –

- (a) regulating the storage, servicing, collection and removal of waste; and
- (b) regulating the disposal of waste at waste facilities; and
- (c) ensuring that an act or omission does not result in –
 - (i) harm to human health or safety or personal injury; or
 - (ii) property damage or loss of amenity; or
 - (iii) environmental harm or environmental nuisance; and
- (d) enabling Council to take enforcement action for contraventions of this local law.

3 Relationship to other laws

- (1) This local law is –
 - (a) in addition to and does not derogate from laws about the management of waste; and
 - (b) to be read with *Local Law No. 1 (Administration) 2011*.
- (2) For the purposes of *Environmental Protection Regulation 2008*, section 81ZC, this local law replaces *Environmental Protection Regulation 2008*, chapter 5A (Waste management by local governments).

4 Definitions

The dictionary in the Schedule (Dictionary) of this local law defines the particular words used in this local law.

Part 2 Waste management

Division 1 Designation of areas for general or green waste collection

5 Designation of areas

- (1) The local government may, by subordinate local law –
 - (a) designate areas within its local government area in which the local government may conduct general waste or green waste collection; and

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- (b) decide the frequency of general waste or green waste collection in the designated areas.
- (2) To avoid any doubt a designation under subsection (1) may:
 - (a) designate an area as an area for the collection of either green waste or general waste, or both; and
 - (b) if consistent with the LG Act and the LG Reg, be used by the local government for the purpose of determining which owners of land in its local government area are required to pay charges under the LG Act

Division 2 General waste

Subdivision 1 Storage of general waste

6 Owner or occupier of premises to supply waste containers

- (1) The owner or occupier of premises must –
 - (a) subject to subsection (2), supply standard general waste containers at the premises as –
 - (i) are prescribed by subordinate local law; or
 - (ii) if paragraph (i) does not apply – are necessary to contain the general waste produced at the premises;
 - (b) supply at the premises, waste containers, other than standard general waste containers, as –
 - (i) are prescribed by subordinate local law; or
 - (ii) if paragraph (i) does not apply – are necessary to contain the general waste produced at the premises.

Examples of ways the local government may require waste containers for paragraph 1(b)(i) –

by a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the owner or occupier, or a development approval for the premises

Maximum penalty – 20 penalty units.

- (2) However, subsection (1)(a) does not apply if the local government supplies to the premises the number of standard general waste containers the local government reasonably considers is required at the premises.
- (3) If the local government supplies a standard general waste container to premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the owner or occupier of the premises to the local government.
- (4) However, subsection (3) does not prevent the local government from supplying a standard general waste container to premises without cost to the owner or occupier of the premises.
- (5) If the local government has supplied a standard general waste container to premises, a person must not, without the consent of the local government, remove the container from the premises, other than in accordance with section 8(2).

Maximum penalty – 20 penalty units.

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- (6) If the local government supplies a standard general waste container to premises, the local government may, by information affixed to or otherwise securely displayed on the container, specify that the container is only approved for the storage of one of:
- (a) green waste; or
 - (b) recyclable waste.

7 Requirements for storing general waste in waste containers

- (1) The occupier of premises must –
- (a) store general waste produced as a result of the ordinary use or occupation of the premises in –
 - (i) a waste container of a type prescribed by subordinate local law; or
 - (ii) if paragraph (i) does not apply – a standard general waste container; and
 - (b) keep each waste container clean and in good repair; and
 - (c) ensure that each waste container is securely covered, except when the waste is being placed in, or removed from, the container or the container is being cleaned.

Maximum penalty – 20 penalty units.

- (2) A person must not –
- (a) place any of the following in a waste container –
 - (i) a liquid, semi-liquid or moist substance, unless the substance is securely wrapped or contained to prevent the substance leaking from the wrapper or container; or
 - (ii) material that is hot, smouldering or aflame; or
 - (iii) matter or a thing that is alive; or
 - (iv) a thing stated in a subordinate local law; or
 - (b) remove or disturb the cover of a waste container, except when placing waste in or cleaning the container; or
 - (c) use or damage a waste container so that it is not weatherproof or serviceable or cannot be securely covered; or
 - (d) disturb or otherwise interfere with the contents of a waste container; or
 - (e) place waste in a waste container in contravention of a specification under section 6(6); or
 - (f) wilfully damage a waste container.

Maximum penalty – 20 penalty units.

- (3) The obligation in subsection 7(2)(a)(i) does not apply to green waste that is deposited in a waste container provided by Council for the disposal of green waste, and specified for that purpose under section 6(6).
- (4) The occupier of the premises must not allow a person to place a thing in a waste container in contravention of subsection (2)(a).

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Maximum penalty – 20 penalty units.

- (5) It is a defence in a proceeding against a person for an offence under subsection (4) for the person to prove the contravention was due to causes over which the person had no control.

8 General requirements for keeping waste containers at serviced premises

- (1) Subject to subsection (2), the occupier of serviced premises must ensure that a waste container supplied for the premises is kept –

- (a) if the local government requires the container to be kept at a particular place at the premises – at the place (the *waste container storage place*); or

Examples of ways the local government may require waste containers to be kept at a particular place –

by a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises

- (b) if a subordinate local law requires the container to be kept at a particular place at the premises – at the place (also a *waste container storage place*); or

- (c) if paragraphs (a) and (b) do not apply – at ground level close to the rear alignment of a building at the premises.

Maximum penalty – 20 penalty units.

- (2) Subsection (1) does not prevent the occupier of the serviced premises from placing a waste container in a place outside the premises for the collection of general waste from the container, if –

- (a) the local government has arranged to collect waste from the container at the place; and
- (b) the container is in the place for no longer than the period –
- (i) commencing at 6.00am on the day prior to the scheduled collection day; and
 - (ii) ending at 12.00pm on the day following the scheduled collection day, unless the local government allows a later time by written notice to the occupier of the premises.

Example of a place outside serviced premises –

the kerb adjacent to the serviced premises.

- (3) If the local government has arranged for the collection of general waste from a waste container at serviced premises, the occupier of the premises must ensure there is unobstructed access to the container for removal of the waste.

Maximum penalty for subsection (3) – 20 penalty units.

- (4) It is a defence in the proceeding against a person for an offence under subsection (3) for the person to provide the contravention was due to causes over which the person had no control.

9 Other requirements for storing general waste at particular serviced premises

- (1) This section applies to any of the following persons (each a *prescribed person*) for

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served premises, other than a single detached dwelling –

- (a) the owner or occupier of the premises;
 - (b) if a prescribed ERA is carried out at the premises – the holder of the environmental authority for the prescribed ERA; and
 - (c) if a mining activity or a petroleum activity is carried out at the premises – the holder of the environmental authority for the mining activity or the petroleum activity.
- (2) The prescribed person must ensure that the waste container storage place for the premises is supplied with –
- (a) if required by the local government – each of the following –
 - (i) either –
 - (A) an elevated stand at a level required by the local government for holding all waste containers; or
 - (B) an imperviously paved area, drained as required by the local government, where all waste containers can be placed;
 - (ii) a hose cock and hose in the vicinity of the stand or paved area;
 - (iii) a suitable enclosure for the area where the waste containers are kept; and

Examples of ways the local government may require a prescribed person to comply with subsection (2)(a) –

by a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the prescribed person, or a development approval for the premises

- (b) any facilities and structures for the placement, storage and cleaning of waste containers prescribed by subordinate local law.

Maximum penalty for subsection (2) — 20 penalty units.

Subdivision 2 Removal of general waste

10 Local government may give notice about removal of general waste

- (1) This section applies where the local government has arranged for the removal of general waste produced at a premises.
- (2) The local government may give the occupier of the premises a written notice stating –
 - (a) the days (each a *scheduled collection day*) on which the waste is to be collected; and
 - (b) a place at, or adjacent to, premises at which a standard general waste container associated with the premises can be easily accessed by a general waste collection vehicle without causing obstruction (*collection location*) where the waste container is to be placed for collection of the waste; and
 - (c) the time by which the waste container is to be placed in the collection location for collection of the waste; and

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- (d) the time (**removal time**) by which the waste container is to be removed from the collection location.

Note –

It is an offence to leave a waste container outside of premises for longer than the period commencing at 6.00am on the day prior to the scheduled collection day and ending at the removal time, see sections 8(1) and (2).

11 Depositing or disposal of general waste from premises other than serviced premises

- (1) This section applies if general waste is produced at a premises, other than serviced premises.
- (2) The local government may –
 - (a) give a written approval to the owner or occupier of the premises for depositing or disposing of the waste; and
 - (b) impose conditions on the approval, including, for example, conditions about –
 - (i) the place for depositing or disposing of the waste; or
 - (ii) the method of depositing or disposing of the waste.
- (3) A person must not deposit or dispose of the waste unless the person deposits or disposes of the waste –
 - (a) at a waste facility in accordance with part 3; or
 - (b) in accordance with –
 - (i) an approval under subsection (2) for disposal of the waste; and
 - (ii) if the approval has been given on conditions – the conditions of the approval.

Maximum penalty for subsection (3) – 20 penalty units

Division 3 Storage and treatment of industrial waste

12 Requirements for storing industrial waste

- (1) The occupier of premises where there is industrial waste must –
 - (a) if required by the local government –
 - (i) supply at the premises the number of industrial waste containers required by the local government for storing the waste at the premises safely, efficiently and without causing a nuisance; and
 - (ii) keep the waste containers at a place at the premises required by the local government; and
 - (iii) keep each waste container clean and in good repair; and

Examples of ways the local government may require compliance with subsection (1)(a) –

by a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises

- (b) comply with any requirements prescribed by subordinate local law about

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each of the following –

- (i) the supply at the premises of industrial waste containers for storing the waste at the premises;
- (ii) keeping the waste containers at a particular place at the premises;
- (iii) keeping each waste container clean and in good repair.

Maximum penalty – 20 penalty units

- (2) The local government may supply industrial waste containers at the premises if the occupier does not supply at the premises the number of industrial waste containers which are –
 - (a) required by the local government under subsection (1)(a); or
 - (b) prescribed by subordinate local law under subsection (1)(b).
- (3) If the local government supplies an industrial waste container to premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the occupier of the premises to the local government.

13 Requirement to treat industrial waste for disposal

The occupier of premises where there is industrial waste must –

- (a) if required by the local government, treat the waste to a standard approved by the local government –
 - (i) for disposal of the waste at a waste facility; or
 - (ii) for transport to, and disposal of the waste at, a waste facility; and

Examples of ways the local government may require an occupier to treat industrial waste for disposal –

by a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises

- (b) comply with requirements, as prescribed by subordinate local law, about the treatment of industrial waste –
 - (i) for disposal of the waste at a waste facility; and
 - (ii) for transport to, and disposal of the waste at, a waste facility.

Maximum penalty – 40 penalty units

Part 3 Waste receipt and disposal

14 Unlawful disposal of waste at waste facility

- (1) A person must not deposit the following waste at a waste facility –
 - (a) liquid or semiliquid waste;
 - (b) hot ash;
 - (c) material that is smouldering or aflame;
 - (d) material that can spontaneously combust;
 - (e) material containing a substance that may be harmful to persons or property

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because, if it reacts with air or water, it may produce toxic gases or become corrosive or explosive;

- (f) an explosive;
- (g) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction; or
- (h) waste prescribed by subordinate local law.

Maximum penalty – 20 penalty units

- (2) Subsection (1) does not apply to waste deposited with the consent of a facility person.

15 Restrictions on burning waste at waste facility

A person must not set fire to, or burn, waste at a waste facility other than –

- (a) under an environmental authority; or
- (b) under a development condition of a development approval; or
- (c) under the *Fire and Emergency Services Act 1990*.

Maximum penalty – 20 penalty units

16 Restrictions on use of waste facility

- (1) A person must not, without the consent of a waste facility's owner or operator –

- (a) enter the facility other than to deposit waste;
- (b) remain on the facility after depositing waste;
- (c) interfere with waste at, or remove waste from, the facility;
- (d) while in the facility, use indecent, obscene, insulting or threatening language; act in an offensive, threatening or indecent manner; or engage in conduct that causes annoyance, obstruction, alarm or affront to another person;
- (e) while in the facility, carry or convey any article or substance that is:
 - (i) of an offensive or indecent character, or of such length or dimension, as to be likely to constitute an inconvenience, obstruction, hazard or danger to any person; and
 - (ii) not intended to be lawfully disposed of at the waste management facility;
- (f) exit the facility without paying any applicable waste disposal fee;
- (g) cause or allow another person, who is a minor under the person's control, to be unsupervised in any part of the facility identified on a sign as an operational area; or
- (h) cause or allow any animal (other than a guide, hearing or assistance dog) to be in the facility, unless the animal is restrained in the person's vehicle;
- (i) smoke in any part of the facility, other than an area specified by a sign to be a designated smoking area;
- (j) damage or interfere with any sign displayed at, or with any plant or

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equipment of, the facility;

- (k) distribute any publication or engage in any promotional activity in the facility; or
- (l) erect any building, structure, stall, booth or tent in the facility.

Maximum penalty – 10 penalty units

(2) Subsection (1) does not apply to –

- (a) the facility's owner or operator; or
- (b) an authorised person.

17 Person to comply with directions and give information

(1) This section applies to a person who transports waste to a waste facility.

(2) The person must –

- (a) comply with all relevant and reasonable directions contained in any sign displayed at the facility by a facility person; and
- (b) comply with all reasonable instructions about dealing with the waste at the waste facility which are given by a facility person; and
- (c) if asked by a facility person – give information to the facility person about the type and amount of waste being delivered to the facility; and
- (d) if asked by a facility person – give information to the facility person that provides satisfactory evidence of the identity and residential address of the person.

Maximum penalty – 10 penalty units

Part 4 Subordinate local laws

18 Subordinate local laws

The local government may, by subordinate local law, specify –

- (a) areas within its local government area for the collection of general waste or green waste (or both) under section 5(1);
- (b) a thing that is specified to be waste pursuant to the Schedule (Dictionary) of this local law; and
- (c) requirements about the necessity to supply standard general waste containers at premises under section 6(1)(a)(i); and
- (d) requirements about the supply at premises of waste containers, other than standard general waste containers, to contain the general waste produced at the premises under section 6(1)(b)(i); and
- (e) another type of waste container for the storage of general waste produced as a result of the ordinary use or occupation of premises under section 7(1)(a)(i); and
- (f) a thing that a person must not place in a waste container under section 7(2)(a)(ii); and

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- (g) requirements about the keeping of the waste container supplied for premises at a particular place at the premises under section 8(1)(b); and
- (h) requirements about the supply of facilities and structures for the placement, storage and cleaning of waste containers under section 9(2)(b); and
- (i) requirements about the supply at premises of industrial waste containers for storing industrial waste at the premises and other requirements about waste containers for the storage of industrial waste under section 12(1)(b); and
- (j) requirements about the treatment of industrial waste under section 13(b); and
- (k) waste that a person must not deposit at a waste facility under section 14(1)(h).

Part 5 Application of Local Law No. 1 (Administration) 2011

19 Application of Local Law No. 1 (Administration) 2011 to this local law

- (1) To avoid any doubt, the provisions of *Local Law No. 1 (Administration) 2011* apply to this local law, including (but not limited to) Part 5 (Enforcement).

Note –

Part 5 (Enforcement) of *Local Law No. 1 (Administration) 2011* sets out the powers of the local government to deal with a contravention of a local law (including this local law) and the steps that the local government may take to remedy any non-compliance.

This local law must be read with any relevant provisions of *Local Law No. 1 (Administration) 2011*.

- (2) If there is a conflict between a provision of this local law and *Local Law No. 1 (Administration) 2011*, the provision in this local law will prevail to the extent of any inconsistency.

Part 6 Transitional provisions

20 Continuation of chapter 5A requirements

- (1) This section applies if a provision of the *Environmental Protection Regulation 2008*, chapter 5A (Waste management by local governments), is replaced by a provision of this local law.
- (2) In this section, **prescribed provision** means a provision of the *Environmental Protection Regulation 2008*, chapter 5A (Waste management by local governments) which is replaced in substance, whether or not in identical terms or effect, by a provision of this local law.
- (3) If the local government has made a requirement under a prescribed provision prior to the commencement of this local law, the requirement applies for the provision of this local law which replaced the prescribed provision from the commencement of this local law.

Example –

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The local government may have required that a waste container supplied for serviced premises by kept at a particular place at the premises by development approval for the premises under the *Environmental Protection Regulation 2008*, section 81ZH(1). *Environmental Protection Regulation 2008*, section 81ZH(1) is a prescribed provision which is replaced by section 8 (General requirements for keeping waste containers at serviced premises). A requirement under the prescribed provision made prior to the commencement of this local law would apply for section 8 of this local law from the commencement of this local law.

- (4) To avoid any doubt, in the following table the prescribed provisions of the *Environmental Protection Regulation 2008*, chapter 5A (Waste management by local governments) are stated opposite their replacement section of this local law—

Prescribed provision	Replacement section of this local law
81ZF	6
81ZG	7
81ZH	8
81ZI	9
81ZJ	10
81ZK	11
81ZL	12
81ZM	13
81ZO	14
81ZP	15
81ZQ	16
81ZR	17

Schedule Dictionary

section 4

authorised person means a person appointed by the chief executive officer of the local government, pursuant to the LG Act, section 202, to exercise the powers of an authorised person under this local law.

collection location see section 10(2)(b).

commercial premises means any of the following types of premises —

- (a) a hotel, motel, caravan park, café, food store or canteen;
- (b) an assembly building, institutional building, kindergarten, child minding centre, school or other building used for education;
- (c) premises where a sport or game is ordinarily played in public;
- (d) an exhibition ground, show ground or racecourse;
- (e) an office, shop or other premises where business or work, other than a manufacturing process, is carried out.

commercial waste means waste, other than green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of commercial premises.

development approval has the meaning given in the *Planning Act 2016*.

domestic premises means any of the following types of premises –

- (a) a single unit private dwelling;
- (b) premises containing 2 or more separate flats, apartments or other dwelling units;
- (c) a boarding house, hostel, lodging house or guest house.

domestic waste means waste, other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of domestic premises.

environmental authority has the meaning given in the *Environmental Protection Act 1994*.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

facility person, for a waste facility means each of the following –

- (a) the operator of the waste facility;
- (b) the owner of the waste facility;
- (c) the person who is otherwise in charge of the facility;
- (d) the local government.

food organic waste means any non-liquid food waste that is ordinarily produced as

a result of the ordinary use or occupation of domestic premises.

Note: with respect to the definition of 'food organic waste' above, such waste can be produce by both domestic and commercial premises (for example, by the kitchens of commercial premises).

general waste means –

- (a) waste other than regulated waste; and
- (b) for part 2, any of the following –
 - (i) commercial waste;
 - (ii) domestic waste;
 - (iii) recyclable waste.

green waste means:

- (a) grass cuttings, trees, bushes, shrubs, loppings of trees, bushes or shrubs, or similar matter produced as a result of the ordinary use or occupation of the premises; and
- (b) food organic waste.

industrial waste means —

- (c) interceptor waste; or
- (d) waste other than the following –
 - (i) commercial waste;
 - (ii) domestic clean-up waste;
 - (iii) domestic waste;
 - (iv) green waste;
 - (v) recyclable interceptor waste;
 - (vi) recyclable waste;
 - (vii) waste discharged to a sewer.

industrial waste container means a container of a type approved by the local government for storing industrial waste at premises in the local government's area.

interceptor means a device used to intercept a substance in sewage, waste water or trade waste and prevent its discharge into a sewer, septic tank, waste water disposal system or other treatment device.

Examples of interceptors –

- neutralising interceptors for neutralising acidic and alkaline substances
- grease interceptors for collecting and solidifying fat, grease and similar matter
- oil interceptors for collecting oil and petroleum products
- silt interceptors for collecting soil, sand, gravel and other sedimentary solids

interceptor waste means matter, other than recyclable interceptor waste, intercepted by, and held in, an interceptor.

LG Act means the *Local Government Act 2009*.

LG Reg means the *Local Government Regulation 2012*.

local government area means the local government's local government area under the LG Act.

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manufacturing process means a handicraft or other process relating to adapting, altering, assembling, cleaning, finishing, making, ornamenting, preparing, renovating, repairing, washing, or wrecking goods for trade, sale or gain or otherwise in connection with a business.

mining activity has the meaning given in the *Environmental Protection Act 1994*.

occupier of premises means the person who has the control or management of the premises.

owner of premises means the person for the time being entitled to receive the rent for the premises or would be entitled to receive the rent for it if it were let to a tenant at a rent.

petroleum activity has the meaning given in the *Environmental Protection Act 1994*.

premises includes domestic premises, government premises, industrial premises and commercial premises.

prescribed ERA has the meaning given in the *Environmental Protection Act 1994*.

prescribed person see section 9(1).

recyclable interceptor waste means matter that is, or is intended to be, removed from a grease interceptor and taken elsewhere for processing into a non-toxic, non-hazardous and usable substance for sale.

recyclable waste means clean and inoffensive waste that is declared by the local government to be recyclable waste for the area of the local government.

Examples of waste that may be declared to be recyclable waste –

glass bottles, plastic containers, paper, cardboard, steel and aluminium cans, and green waste

regulated waste has the meaning given in the *Environmental Protection Regulation 2008*.

removal time see section 10(2)(d).

scheduled collection day see section 10(2)(a).

serviced premises means –

- (a) premises which are in an area designated by the local government as an area in which the local government may conduct general waste or green waste collection (or both) under –
 - (i) section 5(1); or
 - (ii) *Waste Reduction and Recycling Regulation 2011*, section 7; or
- (b) premises for which the local government has required the owner or occupier of the premises to arrange for removal of general waste from their premises.

standard general waste container –

- (a) means a container of a type approved by the local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government's area; and
- (b) for the avoidance of doubt, includes 1 or more containers each of which is approved by the local government for storing, at premises in the local government's area –

- (i) 1 or more or multiple types of commercial waste; or
- (ii) 1 or more or multiple types of recyclable waste.

Example for paragraph (b) –

The local government may approve 1 container for storing recyclable waste which is green waste and 1 container for storing recyclable waste other than green waste.

waste has the meaning given in the *Environmental Protection Act 1994*, and includes any thing that is specified to be waste under a subordinate local law.

waste container storage place see section 8(1).

waste facility –

- (a) for part 2, means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste; and
- (b) for part 3, means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste, but only if the local government is the lessee, occupier, operator or owner of the facility.

Subordinate Local Law No. 7 (Waste Management) 2018

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 7 (Waste Management) 2018*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to assist in the implementation of the Local Law.
- (2) The purpose is to be achieved by providing for matters as prescribed by the Local Law.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by the Local Law.

4 Definitions

- (1) Subject to subsection (2), particular words used in this subordinate local law have the same meaning as provided for in the Local Law.
- (2) The dictionary in Schedule 11 defines particular words used in this subordinate local law that are not defined in the Local Law.

Part 2 Waste management

5 Areas designated for general or green waste collection – Local Law, s 5(1)

- (1) Subject to subsection (2), for section 5(1) of the Local Law:
 - (a) the whole of the local government area is designated as an area in which the local government may conduct general waste collection; and
 - (b) all urban areas within the local government area are designated as areas in which the local government may conduct green waste collection.
- (2) A designation under subsection (1) does not apply to commercial premises, other than in relation to the collection of food organic waste.

6 Requirements about supplying standard general waste containers – Local Law, s 6(1)(a)(i)

For section 6(1)(a)(i) of the Local Law, if a circumstance mentioned in column 1 of Schedule 1 applies to premises, the requirements stated opposite in column 2 of Schedule 1 are prescribed for the premises.

7 Requirements about supplying other waste containers – Local Law, s 6(1)(b)(i)

For section 6(1)(b)(i) of the Local Law, if a circumstance mentioned in column 1 of Schedule 2 applies to premises, the requirements stated opposite in column 2 of Schedule 2 are prescribed for the premises.

8 Types of waste containers – Local Law, s 7(1)(a)(i)

For section 7(1)(a)(i) of the Local Law, if a circumstance mentioned in column 1 of Schedule 3 applies to premises, a type of waste container stated opposite in column 2 of Schedule 3 is prescribed.

9 Things that must not be placed in a waste container – Local Law, s 7(2)(a)(iv)

For section 7(2)(a)(iv) of the Local Law, a thing mentioned in Schedule 4 is stated.

10 Places for keeping waste containers – Local Law, s 8(1)(b)

For section 8(1)(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 5 applies to serviced premises, a waste container must be kept at a place stated opposite in column 2 of Schedule 5.

11 Prescribed facilities and structures – Local Law, s 9(2)(b)

For section 9(2)(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 6 applies to serviced premises, the facilities or structures stated opposite in column 2 of Schedule 6 are prescribed.

12 Requirements for storing industrial waste – Local Law, s 12(1)(b)

For section 12(1)(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 7 applies to premises where there is industrial waste, the requirements stated opposite in column 2 of Schedule 7 are prescribed.

13 Requirements about treating industrial waste – Local Law, s 13(b)

For section 13(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 8 applies to premises where there is industrial waste, the requirements stated opposite in column 2 of Schedule 8 are prescribed.

14 Waste that must not be deposited at a waste facility – Local Law, s 14(1)(h)

For section 14(1)(h) of the Local Law, waste mentioned in Schedule 9 is prescribed.

15 Things that are waste – Local Law, Schedule (Dictionary)

For the definition of “waste” in the Schedule (Dictionary) of the Local Law, a thing mentioned in Schedule 10 is specified to be waste.

Schedule 1 Requirements about supplying standard general waste containers

Section 6

	Column 1 Circumstances	Column 2 Requirements
1	Exempt premises	Standard general waste containers must be supplied that: <ul style="list-style-type: none">(a) are 240L and meet the Australian standards consistent with waste containers supplied by the local government to serviced premises; and(b) enable segregation of general waste and green waste in separate identifiable waste containers; and(c) may be transported to enable the waste to be disposed of at a local government transfer station or as directed, or approved in writing, by an authorised person.
2	Premises subject to a development approval	Waste containers are to be supplied in accordance with the development approval issued by the local government under the planning scheme of the local government or as approved in writing by an authorised person.

Schedule 2 Requirements about supplying other waste containers

Section 7

	Column 1 Circumstances	Column 2 Requirements
1	Exempt premises	Waste containers, other than standard general waste containers, approved in writing by an authorised person.
2	Premises subject to a development approval	Waste containers, other than standard general waste containers, are to be supplied in accordance with the development approval issued by the local government under the planning scheme of the local government or as approved in writing by an authorised person.

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Schedule 3 Requirements about types of waste containers

Section 8

	Column 1 Circumstances	Column 2 Requirements
1	Serviced premises	240 L waste containers supplied by the local government with: (a) a red lid for general waste; (b) a yellow lid for recycling waste; and (c) a light green lid for green waste.
2	Exempt premises	240 L waste containers supplied by the local government with: (a) a red lid for general waste; (b) a yellow lid for recycling waste; and (c) a light green lid for green waste.
3	Premises subject to a development approval	Waste containers for storing general waste shall be of a type required by the development approval issued by the local government under the planning scheme of the local government or as otherwise approved in writing by an authorised person.

Schedule 4 Things that must not be placed in a waste container

Section 9

A person must not place any of the following in a waste container –

- (a) hot ash;
- (b) material that can spontaneously combust;
- (c) material containing a substance that may be harmful to persons or property because, if it reacts with air or water, it may produce toxic gases or become corrosive or explosive;
- (d) an explosive; or
- (e) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction.

Schedule 5 Places for keeping waste containers

Section 10

	Column 1 Circumstances	Column 2 Places
1	Unit complexes and duplexes	The waste containers are to be kept at the place approved in writing by an authorised person.
2	Other premises subject to a development approval	The waste container is to be kept at the place specified in the development approval issued by the local government under the planning scheme of the local government or as approved in writing by an authorised person.

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Schedule 6 Prescribed facilities and structures

Section 11

	Column 1 Circumstances	Column 2 Facilities and structures
1	Premises subject to a development approval	Those facilities and structures required by the development approval issued by the local government under the planning scheme of the local government or as approved in writing by an authorised person

Schedule 7 Requirements for storing industrial waste

Section 12

	Column 1 Circumstances	Column 2 Requirements
1	Premises subject to a development approval, where the approval contains specific requirements	Industrial waste containers must be supplied, located and kept in accordance with the requirements of the development approval issued by the local government under the planning scheme of the local government or as approved in writing by an authorised person.
2	All other premises (or where development approval contains no specific requirements)	Industrial waste containers must be – <ul style="list-style-type: none">(a) of steel or plastic construction and meet Australian standards;(b) located without obstruction for collection purposes;(c) located at the place specified in the development approval issued by the local government under the local government's planning scheme or as approved in writing by an authorised person;(d) kept in clean and in good repair to prevent the escape or overflow of any industrial waste from the waste container;(e) maintained in accordance with the reasonable direction of an authorised person; and(f) kept in such a way as to enable the segregation of regulated waste from general industrial waste.

Schedule 8 Requirements about treating industrial waste

Section 13

	Column 1 Circumstances	Column 2 Requirements
1	Premises subject to a development approval, where the approval contains specific requirements	Industrial waste must be treated, transported and disposed of at a waste facility in accordance with the requirements of the development approval issued by the local government under the planning scheme of the local government.
2	All other premises (or where development approval contains no specific requirements)	<p>The occupier of premises where there is industrial waste must:</p> <ul style="list-style-type: none">(a) segregate different types of general industrial waste in separate identifiable industrial waste containers (ie. recyclable waste, green waste) to prevent cross-contamination for disposal;(b) segregate and keep all regulated waste in separate, fit for purpose industrial waste containers in accordance with the requirements of the EP Act and EP Reg and any other relevant laws;(c) comply with all EP Act and EP Reg requirements, and all directions of an authorised person, for the storage, treatment, tracking and disposal of regulated waste;(d) ensure all industrial waste is adequately covered to prevent the escape or cross-contamination of any waste material during transportation to a waste facility; and(e) ensure all industrial waste is disposed of in accordance with environmental authorities and statutory requirements.

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**Schedule 9 Waste that must not be deposited at a
waste facility**

Section 14

No other types of waste are prescribed.

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Schedule 10 Things that are waste

Section 15

No things are specified.

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Schedule 11 Dictionary

Section 4

EP Act means the *Environmental Protection Act 1994*.

EP Reg means the *Environmental Protection Regulation 2008*.

exempt premises means premises where general domestic waste is produced but which are not serviced premises as it has been determined by an authorised person that the local government is unable to reasonably provide a waste collection service to the premises for any reason, including but not limited to –

- (a) inadequate truck turn-around space;
- (b) roads are deemed unsafe or unsuitable; or
- (c) the premises is unoccupied for a minimum period of twelve months.

Local Law means the local government's *Local Law No. 7 (Waste Management) 2018*.

urban area has the meaning given in the *Planning Act 2016*.

**ORDINARY MEETING OF
COUNCIL AGENDA
17 JANUARY 2018**

10.4 Delegations Register Update

Date: 09 January 2018
Author: Caitlan Natalier, Solicitor & Legal Services Coordinator
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

In accordance with Section 257 of the *Local Government Act 2009*, Council can delegate a power under this Act or another Act to the Chief Executive Officer to allow for the efficient and timely resolution of a range of operational matters undertaken by Council. The purpose of this Report is to maintain the currency of Council's Delegation Register.

Officer's Recommendation:

THAT Council resolve to delegate to the Chief Executive Officer of Council, the powers referred to in the document titled "Delegations Register Update Council to CEO" attached to this Report in addition to those delegations already existing pursuant to Section 257 of the *Local Government Act 2009*;

And further;

THAT Council resolve to delegate authority to the Chief Executive Officer of Council to:

- (a) implement a separate numbering system for the local law and subordinate local law delegations registers and delegations starting at "LL1" and to renumber these delegations registers and delegations accordingly; and**
- (b) renumber all remaining statutory delegations starting at "1".**

Report

1. Introduction

In accordance with Section 257 of the *Local Government Act 2009*, Council can delegate a power under this Act, or another Act, to the Chief Executive Officer to allow for the more efficient and timely resolution of a range of administrative matters.

This is in line with the State Government's legislative change program by formally delegating to the Chief Executive Officer amended or additional delegations, and removing redundant delegations.

2. Background

As legislation is amended, repealed and introduced, Council is required to update its Delegations Register to reflect the amendments, repeals and new legislation. Updates to the Delegations Register are notified to Council through the Local Government Association of Queensland.

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The detail of the latest update of 30 November 2017 is contained in the body of, and attachment to, this Report.

3. Report

Since the last review of Council's Delegations on 25 October 2017, the LGAQ Delegations Register Service has released advice that new delegations registers have been created at the request of various Councils. New registers have been implemented for:

1. *Aged Care Act 1997 (Cth);*
2. *Housing Act 2003;*
3. *Housing Regulation 2015;*
4. *Mineral and Energy Resources (Common Provisions) Act 2014; and*
5. *Safety in Recreational Water Activities Act 2011.*

As Council is not engaged in providing aged care services, and is in the process of transferring its community housing assets to the State for management, the first three new registers listed above are not proposed to be implemented. Those delegations identified as relevant to Council in the last two new registers noted above are detailed in the Attachment to this Report entitled "Delegations Register Update Council to CEO" and are proposed for implementation.

Since Council's delegations registers were established, various amendments have been made such that there is no distinction between statutory and local law delegations and the delegation numbering used has become confusing. To rectify this, a Recommendation has been made that a separate numbering system be implemented starting at "LL1" for the local law and subordinate local law delegations registers and delegations and the remaining statutory delegations be renumbered consecutively starting from "1". This will tidy up the registers and allow for the local law and statutory delegations to be distinguished and more easily identified.

The Recommendation made in this Report is for Council to resolve to accept these proposed amendments and delegate authority to the Chief Executive Officer to enable renumbering of all statutory, local law and subordinate local law delegations.

4. Policy and Legal Implications

Council's Delegations Register follows the template prepared by King and Company in conjunction with the Local Government Association of Queensland (LGAQ). This requires regular updating in line with the State Government's legislative program. Regular reviews of the register are required to ensure the register and Council's implementation of legislation conforms to the requirements of the various acts and regulations.

If Council resolves to adopt the Recommendation made in this Report, the updates to the Council to CEO Delegations Register will take immediate effect.

5. Financial and Resource Implications

Appropriate Delegation Registers assist the Council's operations thereby avoiding delays and minimising risks associated with discharging Council's obligations. Improved processes and risk minimisation can result in significant operational savings over time to both Council and the community.

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6. Delegations/Authorisations

Under Section 259 of the *Local Government Act 2009*, the Chief Executive Officer may sub-delegate some of these powers to an appropriately qualified employee of Council. The purpose of sub-delegation is to allow operational responsibilities to be streamlined and enable the Chief Executive Officer to focus on strategic matters.

Substantive changes to the CEO to Employee Delegations Register will also be made in accordance with the update provided by the Local Government Association of Queensland Delegations Register Services and presented to the Chief Executive Officer for approval.

7. Communication and Engagement

Under Section 260 of the *Local Government Act 2009* the Chief Executive Officer is responsible for establishing, maintaining and updating a register of delegations that contains the particulars prescribed under a regulation. The updated Delegations Register, including appropriate delegations from the Chief Executive Officer to employees or contractors, is required to be available for public inspection if required.

8. Conclusion

A resolution made in line with the Recommendation in this Report will enable the proposed updates to the Council to CEO Delegations Register to take immediate effect.

9. Action/s

1. Update the Council to CEO Delegations Register with the resolution details and publish
2. Consider sub-delegation of powers to employees and update the CEO to Employee or Contractor Delegation Register as necessary.

Attachments

- 1 [View](#) Council to CEO Delegations 5 Pages

**DELEGATIONS REGISTER UPDATE
COUNCIL TO CEO
AMENDMENTS AT 17 JANUARY 2018**

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Insert 2121	Chief Executive Officer	Power, as a public land authority, to agree in writing to a longer entry period.	Section 57(3) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2122	Chief Executive Officer	Power, as a public land authority, to impose reasonable and relevant conditions on the resource authority holder about the entry to the public land or the carrying out of the authorised activity.	Section 59(2) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2123	Chief Executive Officer	Power, as a public land authority, to vary any condition it has imposed.	Section 59(7) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2124	Chief Executive Officer	Power, as a public land authority, to give the holder an information notice about the imposition of a condition or the varying of a condition.	Section 59(8) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2125	Chief Executive Officer	Power, as a public land authority for land, to give a waiver of entry notice.	Section 60(1) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2126	Chief Executive Officer	Power, as a public road authority, to sign a compensation agreement for the use of a public road for a notifiable road use.	Section 63(1)(b)(i) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2127	Chief Executive Officer	Power, as a public road authority, to give written consent to the carrying out of a notifiable road use on a public road.	Section 63(1)(b)(ii) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	

**DELEGATIONS REGISTER UPDATE
COUNCIL TO CEO
AMENDMENTS AT 17 JANUARY 2018**

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Insert 2128	Chief Executive Officer	Power, as a public road authority for a public road, to give a road use direction.	Section 64(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	17/01/2018 TBC	
Insert 2129	Chief Executive Officer	Power, as a public road authority for a public road to give an information notice about the decision to give a road use direction.	Section 64(4)(b) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	17/01/2018 TBC	
Insert 2130	Chief Executive Officer	Power, as an owner of restricted land, to give written consent to the resource authority holder carrying out the activity and to impose conditions on the consent.	Section 70 <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	17/01/2018 TBC	
Insert 2131	Chief Executive Officer	Power, as an owner or occupier of land, to apply to the Land Court for an order declaring the following:- (a) whether particular land is restricted land for a resource authority or the Mineral Resources Act, Schedule 1, section 2; and (b) whether a particular activity is a prescribed activity for a resource authority.	Section 72(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	17/01/2018 TBC	
Insert 2132	Chief Executive Officer	Power, as an eligible claimant, to enter a conduct and compensation agreement with the resource authority holder.	Section 83(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	17/01/2018 TBC	
Insert 2133	Chief Executive Officer	Power, as an eligible claimant, to use all reasonable endeavours to negotiate a conduct and compensation agreement or a deferral agreement.	Section 85(1) <i>Mineral and Energy Resources (Common Provisions) Act 2014</i>	17/01/2018 TBC	

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COUNCIL TO CEO
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NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Insert 2134	Chief Executive Officer	Power, as an eligible claimant, to agree to a longer negotiation period.	Section 85(2)(b) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2135	Chief Executive Officer	Power, as an eligible claimant, to enter an opt-out agreement.	Section 85(4) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2136	Chief Executive Officer	Power, as a party to a conduct and compensation agreement or a deferral agreement, to terminate the agreement by giving notice to the other party during the cooling off period.	Section 87(2) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2137	Chief Executive Officer	Power, as an eligible claimant, to give an election notice.	Section 88(2) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2138	Chief Executive Officer	Power, where Council has given or received an election notice calling for a conference, to participate in the conference, to agree to a longer period for the conference, to negotiate an agreement about the concerns the subject of the conference and to sign the agreement.	Section 89 <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2139	Chief Executive Officer	Power, where Council has given or received an election notice calling for an ADR, to participate in the ADR, to agree to a longer period for the ADR, to negotiate an agreement about the concerns the subject of the ADR and to sign the agreement.	Section 90 <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	

**DELEGATIONS REGISTER UPDATE
COUNCIL TO CEO
AMENDMENTS AT 17 JANUARY 2018**

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Insert 2140	Chief Executive Officer	Power, as a party who attended a conference or ADR, to apply to the Land Court for an order requiring the non-attending party to pay the attending party's reasonable costs of attending.	Section 91(2) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2141	Chief Executive Officer	Power, as a public road authority for a public road, to enter a road compensation agreement.	Section 94(1) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2142	Chief Executive Officer	Power, as an eligible party, to apply to the Land Court for it to decide:- (a) the resource authority holder's compensation liability to the claimant; or (b) the resource authority holder's future compensation and liability to the claimant for an authorised activity for the resource authority proposed to be carried out or for the holder; or (c) a matter mentioned in section 83(1)(a) or (b).	Section 96(2) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2143	Chief Executive Officer	Power, as a public road authority, to apply to the Land Court for the Court to decide a resource authority holder's compensation liability.	Section 100(1) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2144	Chief Executive Officer	Power, as a public road authority or an eligible claimant, to apply to the Land Court for a review of the original compensation.	Section 101(2) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	

**DELEGATIONS REGISTER UPDATE
COUNCIL TO CEO
AMENDMENTS AT 17 JANUARY 2018**

NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Insert 2145	Chief Executive Officer	Power, as a relevant entity, to give the chief executive a copy of a notice or consent given by or to Council under chapter 3.	Section 205(1) <u>Mineral and Energy Resources (Common Provisions) Act 2014</u>	17/01/2018 TBC	
Insert 2146	Chief Executive Officer	Power as a person with management or control of a place at which a notifiable incident has occurred, to ensure, so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives or otherwise directs.	Section 30 <i>Safety in Recreational Water Activities Act 2011</i>	17/01/2018 TBC	
Renumbering of all local law and subordinate local law delegations registers and delegations consecutively starting at "1.1".					
Renumbering of all statutory delegations consecutively starting at "1".					



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10.5 Proposed Allocation of Floating Road Reservation in Lot 11 on CH311341

Date: 09 January 2018
Author: Julie Millard, Property Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The Department of Natural Resources and Mines have received an application for Allocation of the floating road reservation in Lot 11 on CH311341. The Purpose of this Report is to consider the application and any views or requirements that the Department of Natural Resources and Mines should consider when assessing the application.

Officer's Recommendation:

THAT with respect to correspondence received from the Department of Natural Resources and Mines dated 6 December 2017 requesting to allocate the floating road reservation in Lot 11 on CH311341 to the new proposed Lot 1, Council resolve to advise the Department of Natural Resources and Mines that Council has no objection to the allocation proposal.

Report

1. Introduction

The purpose of this Report is to consider whether Council has any existing or future need for the floating road reservation in order for the Department of Natural Resources and Mines to determine how this encumbrance should be dealt with.

2. Background

On 6 December 2017 Council received correspondence from the Department of Natural Resources and Mines advising of an application made by the owners of Lot 11 on CH311341 for the allocation of the existing floating road reservation in Lot 11 to proposed Lot 1 as shown on their subdivision plan.

An Aerial Plan of Lot 11 and the subdivision plan are **attached** for reference.

The Department of Natural Resources and Mines has requested that Council advise whether it requires the floating road reservation contained within Lot 11 on CH311341 for future road purposes now or in the foreseeable future.

If so, then Council must consider whether the allocation proposal is appropriate, or whether the floating road reservation would be better allocated to proposed Lot 2. If Council advises that the floating road reservation is not required, then the application will be refused and the Department of Natural Resources and Mines will require the applicants to purchase the reservation area at market value before they can complete their subdivision.

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3. Report

A floating road reservation is an area of land in either freehold or leased land that is set aside for a public purpose. In this case, the reservation is for roads purposes and comprises an area of 0.943 hectares of the existing Lot 11 on CH311341 owned by the applicants.

As a floating road reservation, this road reservation is not shown on a plan and, if it is required to be constructed by Council, may be constructed anywhere within the lot it is within as Council determines appropriate.

The applicants are subdividing Lot 11 into two lots, and before the subdivision is completed they must indicate to the Department of Natural Resources and Mines how they wish to deal with the floating road reservation. They have applied for it to be allocated to the proposed Lot 1, being the larger of the two lots created by the subdivision, so that it remains available for future roads purposes.

If Council still requires the floating road reservation and is happy with the proposed allocation to Lot 1, then no objection should be offered.

A search of Council's land mapping database identifies that the two proposed lots and surrounding land have legal access, either constructed or unconstructed. This can be seen on the attached Aerial Plan. The road reservation is not required to provide legal access to existing properties, however could alternatively be utilised for future road widening or maintenance.

The Manager Infrastructure Planning and Design has advised that there is no immediate need for roadworks in this area but is happy to retain the floating road reservation in accordance with the allocation proposal. The Manager Planning and Development has no concerns with this approach.

The existence of the floating road reservation does not create an obligation on Council to pay any fees or construct the road.

The Recommendation made in this Report is that the floating road reservation should be retained and no objection should be made to the proposed allocation of it to Lot 1. This would allow land to be available for future road works if required by Council and will not create a time and financial burden on the applicants by requiring them to purchase the land before their subdivision can be completed.

4. Policy and Legal Implications

The policy and legal implications relevant to the proposed dealing with the floating road reservation have been discussed and considered in the body of this Report.

5. Financial and Resource Implications

No financial and resource implications for Council have been identified.



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6. Delegations/Authorisations

No delegations or authorisations are required.

7. Communication and Engagement

The Chief Executive Officer, through Council's Property Officer, is authorised to advise the Department of Natural Resources and Mines of Council's resolution.

8. Conclusion

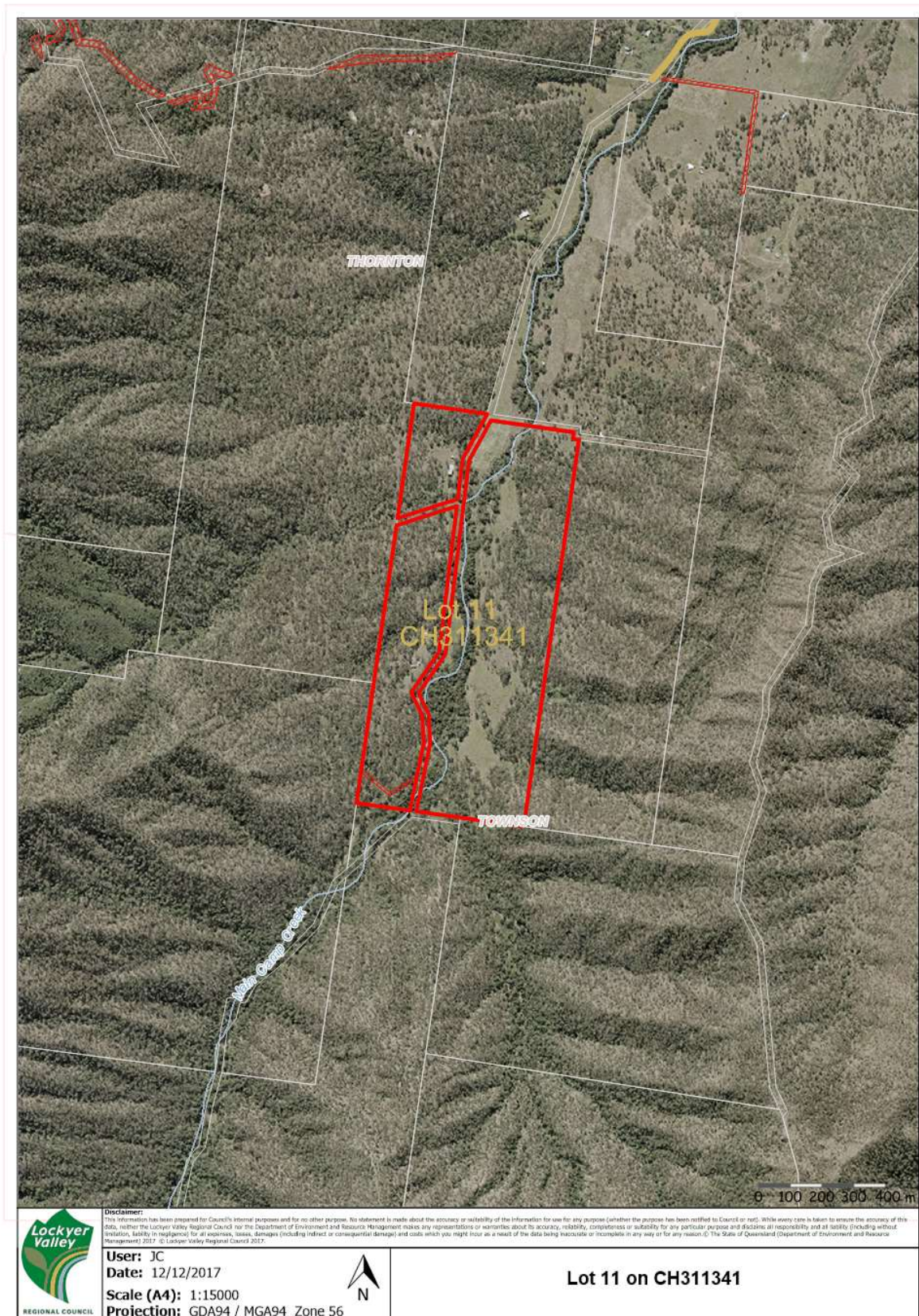
The Recommendation made in this Report will enable the Department of Natural Resources and Mines to consider and progress the application.

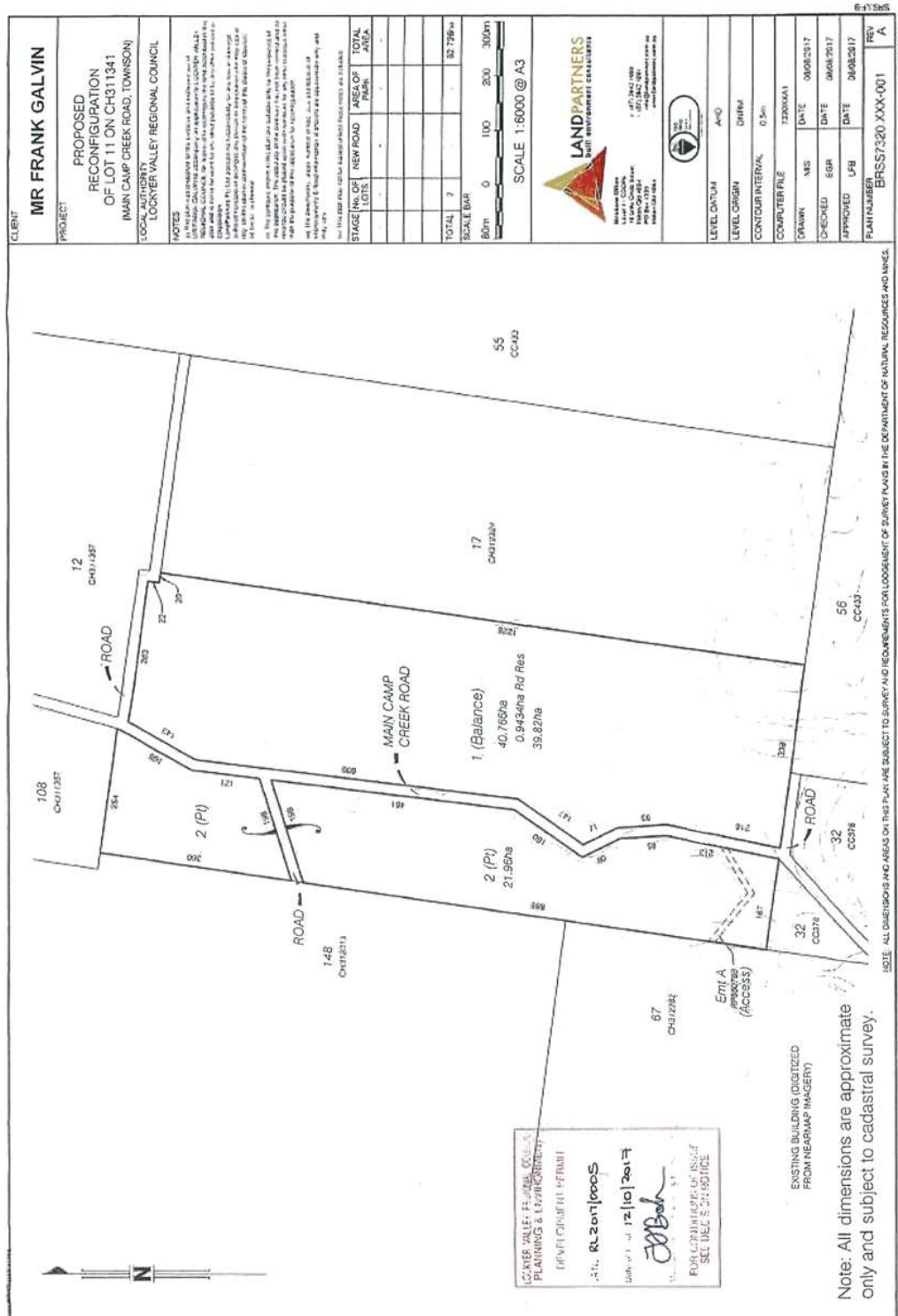
9. Action/s

1. Provide written notification of Council's resolution to the Department of Natural Resources and Mines by the 24th January 2018.

Attachments

- 1 [View](#) Aerial 1 Page
- 2 [View](#) Map 1 Page





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10.6 Councillor Portfolio Update

Date: 09 January 2018
Author: Erin Carkeet, Executive Support Officer - CEO & Councillors
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report informs Council of the key portfolio focus areas identified during these meetings.

Officer's Recommendation:

THAT Council receive and note the Councillor Portfolio Update report.

Report

1. Introduction

This report is to provide an update from Portfolio Councillors.

2. Background

Council determined the portfolio responsibility areas in order for Councillors to focus on their particular areas.

3. Report

Portfolio:

Mayor Cr Milligan: Communication; Promotion and Advocacy; Intergovernmental and Media Relations; Economic Development; Agribusiness; Tourism and Events; Community; Engagement and Disaster Management.

- Speak and present at Helidon State School Grade 6 graduation
- Speak and launch the Ma Ma Creek State School Community Garden
- Attend Local Working Group meeting for teleconference with GOLDOC
- Attend meeting with Stanbroke Beef representatives
- Attend the Forest Hill Festivities evening
- Attend the LVRC staff Christmas get together
- Attend and speak at the 70th Anniversary of 205 Squadron Air Cadets
- Attend meeting with developer regarding Woodlands Road
- Attend meeting with Manager Disaster Coordination
- Attend Gatton Revitalisation Committee
- Attend Lockyer Says No to Violence meeting
- Attend Porters Christmas get together
- Chair Ordinary Meeting of Council
- Attend the Vulnerable Women's Workshop

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- Attend meeting with Mayor and Deputy Mayor of Toowoomba Regional Council regarding partnerships
- Attend meeting with local business woman
- Attend meeting with the CEO
- Attend Fortnightly meeting with Communications and Engagement Team
- Attend meeting with Lockyer Chamber of Commerce and Industry
- Attend meeting with representatives of OBE Organics
- Media for Gatton Street Carnival
- Visit new business operator in town
- Attend and participate in Gatton Street Carnival
- Judge the Regis door competition for Christmas
- Attend the Laidley RSL Christmas Party
- Media for channel 7 regarding Helidon Police Station
- Visit community member in hospital after traffic accident
- Attend the LVRC Depot Christmas wind-down
- Attend Regis Christmas carols
- Attend the Lutheran Children's Christmas service

Deputy Mayor Cr Cook: *Recreation/Amenity Facilities: Sport and Recreation, Community Facilities, Health and Waste Management, Animal Management.*

- Attend Planning Scheme Development workshop
- Attend Councillor Workshop
- Attend meeting with Total Equine Qld
- Attend Lockyer Chamber of Commerce and Industry meeting
- Attend LVRC Audit & Risk Committee meeting
- Attend the Alara 2017 Client and Family Christmas Party
- Attend LVRC Staff Christmas Party
- Attend Gatton Revitalisation meeting
- Attend meeting with Officer to review Cricket QLD Survey
- Attend Porter's Hotel Christmas function
- Attend Ordinary Council meeting
- Attend and represent the Mayor at Leukaemia Foundation December Meeting and Christmas Luncheon
- Attend meeting with Lockyer Chamber of Commerce and Industry, Councillors & Manager Regional Development
- Attend meeting with OBE Organics
- Attend and represent the Mayor at the SES Xmas & Appreciation Dinner
- Attend Spring Bluff Carols
- Attend the Rock Trade Industries Boardroom Lunch
- Attend Laidley Recreation Reserve meeting
- Attend LVRC Depot End of Year BBQ

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Cr Wilson: *Business Systems and Processes; Corporate Plans and Performance; Finance; Information, Communication and Technology (ICT).*

- 2/12 - Attend the Lockyer Darts presentation evening
- 5/12 - Attend Planning Scheme Workshop
- 5/12 - Attend Council Workshop
- 5/12 - Voiceover recording for finance animation video
- 6/12 - Attend Childcare business unit review working group meeting
- 6/12 - Attend Lockyer Chamber of Commerce & Industry AGM
- 7/12 - Attend Audit & Risk Committee meeting
- 12/12 - Attend Gatton Revitalisation Committee meeting
- 13/12 - Attend Council meeting
- 14/12 - Attend the Leukaemia Foundation meeting & Christmas function
- 14/12 - Attend LVRC/Lockyer Chamber of Commerce meeting
- 15/12 - Attend meeting with OBE Organics
- 15/12 - Attend Gatton Christmas Carnival
- 17/12 - Attend Christmas carols at Spring Bluff
- 19/12 - Attend Onsite meeting with resident
- 19/12 - Attend Lake Dyer business unit working group meeting
- 20/12 - Attend Onsite meeting with a local business owner regarding signage
- 21/12 - Attend the Depot Staff Christmas BBQ

Cr Holstein: *Roads and Drainage, Parks and Gardens, Transport and Active Transport, Asset Management and Disaster Management.*

- Attend Forest Hill Community Development Association Inc/Forest Hill Festivities meeting
- Attend Planning Scheme Development meeting
- Attend Council workshop
- Attend site meeting with Executive Manager Infrastructure Works & Services at Gordon Crescent, Withcott
- Attend Lockyer Valley Traffic Safety Working Group meeting
- Attend inspection of disabled parking issues with Executive Manager Infrastructure Works & Services in Gatton CBD
- Attend Volunteers Christmas event
- Attend Toowoomba Regional Council to collect stickers for corflute signs for Spring Bluff Xmas Carols
- Attend meeting regarding Mahon Bridge
- Attend LVRC Christmas function
- Attend to finalisation of Crime Stoppers Xmas hampers for Gatton Xmas Street Carnival
- Attend to erection of Spring Bluff corflute Xmas Carols signs on Warrego Highway
- Attend Crime Stoppers meeting
- Attend Withcott-Helidon Lions Club Xmas function
- Attend Gatton Revitalisation meeting
- Attend Lake Apex Advisory Committee meeting
- Attend Porters Hotel end of year function

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- Attend Council meeting
- Attend Murphys Creek Progress Association meeting
- Attend Spring Bluff Trust committee meeting
- Attend Mens Shed end of year function
- Attend tour of hydroponic facility
- Attend meeting with Lockyer Chamber of Commerce
- Attend Withcott Rural Fire Brigade meeting
- Attend meeting with OBE Organics regarding Mahon Bridge
- Attend and work on Crime Stoppers stand at Gatton Xmas Carnival
- Attend and open Art Exhibition at Lockyer Valley Art Gallery on behalf of local artists
- Attend Xmas function at Withcott Hotel
- Attend Xmas Carols at Spring Bluff and take photographs for committee
- Attend to banking for Crime Stoppers committee
- Attend funeral of Luke Franklin in Brisbane (Bishopp Outdoor Advertising – sponsor of Business Awards)
- Attend Regional Development Australia Ipswich and West Moreton meeting & end of year function
- Attend thank you Xmas lunch in Warwick for staff of Darling Downs Moreton Rabbit Board
- Attend Depot staff end of year BBQ
- Attend Withcott Litter Patrol volunteer thank you lunch to thank the dedicated volunteers who clean the highway each week.

The Regional Development Ipswich & West Moreton final meeting of the year included a thank you to committee chairperson Kathy Benstead who is leaving the committee to take up the role of chairperson of the ARTC Inland Rail Community Consultative Committee for Scenic Rim. Kathy was thanked for her dedication to the role of chairperson and committee member over eight years.

Victor Attwood (former deputy mayor Ipswich City Council) was also thanked for the eight years he spent on the committee and wished well in his future endeavours. Victor takes up a position with NDIS in Ipswich.

Dr John McVeigh is the new Federal Minister for Regional Development and we look forward to him appointing the new chairperson.

The Crime Stoppers Christmas hamper raffle was very successful with around \$900 raised from the raffle which goes towards the Lockyer Valley committees fundraising target of \$2,000 for the year towards the rewards program. The raffle was drawn at the Gatton Christmas Carnival.

Cr McLean: *Planning and Building Services, Planning Scheme, Townships and Villages, Cultural Heritage and Streetscape, Regional Planning.*

- Represented the Mayor at Our Lady of Good Counsel Academic and Encouragement Awards Ceremony
- Attend Councillor workshop
- Attend Briefing regarding meeting with resident
- Attend meeting regarding residents concern with a building application

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- Attend Volunteer's Christmas breakup
- Attend staff Christmas party
- Attend Gatton Revitalisation Project Committee meeting
- Attend Laidley Hospital Auxiliary meeting
- Attend Porters Christmas break up
- Attend Pioneer Village meeting
- Attend Ordinary council meeting
- Attend Leukaemia Association breakup
- Attend meeting with Lockyer Chamber of Commerce and Industry
- Attend LVRC Christmas carnival
- Attend Carols at Spring Bluff
- Attend Laidley Pioneer Village Celebration

Cr Hagan: *Community Development: Arts and Culture, Youth and Disability/Multicultural, Public Safety, Customer Service and Community Services.*

Youth and Disability / Multicultural

Attended a meeting with Officers from Darling Downs West Morton Primary Health Needs with regard to Advisory Group participation for 2018.

Arts and Culture

Attended the opening of the exhibition by local artists at the Lockyer Valley Art Gallery.

Organisations and Committees Representation:

- Attend Queen's Baton Relay local working group meeting with GOLDOC regarding the Training and Operational exercise on the 2nd December
- Attend Planning Scheme Development briefing
- Attend Mulgowie markets
- Attend Stockyard Creek Community Christmas party
- Attend the Fire Vehicle hand over at Hatton Vale
- Attend the 'Queens Baton Relay trial' through Gatton
- Attend Forest Hill Community Development Association meeting
- Attend the Planning Scheme development workshop.
- Attended with Cr Wilson and officers, the Child Care Business Review working group meeting.
- Attend Lockyer Chamber of Commerce and Industry meeting.
- Attend the 'Volunteer Christmas Party' at Withcott Hotel.
- Attend the Queen's Baton Relay local working group meeting with GOLDOC – debrief following the Training and Operational exercise on 2nd December.
- Sold 'ham wheel tickets' at the Forest Hill Festivities.
- Attend the Lockyer Valley Regional Council staff Christmas Party at Cahill Park.
- Attend Gatton Revitalisation project committee meeting.
- Attend Lake Apex Community Advisory Committee meeting.
- Attend the Christmas drinks with Porter's Plainland Hotel.
- Attend the Leukaemia Foundation December meeting and the Christmas Luncheon.
- Meeting with the Mayor, Councillors, Manager Regional Development and members of the Lockyer Chamber of Commerce and Industry.

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- Meeting with the Mayor, Councillors, CEO, Executive Manager Infrastructure Works & Services and OBE Organics
- Attend the Gatton Street Christmas Carnival.
- Attend the Cahill Park Cluster group meeting.
- Attended with Cr Wilson, Executive Manager Corporate & Community Services, Manager Organisational Development, Sports, Recreation & Community Grants Officer and the Foreman Operations, the Lake Dyer Business Review meeting.
- Attend the Depot Staff Christmas BBQ.
- Attend Council meetings, workshops and tours.

11. ORGANISATIONAL DEVELOPMENT AND PLANNING REPORTS

No Organisational Development and Planning Reports

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12. CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 Summary of Council Actual Financial Performance vs. Budget – 31 December 2017

Date: 09 January 2018
Author: Tony Brett, Manager Finance and Customer Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

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 financial year to 31 December 2017.

Officer's Recommendation:

THAT Council resolve to receive and note the Summary of Council Actual Financial Performance versus Budget to 31 December 2017.

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

The following report provides a summary of Council's financial performance against budget to 31 December 2017.

Operating Revenue - Target \$27.23 million Actual \$27.58 million or 101.29%

At 31 December 2017, overall operating revenue is on target for the budgeted amount. For the year to date, income from development applications, waste disposal, and plumbing fees remain more than expected.

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Other revenue which includes QUU distributions and legal fee recoveries also remain higher than budget, as is Council's investment revenues due to higher cash balances. All other line items remain on track.

Operating Expenditure - Target \$27.72 million Actual \$27.06 million or 97.62%

At 31 December 2017, overall operating expenditure for the year to date was under budget by \$0.66 million.

Employee costs include an initial 1.00% back pay (from 7 January 2017) which was made as part of the certified agreement negotiations for staff with pay rates based on the agreement. Although the amount of this back pay has been largely covered by the provision which was taken up in the previous financial year, employee costs are slightly over target.

At 31 December, goods and services were \$1.00 million less than budget due to the timing of contract and project payments across a number of cost centres. The variances in contractors and consultants, as well as other associated projects, will be the focus of the next budget review.

Depreciation costs are now calculated using the One Council asset system and are reflective of the actual amount of depreciation being charged on the estimated revalued amount of Council's assets. At present depreciation costs are higher than budget due to increased asset values.

Capital Revenue - Target \$1.57 million Actual \$3.04 million or 193.63%

Overall capital grants and subsidies revenue is significantly more than budget for the year to date due to grants for the Blackspots Program and Laidley Recreation Reserve Lighting Project being paid in July 2017. The timing of capital grants and subsidies remains largely dependent upon the completion of the annual capital works program and the grant application approval process.

The loss on disposal of non-current assets relates to the write off of assets which have been replaced or renewed through the capital works program.

Capital Expenditure – Target \$20.95 million Actual \$7.69 million or 36.72%

To 31 December 2017, Council has expended \$7.69 million on its capital works program with a further \$3.58 million in committed costs for works currently in progress. With commitments included, the percentage spent is 53.79% which is on track for the year.

The main expenditures are \$5.90 million within Infrastructure, Works and Services and \$1.45 million within Corporate and Community Services. Major projects include the Laidley Flood Mitigation Project, Gravel Resheeting, Bitumen Resealing and the Plant Replacement program.

The cash flow of the capital works budget has been reviewed to take into account the proposed timing of the projects to provide a more accurate estimate of the progress of the works program. The timing of the cash flows will be adjusted as required to cater for changes in scheduling as advised by responsible officers.

**ORDINARY MEETING OF
COUNCIL AGENDA
17 JANUARY 2018**

Statement of Financial Position

The Statement of Financial Position provides information on the breakdown of Council's assets and liabilities at a point in time. At 31 December, Council had \$35.81 million in current assets compared to \$9.97 million in current liabilities with a ratio of 3.59:1. This means that for every dollar of current liability, there is \$3.59 in current assets to cover it.

Statement of Cash Flows

The Statement of Cash Flows provides information on the amount of cash coming in and going out. As at 31 December, there has been a net cash inflow of \$0.97 million with \$6.47 million received from operating activities and a net cash outflow for investing activities of \$4.72 million with the proceeds from sales of property and grants received partially offsetting the amount spent on capital works. For the year to date, \$0.78 million in repayments have been made on Council's loans.

The Statement of Cash Flows is important as it shows the real movement in Council's cash balances, as opposed to the accounting movements shown in the Statement of Income and Expenditure. In order to maintain adequate working capital, it is estimated that Council needs around \$11.00 million cash at any one time; at 31 December, Council's cash balance was \$28.21 million.

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

Monitoring of budgets and actuals will remain important if Council is to achieve the financial results adopted as part of the 2017/18 Budget, with any variations or anomalies to be investigated and action taken as appropriate.

A further budget review will be conducted in January 2018 and will focus on the operational expenditures to redistribute the budget to those areas which need additional resources, and to identify any savings across the board. The key areas for review will include operational projects not yet started, the timing of contractor payments, and the impact of redundancy payments and any negotiated certified agreement pay increase on Council's employee costs.

The budget review will also take into consideration the remaining capital works program to identify any projects that are at risk of deferral to the 2018/19 financial year. The allocation of salary and wages to capital projects will also be reviewed to ensure that all appropriate costs are being captured against projects.

The revised budget will then set the scene for the development of the 2018/19 budget.

6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report. The Executive Manager Corporate and Community Service will manage the requirements in line with existing delegations.

**ORDINARY MEETING OF
COUNCIL AGENDA
17 JANUARY 2018**

7. Communication and Engagement

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

8. Conclusion

At 31 December, Council's revenues are on target, and overall expenditure is slightly under target. There are no major concerns at this time as monitoring by responsible officers is ongoing, and a further budget review will be undertaken in January 2018.

9. Action/s

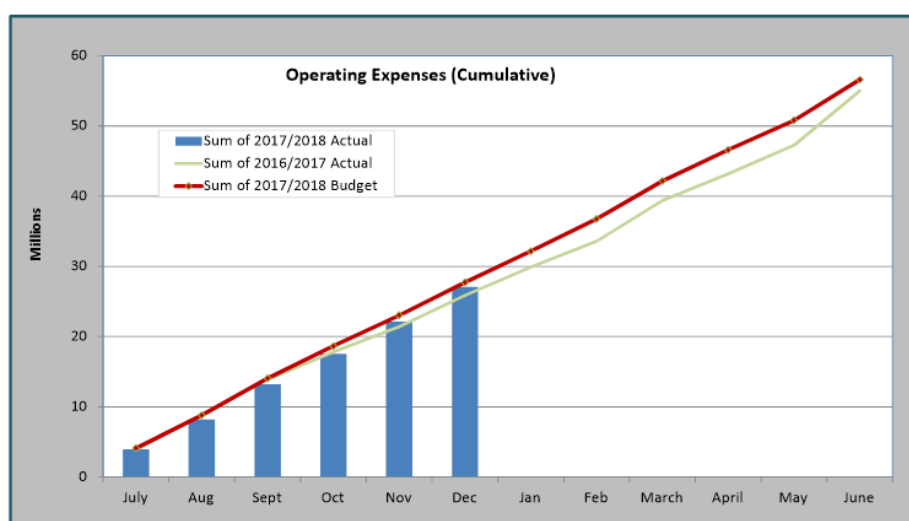
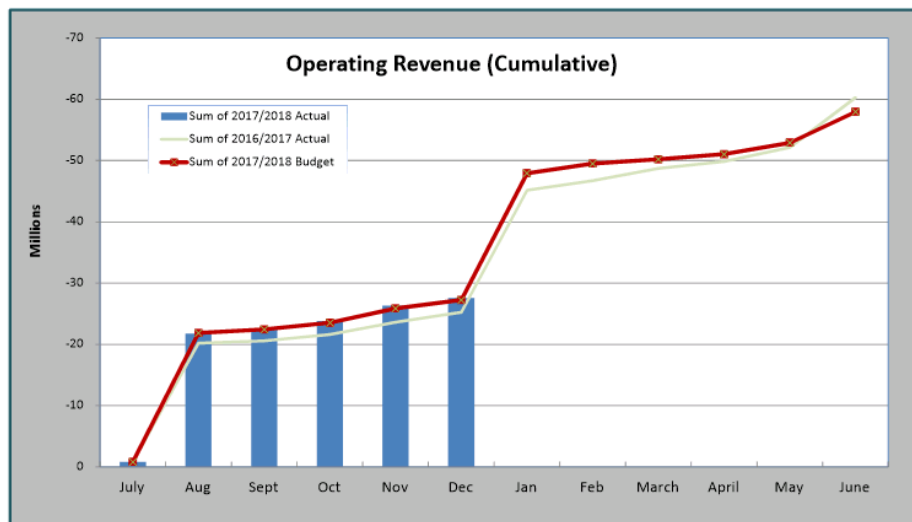
1. Nil

Attachments

1 [View](#) Council Monthly Financial Performance 17 Pages

LOCKYER VALLEY REGIONAL COUNCIL

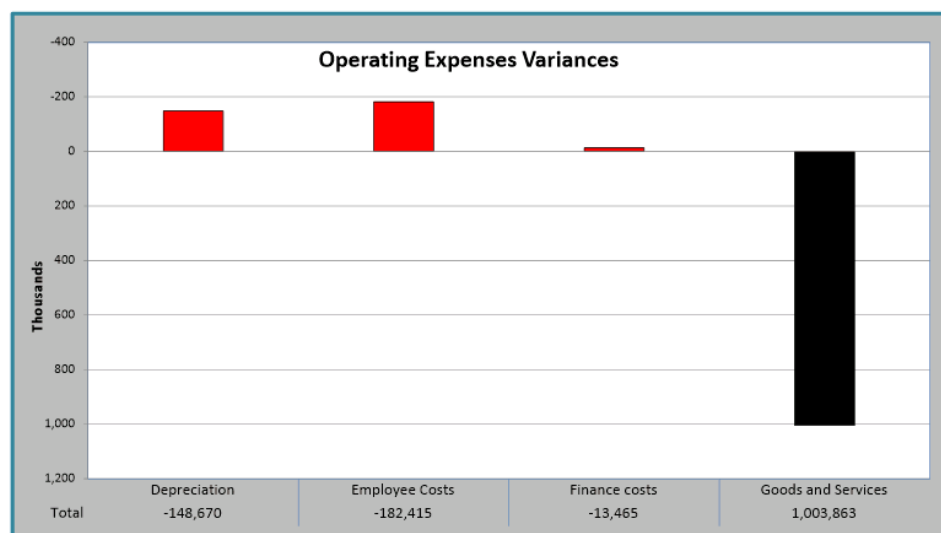
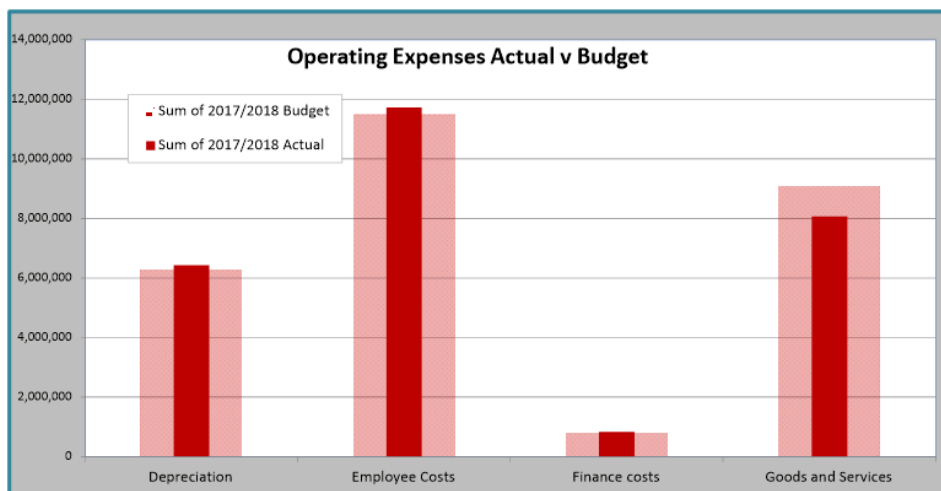
Total Council Operating Revenue and Expenses
For the Period Ended 31st December, 2017



LOCKYER VALLEY REGIONAL COUNCIL

Operating Expenses

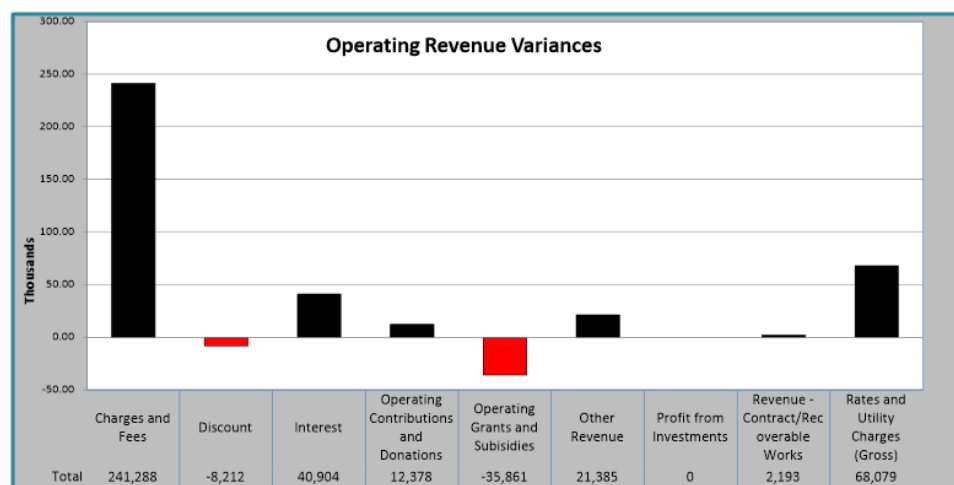
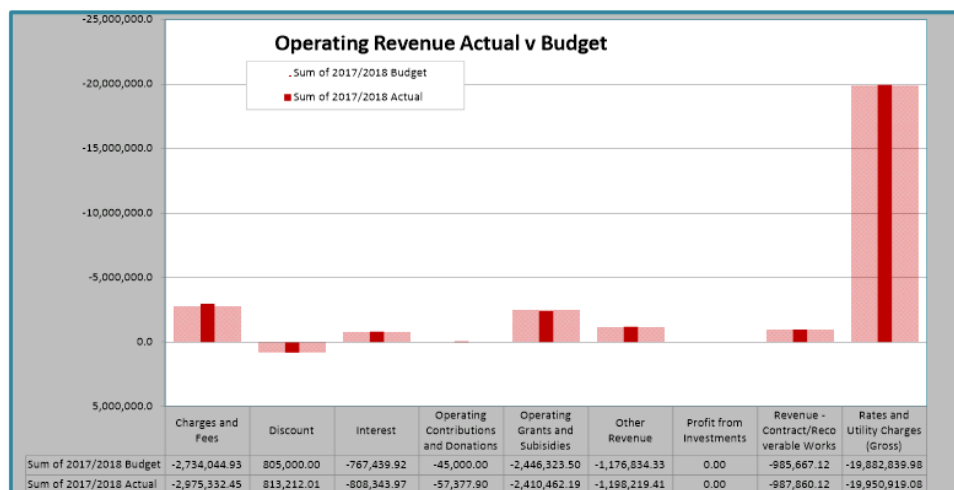
For the Period Ended 31st December, 2017



LOCKYER VALLEY REGIONAL COUNCIL

Operating Revenue

For the Period Ended 31st December, 2017



Lockyer Valley Regional Council (Whole Council)
Statement of Income and Expenditure
For Period Ending December 2017

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	39,986,990	19,950,919	19,882,840	(68,079)	(0.34)
Discount	(1,610,000)	(813,212)	(805,000)	8,212	(1.02)
Charges and Fees	4,606,500	2,975,332	2,734,045	(241,288)	(8.83)
Interest	1,632,880	808,344	767,440	(40,904)	(5.33)
Operating Grants and Subsidies	6,826,306	2,410,462	2,446,324	35,861	1.47
Operating Contributions and Donations	126,000	57,378	45,000	(12,378)	(27.51)
Revenue - Contract/Recoverable Works	2,630,300	987,860	985,667	(2,193)	(0.22)
Other Revenue	1,942,400	1,198,219	1,176,834	(21,385)	(1.82)
Profit from Investments	1,807,000	-	-	-	0.00
Total Operating Revenue	57,948,376	27,575,303	27,233,150	(342,153)	(1.26)
<u>Operating Expenses:</u>					
Employee Costs	24,034,667	11,723,563	11,541,148	(182,415)	(1.58)
Goods and Services	18,368,106	8,067,725	9,071,589	1,003,863	11.07
Finance costs	1,639,430	833,032	819,567	(13,465)	(1.64)
Depreciation	12,572,310	6,434,825	6,286,155	(148,670)	(2.37)
Total Operating Expenses	56,614,514	27,059,145	27,718,458	659,314	2.38
Operating Surplus/(Deficit)	1,333,862	516,158	(485,309)	(1,001,467)	206.36
<u>Capital Revenue:</u>					
Capital Grants, Subsidies and Contributions	2,276,946	3,035,281	1,565,000	(1,470,281)	(93.95)
Profit (Loss) on Disposal of Non Current Assets	679,800	(863,484)	-	863,484	0.00
Total Capital Revenue	2,956,746	2,171,797	1,565,000	(606,797)	(38.77)
Operating Surplus/(Deficit) After Capital Items	4,290,608	2,687,955	1,079,691	(1,608,264)	(148.96)

Lockyer Valley Regional Council (Rest of Council)
Statement of Income and Expenditure
For Period Ending December 2017

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	33,185,990	16,529,365	16,482,260	(47,105)	(0.29)
Discount	(1,435,000)	(725,390)	(717,500)	7,890	(1.10)
Charges and Fees	3,705,500	2,491,930	2,310,924	(181,006)	(7.83)
Interest	1,596,880	788,326	749,903	(38,423)	(5.12)
Operating Grants and Subsidies	6,200,851	2,099,916	2,133,596	33,680	1.58
Operating Contributions and Donations	80,000	57,378	45,000	(12,378)	(27.51)
Revenue - Contract/Recoverable Works	920,300	484,640	481,167	(3,473)	(0.72)
Other Revenue	1,886,800	1,162,208	1,152,434	(9,774)	(0.85)
Profit from Investments	1,807,000	-	-	-	0.00
Total Operating Revenue	47,948,321	22,888,374	22,637,784	(250,590)	(1.11)
<u>Operating Expenses:</u>					
Employee Costs	22,063,892	10,693,149	10,587,733	(105,416)	(1.00)
Goods and Services	13,043,760	5,753,946	6,915,124	1,161,178	16.79
Finance costs	1,456,430	741,789	728,107	(13,682)	(1.88)
Depreciation	12,200,910	6,167,900	6,100,455	(67,445)	(1.11)
Total Operating Expenses	48,764,992	23,356,784	24,331,419	974,634	4.01
Operating Surplus/(Deficit)	(816,672)	(468,411)	(1,693,635)	(1,225,224)	72.34
<u>Capital Revenue:</u>					
Capital Grants, Subsidies and Contributions	2,276,946	3,035,281	1,565,000	(1,470,281)	(93.95)
Profit (Loss) on Disposal of Non Current Assets	679,800	(863,484)	-	863,484	0.00
Total Capital Revenue	2,956,746	2,171,797	1,565,000	(606,797)	(38.77)
Operating Surplus/(Deficit) After Capital Items	2,140,074	1,703,386	(128,635)	(1,832,021)	1,424.20

Lockyer Valley Regional Council (Business Units)
Statement of Income and Expenditure
For Period Ending December 2017

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	6,801,000	3,421,554	3,400,580	(20,974)	(0.62)
Discount	(175,000)	(87,822)	(87,500)	322	(0.37)
Charges and Fees	901,000	483,403	423,121	(60,282)	(14.25)
Interest	36,000	20,018	17,537	(2,481)	(14.15)
Operating Grants and Subsidies	625,455	310,546	312,728	2,181	0.70
Operating Contributions and Donations	46,000	-	-	-	0.00
Revenue - Contract/Recoverable Works	1,710,000	503,220	504,500	1,280	0.25
Other Revenue	55,600	36,011	24,400	(11,611)	(47.59)
Total Operating Revenue	10,000,055	4,686,929	4,595,366	(91,564)	(1.99)
<u>Operating Expenses:</u>					
Employee Costs	1,970,776	1,030,414	953,415	(76,998)	(8.08)
Goods and Services	5,324,346	2,313,779	2,156,464	(157,315)	(7.30)
Finance costs	183,000	91,243	91,460	217	0.24
Depreciation	371,400	266,925	185,700	(81,225)	(43.74)
Total Operating Expenses	7,849,522	3,702,360	3,387,040	(315,321)	(9.31)
Operating Surplus/(Deficit) before Capital	2,150,533	984,569	1,208,326	223,757	18.52
<u>Capital Revenue and Expenses:</u>					
Profit (Loss) on Disposal of Non Current Assets	-	-	-	-	0.00
Total Capital Revenue	-	-	-	-	0.00
Operating Surplus/(Deficit) After Capital Items	2,150,533	984,569	1,208,326	223,757	18.52

LOCKYER VALLEY REGIONAL COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 31 December, 2017

	2017-2018 Full Year Budget	2017-2018 YTD Actual
<u>Current Assets</u>		
Cash assets and cash equivalents	19,800,000	11,209,698
Cash investments	-	17,000,000
Trade and other receivables	3,480,000	5,113,033
Inventories	3,400,000	439,080
Non-current assets classified as held for sale	-	2,046,602
Total Current Assets	26,680,000	35,808,412
<u>Non Current Assets</u>		
Trade and other receivables	14,740,000	14,745,256
Equity investments	30,780,000	29,348,241
Investment properties	1,850,000	1,847,000
Property, plant and equipment	619,580,000	563,437,440
Intangible assets	5,940,000	4,400,092
Total Non Current Assets	672,890,000	613,778,028
TOTAL ASSETS	699,570,000	649,586,441
<u>Current Liabilities</u>		
Trade and other payables	3,970,000	4,457,004
Provisions	4,680,000	4,678,139
Borrowings	1,770,000	834,708
Total Current Liabilities	10,420,000	9,969,851
<u>Non Current Liabilities</u>		
Provisions	28,630,000	28,633,269
Borrowings	28,320,000	30,837,626
Total Non Current Liabilities	56,950,000	59,470,895
TOTAL LIABILITIES	67,370,000	69,440,746
NET COMMUNITY ASSETS	632,200,000	580,145,695
<u>Community Equity</u>		
Retained surplus (deficiency)	375,790,000	367,465,060
Asset revaluation surplus	254,960,000	205,111,410
Reserves	-	4,881,295
Current Surplus/(Deficit)	1,440,000	2,687,930
TOTAL COMMUNITY EQUITY	632,200,000	580,145,695

LOCKYER VALLEY REGIONAL COUNCIL
Statement of Cash Flows
For the period ended 31 December, 2017

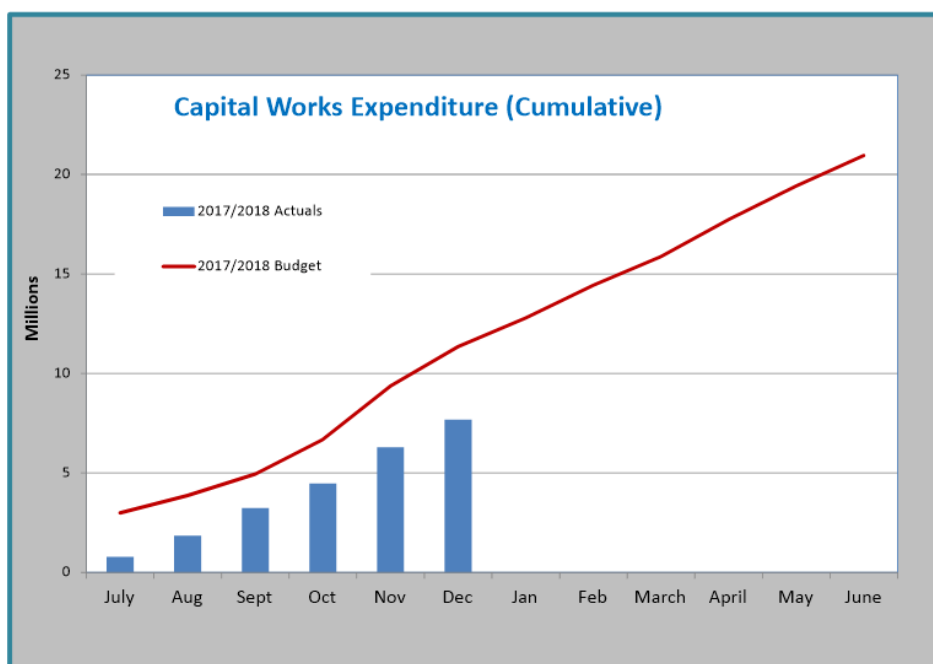
	2017-2018 Full Year Budget	2017-2018 YTD Actuals
<u>Cash flows from operating activities:</u>		
<u>Receipts</u>		
Receipts from customers	55,970,000	27,988,882
Interest received	1,640,000	808,344
<u>Payments</u>		
Payments to suppliers and employees	(44,600,000)	(21,564,562)
Interest expense	(1,470,000)	(767,575)
Net cash inflow (outflow) from operating activities	11,530,000	6,465,089
<u>Cash flows from investing activities:</u>		
Capital grants, subsidies and contributions	3,030,000	3,035,281
Payments for property, plant and equipment	(20,650,000)	(7,824,598)
Net transfer (to) from cash investments	770,000	-
Proceeds from sale of property plant and equipment	240,000	70,127
Net cash inflow (outflow) from investing activities	(16,620,000)	(4,719,190)
<u>Cash flows from financing activities:</u>		
Repayment of borrowings	(2,360,000)	(776,969)
Proceeds from borrowings	-	-
Net cash inflow (outflow) from financing activities	(2,360,000)	(776,969)
Net increase (decrease) in cash and cash equivalents held	(7,440,000)	968,929
Cash and cash equivalents at beginning of the financial year	27,240,000	27,240,768
Cash and cash equivalents at end of the financial year	19,800,000	28,209,698

LOCKYER VALLEY REGIONAL COUNCIL

CAPITAL WORKS BY GROUP

For the Period Ended 31st December, 2017

Row Labels	Values		
	2017/2018 Budget	2017/2018 Actuals	Sum of PercentSpent
Corporate & Community Services	5,521,000	1,415,316	25.64%
Executive Office	394,000	155,725	39.52%
Infrastructure Works & Services	14,200,932	5,900,068	41.55%
Organisational Development & Planning	839,000	223,327	26.62%
Grand Total	20,954,932	7,694,436	36.72%



LOCKYER VALLEY REGIONAL COUNCIL
CAPITAL WORK SUMMARY
December, 2017

	2017-2018 Amended Budget	2017-2018 Expenditure	Committed	2017-2018 Expenditure (including Committed)	Remaining Budget (including Committed)
Corporate & Community Services					
Community Facilities Management	90,000	1,614	0	1,614	88,386
Disaster Management	262,000	175,411	20,710	196,121	65,879
Facilities	2,080,000	667,205	336,966	1,004,172	1,075,828
Information Management	290,000	27,015	0	27,015	262,985
Information Technology	1,230,000	297,591	168,970	466,560	763,440
Public Order & Safety	70,000	12,399	0	12,399	57,601
SES	47,000	6,529	0	6,529	40,471
Transfer Stations	1,205,000	179,196	131,428	310,624	894,376
Gatton Child Care Centre	22,300	22,299	0	22,299	1
Waste Collection	30,000	25,032	0	25,032	4,968
Gatton Library	12,000	0	0	0	12,000
Kensington Grove Community Childcare	17,700	0	15,409	15,409	2,291
Health and Regulatory Services	165,000	1,026	48,490	49,516	115,484
Corporate & Community Services Total	5,521,000	1,415,316	721,973	2,137,289	3,383,711
Executive Office					
Regional Development Management	204,000	110,098	30,232	140,330	63,670
Tourism Initiatives	65,000	7,326	0	7,326	57,674
Legal Services	20,000	628	0	628	19,372
Advocacy	105,000	37,673	59,240	96,913	8,087
Executive Office Total	394,000	155,725	89,472	245,197	148,803
Infrastructure Works & Services					
Capital Program Delivery	10,512,892	4,966,962	958,864	5,925,826	4,587,066
Depot	99,000	200	79,500	79,700	19,300
Fleet	2,318,000	716,960	1,249,036	1,965,996	352,004
Parks & Open Spaces	522,890	73,379	245,073	318,452	204,438
Cemetery	65,650	1,816	2,640	4,456	61,194
NDRRA Program - Infrastructure Recovery	682,500	140,752	124,337	265,089	417,411
Infrastructure Works & Services Total	14,200,932	5,900,068	2,659,450	8,559,519	5,641,413
Organisational Development & Planning					
Planning Scheme	744,000	187,716	106,197	293,913	450,087
Sport Recreation and Community Grants	50,000	12,127	0	12,127	37,873
Pest Management	45,000	23,484	0	23,484	21,516
Organisational Development & Planning Total	839,000	223,327	106,197	329,524	509,476
Grand Total	20,954,932	7,694,436	3,577,092	11,271,528	9,683,404

LOCKYER VALLEY REGIONAL COUNCIL
CAPITAL WORKS DETAIL
December, 2017

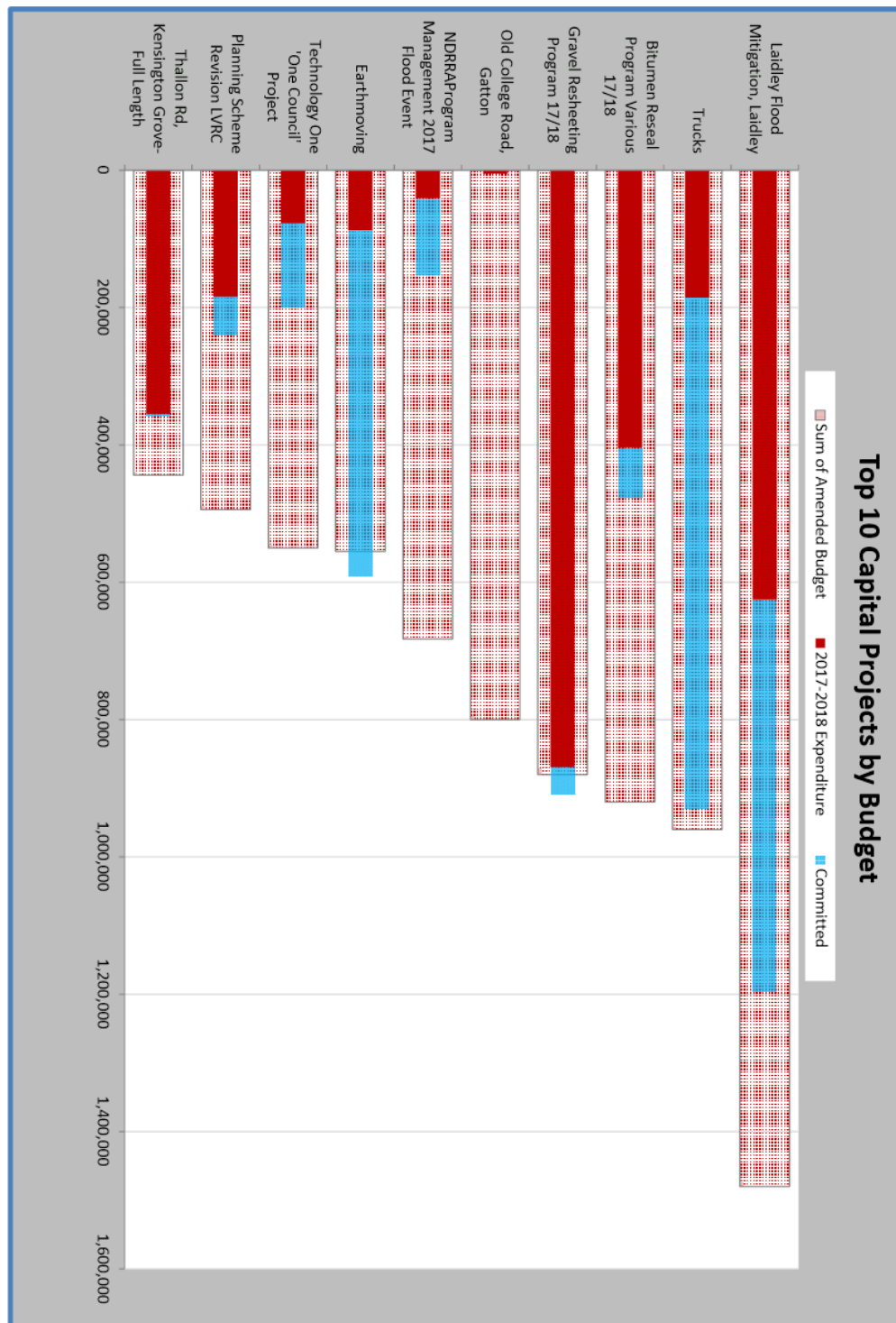
Row Labels	Amounts		Committed	2017-2018 Expenditure (including Committed)	Remaining Budget (including Committed)
	2017-2018 Budget	2017-2018 Expenditure			
Corporate & Community Services					
Community Facilities Management					
Gatton Shire Hall Stage Curtains	10,000	0	0	0	10,000
Laidley Swimming Pool refurbishment	80,000	1,614	0	1,614	78,386
Community Facilities Management Total	90,000	1,614	0	1,614	88,386
Disaster Management					
Flood Mapping and Modelling L'yer Catchm	80,000	58,020	17,000	75,020	4,980
Floodway Manual Gauges	7,000	0	0	0	7,000
River Height Gauges Laidley & Thornton	90,000	84,041	0	84,041	5,959
Upgrade Cameras for Night Vision	35,000	0	0	0	35,000
Waterride Flood Intelligence	50,000	33,350	3,710	37,060	12,940
Disaster Management Total	262,000	175,411	20,710	196,121	65,879
Facilities					
Admin Building Fire Detection/Counter	200,000	64,418	16,100	80,518	119,482
Buildings & Facilities Asset Replacement	50,000	0	0	0	50,000
Das Neumann Haus Refurbish Ramp & Paint	5,000	3,187	0	3,187	1,813
Decommission Old Gatton Pool	5,000	2,261	0	2,261	2,739
Facilities Key Storage	6,000	0	0	0	6,000
Forest Hill Rec Res Upgrade Toilet Block	0	291	0	291	-291
Gatton Depot Elec Switchboard Upgrade	40,000	4,029	1,200	5,229	34,771
Gatton Depot Facilities Shed	30,000	3,992	25,414	29,406	594
Gatton North St Toilets Interior Refurb	70,000	6,692	43,501	50,192	19,808
Gatton RV Park	75,000	83,772	3,199	86,971	-11,971
Gatton Show Grounds Internal Roadworks	50,000	522	0	522	49,478
Gatton Showgrounds Separate Metering	70,000	5,445	2,950	8,395	61,605
Gatton Squash Courts Refurbishment	45,000	0	0	0	45,000
Helidon Community Hall Painting & Repair	30,000	18,669	2,525	21,194	8,806
Helidon Tennis Club Exterior Painting	10,000	9,938	0	9,938	62
Indoor Sports Ctr LED Light & Cooling	119,000	67,176	0	67,176	51,824
Jessie's Cottage Repairs & Painting	10,000	7,287	0	7,287	2,713
Laidley Admin Building Refurbishment	80,000	12,514	927	13,441	66,559
Laidley DNH Toilet Block Repairs & Paint	10,000	0	0	0	10,000
Laidley Pool Construct Disabled Toilet	40,000	39,440	595	40,035	-35
Laidley Pound Fencing Drainage & Repairs	5,000	561	2,570	3,131	1,869
Laidley Rec Res LED Lighting Replacement	202,000	219,698	0	219,698	-17,698
Laidley Recreation Reserve Toilet repair	10,000	0	0	0	10,000
Laidley Saleyards Undercover Walkway	20,000	453	0	453	19,547
LCC Replace Curtains & PA System	15,000	11,700	0	11,700	3,300
Lions Park Laidley Replace Toilet Block	110,000	1,639	123,054	124,693	-14,693
Lockyer Valley Cultural Centre Storage	10,000	522	5,725	6,247	3,753
LV Cultural Centre Tile Replacement	105,000	1,026	43,257	44,283	60,717
LVSAC Splash Pad	0	0	13,514	13,514	-13,514
Murphys Ck Comm Centre Painting & Repair	3,000	1,458	0	1,458	1,542
New Temporary Laidley Library	0	17,881	0	17,881	-17,881
Nielsen's Place shade shelters	50,000	0	0	0	50,000
Replace Ageing Furniture at Prem Halls	10,000	0	0	0	10,000
Replace Shade Shelters-Laidley Pool	15,000	14,637	0	14,637	363
Shire Hall Basement Exit/Fire Detection	85,000	7,077	18,290	25,367	59,633
Solar planning for buildings	180,000	44,254	29,947	74,201	105,799
Static Safety Lines Various Facilities	55,000	15,944	0	15,944	39,056
Vets Support Laidley Disabled Carpark	15,000	109	0	109	14,891
Withcott Toilet Block	245,000	614	4,200	4,814	240,186
Facilities Total	2,080,000	667,205	336,966	1,004,172	1,075,828
Information Management					
Physical Records Relocation Project Ldly	190,000	27,015	0	27,015	162,985
Records Digitisation	100,000	0	0	0	100,000
Information Management Total	290,000	27,015	0	27,015	262,985
Information Technology					
Council Chambers Audio Visual System	9,000	8,291	0	8,291	709
Data Centre Monitoring	25,000	37,054	0	37,054	-12,054
GIS Enhancement	155,000	33,908	22,185	56,093	98,907
Implement BCP Functionality	100,000	0	0	0	100,000

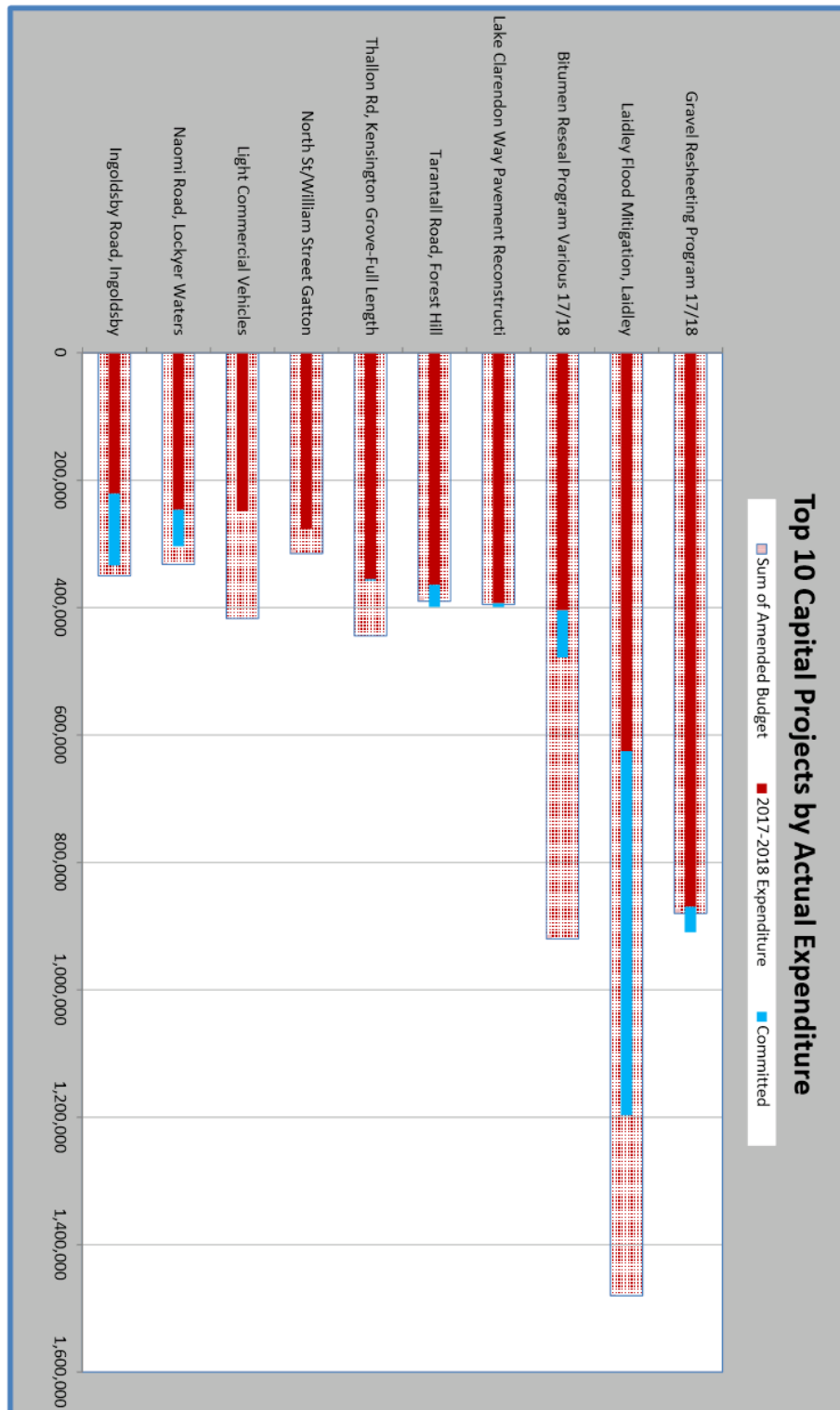
Row Labels	Amounts		Committed	2017-2018 Expenditure (including Committed)	Remaining Budget (including Committed)
	2017-2018 Budget	2017-2018 Expenditure			
Intranet Upgrade	30,000	0	0	0	30,000
Laidley Cultural Centre Access Control	15,000	0	0	0	15,000
Library Projector	16,000	0	0	0	16,000
LVCC Audio Visual	0	8,571	10,111	18,683	-18,683
Network Security	40,000	0	0	0	40,000
Network Upgrades & Replacements	20,000	2,000	0	2,000	18,000
Skype for Business	5,000	0	2,989	2,989	2,011
Technology One 'ECM Upgrade'	175,000	130,549	10,149	140,698	34,302
Technology One 'One Council' Project	550,000	77,218	123,536	200,754	349,246
Upgrade Desktop Operating System	10,000	0	0	0	10,000
Upgrade MS Office	50,000	0	0	0	50,000
Website Upgrade	30,000	0	0	0	30,000
Information Technology Total	1,230,000	297,591	168,970	466,560	763,440
Public Order & Safety					
Body Cameras	25,000	6,134	0	6,134	18,866
Depot CCTV	15,000	0	0	0	15,000
Gatton CCTV Project	10,000	0	0	0	10,000
Laidley CCTV	10,000	4,258	0	4,258	5,742
Laidley Library CCTV	5,000	2,007	0	2,007	2,993
Unidentified CCTV Works	5,000	0	0	0	5,000
Public Order & Safety Total	70,000	12,399	0	12,399	57,601
SES					
SES Buildings Air-conditioning	15,000	5,438	0	5,438	9,562
SES Buildings Roller Door Auto Mechanism	10,000	0	0	0	10,000
SES Buildings Roof Ventilation	20,000	0	0	0	20,000
Technology & Communications Improvements	2,000	1,091	0	1,091	909
SES Total	47,000	6,529	0	6,529	40,471
Transfer Stations					
Bitumen Sealing at Transfer Stations	40,000	0	0	0	40,000
Bunded Sheds & Units Hazardous Material	95,000	48,774	0	48,774	46,226
Digital Camera Replacement for 3 sites	5,000	882	3,335	4,217	783
Driveway Entrance Repairs to Lock Waters	36,000	0	0	0	36,000
Electricity to Withcott Transfer Station	108,000	32,022	81,609	113,631	-5,631
Gatton and Laidley Sites Landscaping	10,000	0	8,680	8,680	1,320
Gatton Landfill EHP Compliance	297,000	0	0	0	297,000
Gatton L'Fill Capping Construct West End	326,000	0	0	0	326,000
Gatton L'Fill Capping Design Western End	90,000	7,620	5,772	13,392	76,608
Laidley Landfill Capping Works	0	44,883	31,952	76,835	-76,835
Laidley Transfer Station Improvement	0	0	80	80	-80
Lockrose Transfer Station Building & R/Wall	29,000	35,714	0	35,714	-6,714
New Landfill Cell (4) for Gatton Site	74,000	9,301	0	9,301	64,699
Superintendent Landfill Capping	30,000	0	0	0	30,000
Water Pump & Reticulation System Gatton	65,000	0	0	0	65,000
Transfer Stations Total	1,205,000	179,196	131,428	310,624	894,376
Gatton Child Care Centre					
Gatton CC Centre Replace Pavement	4,164	4,163	0	4,163	1
GCCC Recover Exist Brick with Plaster	18,136	18,136	0	18,136	-0
Gatton Child Care Centre Total	22,300	22,299	0	22,299	1
Waste Collection					
Laidley Levy/Garbage Truck Turnarounds	30,000	25,032	0	25,032	4,968
Waste Collection Total	30,000	25,032	0	25,032	4,968
Gatton Library					
Gatton Library New Furniture	12,000	0	0	0	12,000
Gatton Library Total	12,000	0	0	0	12,000
Kensington Grove Community Childcare					
KGCC Replacement of Vinyl Flooring	17,700	0	15,409	15,409	2,291
Kensington Grove Community Childcare Total	17,700	0	15,409	15,409	2,291
Health and Regulatory Services					
Dog Off Leash Area(s)	50,000	0	0	0	50,000
LVRC Animal Management Facility	100,000	1,026	48,490	49,516	50,484
Security Fencing	5,000	0	0	0	5,000
Shade Shelters for Cattle Yards	10,000	0	0	0	10,000
Health and Regulatory Services Total	165,000	1,026	48,490	49,516	115,484
Corporate & Community Services Total	5,521,000	1,415,316	721,973	2,137,289	3,383,711
Executive Office					
Regional Development Management					
GWIZ	0	261	1,625	1,886	-1,886
Lakeview Accommodation Precinct	50,000	40,121	28,007	68,128	-18,128

Row Labels	Amounts		Committed	2017-2018 Expenditure (including Committed)	Remaining Budget (including Committed)
	2017-2018 Budget	2017-2018 Expenditure			
Pre-sale Activities Grantham Wests	105,000	69,566	600	70,166	34,834
Pre-sale activities Lakeview remain lots	20,000	0	0	0	20,000
Upgrade to Water Infrastructure Hawck St	29,000	150	0	150	28,850
Regional Development Management Total	204,000	110,098	30,232	140,330	63,670
Tourism Initiatives					
Entrance Statement Plainland	25,000	7,326	0	7,326	17,674
Pioneer Village Shed Upgrade	30,000	0	0	0	30,000
Pioneer Village Upgrades	10,000	0	0	0	10,000
Tourism Initiatives Total	65,000	7,326	0	7,326	57,674
Legal Services					
Land disposal costs	20,000	628	0	628	19,372
Legal Services Total	20,000	628	0	628	19,372
Advocacy					
Lockyer Valley Pre-Feasibility Study	105,000	37,673	59,240	96,913	8,087
Advocacy Total	105,000	37,673	59,240	96,913	8,087
Executive Office Total	394,000	155,725	89,472	245,197	148,803
Infrastructure Works & Services					
Capital Program Delivery					
Airforce Road, Helidon	300,000	2,062	0	2,062	297,938
Ambrose Street, Laidley	25,000	22,620	737	23,356	1,644
Australia II Drive, Kensington Grove	60,000	58,996	0	58,996	1,004
Bitumen Reseal Program - Various 16/17	170,000	148,406	0	148,406	21,595
Bitumen Reseal Program Various 17/18	920,000	404,011	74,060	478,071	441,929
Black Spot Project (funding not announce	-10,000	0	0	0	-10,000
Blanchview Road, Blanchview	30,000	0	0	0	30,000
Brightview Road, Glenore Grove	20,000	1,278	0	1,278	18,722
Church Street, Forest Hill	16,000	14,580	1,333	15,912	88
Crowley Vale Road, Crowley Vale	0	382	0	382	-382
Culvert Renewals - Various	286,000	0	0	0	286,000
Cycle Network Gatton	21,000	11,293	20,858	32,151	-11,151
East/Crescent Streets Gatton	145,000	152,401	0	152,401	-7,401
Fairway Drive	20,000	19,086	0	19,086	914
Feldhahn Street, Gatton	210,000	1,107	0	1,107	208,893
Flagstone Creek Road, Flagstone	60,000	0	0	0	60,000
Flagstone Creek State School	80,000	1,336	0	1,336	78,664
Gehrke Road Culvert Replacement	10,000	5,194	1,023	6,217	3,783
Gehrke Road, Regency Downs	0	415	0	415	-415
Gravel Resheeting Program - Various	55,000	55,163	0	55,163	-163
Gravel Resheeting Program 17/18	880,000	869,551	39,886	909,437	-29,437
Harm Dr/Lake Clarendon Rd Black Spot Pro	56,500	546	0	546	55,954
Hickey Street Kerb Ramps	15,000	10,325	0	10,325	4,675
Hickey Street, Gatton	150,000	2,365	0	2,365	147,635
Ingoldsby Road, Ingoldsby	350,000	221,027	112,748	333,776	16,224
Jones Road, Withcott	90,000	90,271	2,341	92,612	-2,612
Kensington Grove Speed Review	10,000	0	0	0	10,000
Kerb and channel rehabilitation programm	50,000	48,521	7,735	56,256	-6,256
Laidley Flood Mitigation, Laidley	1,480,000	625,211	571,772	1,196,984	283,016
Lake Clarendon Rd (LCS School), Lake Cla	5,000	4,434	0	4,434	566
Lake Clarendon Way	0	1,359	0	1,359	-1,359
Lake Clarendon Way Pavement Reconstructi	395,000	393,127	5,780	398,907	-3,907
Lake Clarendon Way/Main Greenswamp Rd	225,000	220,887	1,552	222,439	2,561
Liftin Bridge-Black Spot Project 17/18	41,500	7,348	1,159	8,507	32,993
Long Gully Rd (CH.0-1.4) Upgrade gravel	260,000	0	0	0	260,000
Mahon Bridge strengthening	70,000	17,526	0	17,526	52,474
Market Drive - Pavement Failures	60,000	0	0	0	60,000
Meadows Road, Withcott	5,000	0	0	0	5,000
Naomi Road, Lockyer Waters	332,000	246,048	57,500	303,548	28,452
North St/William Street Gatton	315,000	276,735	0	276,735	38,265
Old College Road, Gatton	800,000	4,860	0	4,860	795,140
Operational Works Application Fees	0	18,515	0	18,515	-18,515
Patrick Street, Laidley	26,000	25,350	850	26,201	-201
Queens Baton Relay	80,000	3,282	8,182	11,464	68,536
Railway St, Laidley - CH 125 - 365 - Her	60,000	0	0	0	60,000
Railway Street Laidley	97,000	95,229	0	95,229	1,771
Road Closure Signs	30,000	0	0	0	30,000
Rons Road, Glenore Grove	15,000	0	0	0	15,000
Spencer Street Gatton	36,000	35,600	0	35,600	400
Spencer Street, Gatton	198,000	18,671	0	18,671	179,329

Row Labels	Amounts		Committed	2017-2018 Expenditure (including Committed)	Remaining Budget (including Committed)
	2017-2018 Budget	2017-2018 Expenditure			
Spencer/William Street, Gatton	22,000	3,606	730	4,337	17,663
Steinkes bridge strengthening	40,000	0	0	0	40,000
Stormwater culvert replacements, Gatton	300,000	0	0	0	300,000
Strong Street, Gatton	220,000	10,418	0	10,418	209,582
Summerholm Road - Black Spot Project	66,000	3,692	0	3,692	62,308
Tallaringa Drive Adare Shoulder widening	115,000	90,793	13,685	104,478	10,522
Tarantall Road, Forest Hill	390,000	364,113	34,546	398,660	-8,660
Thallon Rd, Kensington Grove-Full Length	444,000	355,232	2,386	357,618	86,382
Wandin Road, Withcott - CH 170 -300	55,000	0	0	0	55,000
William Street and Lake Apex Drive PCNP	25,000	3,989	0	3,989	21,011
Woodlands Road	15,000	0	0	0	15,000
Woodlands Road 17/18	270,892	0	0	0	270,892
Capital Program Delivery Total	10,512,892	4,966,962	958,864	5,925,826	4,587,066
Depot					
Gatton Depot Sealing	24,000	0	0	0	24,000
New Emulsion Tank at Gatton Depot	75,000	200	79,500	79,700	-4,700
Depot Total	99,000	200	79,500	79,700	19,300
Fleet					
Capital Plant Purchases - 2016/2017	180,000	177,694	0	177,694	2,306
Earthmoving	555,000	87,000	504,967	591,967	-36,967
Light Commercial Vehicles	417,000	248,370	-17	248,353	168,647
Mowers	27,000	18,186	0	18,186	8,814
New Trencher for Parks	6,000	0	0	0	6,000
Passenger Vehicles	135,000	0	0	0	135,000
SES Vehicles and Plant	23,000	0	0	0	23,000
Trailers	15,000	0	0	0	15,000
Trucks	960,000	185,709	744,086	929,794	30,206
Fleet Total	2,318,000	716,960	1,249,036	1,965,996	352,004
Parks & Open Spaces					
Dawson Phipps Park Garden Edging	1,500	1,400	0	1,400	100
Dawson Phipps Pk Renewal Shade Shelter	10,000	10,754	0	10,754	-754
Gatton CBD Revitalisation	15,000	5,997	6,856	12,853	2,148
Hatton Vale Park Concept and Design	20,000	0	0	0	20,000
Laidley CC Bichel Oval Earth Drain Const	14,000	0	0	0	14,000
Laidley Rec Res Renewal PA001460	8,680	0	0	0	8,680
Laidley Rec Res Renewal of PA001454	30,000	1,016	0	1,016	28,984
Laidley Rec Res Renewal PA001365	1,300	1,130	0	1,130	170
Lake Apex Park Gatton Shade Shelter	14,300	9,745	0	9,745	4,555
Lake Apex Pk Handrail & Steps BBQ Area	22,500	4,037	0	4,037	18,463
Lake Apex Pk Irrigation & Landscaping	15,000	3,536	0	3,536	11,464
Lake Apex Skate Bowl Carpark	50,000	0	0	0	50,000
Lake Apex Water Quality Improvements	25,000	0	0	0	25,000
Lake Clarendon Rec Res Renewal of BBQ	8,800	0	6,678	6,678	2,122
Littleton Park Renewal Playground Equip	4,400	0	3,458	3,458	942
M/Creek Cricket Grnd Renewal of Seating	5,000	5,782	0	5,782	-782
McNulty Park Laidley Refurbishment	40,000	11,464	0	11,464	28,536
Parks and Gardens Deficiencies Review	25,000	0	0	0	25,000
Removal of Poor Condition & Obsol Assets	9,500	2,460	0	2,460	7,040
Schultz Lookout Bin and Fencing Renewal	3,230	1,285	0	1,285	1,945
Springbrook Prk Renewal of PA000725	3,300	0	2,224	2,224	1,076
Wilks Park Renewal of Garden Edging	880	476	0	476	404
William Kemp Pk Replace Existing Bollard	15,000	12,497	0	12,497	2,503
Zabel Road Lockrose Dip Site Rehabilitat	180,500	1,800	225,857	227,657	-47,157
Parks & Open Spaces Total	522,890	73,379	245,073	318,452	204,438
Cemetery					
Forest Hill Cemetery Erect a Columbarium	18,650	0	2,640	2,640	16,010
Gatton Cemetery Garden Edging	14,000	0	0	0	14,000
Laidley Cemetery Concrete Strips	15,000	0	0	0	15,000
Laidley Cemetery Garden & Fence Removal	8,000	1,816	0	1,816	6,184
Master Plan for all LVRC Cemeteries	10,000	0	0	0	10,000
Cemetery Total	65,650	1,816	2,640	4,456	61,194
NDRRA Program - Infrastructure Recovery					
NDRRA Works 2017 - Submission 1	0	99,769	12,114	111,883	-111,883
NDRRAProgram Management 2017 Flood Event	682,500	40,983	112,223	153,206	529,294
NDRRA Program - Infrastructure Recovery Total	682,500	140,752	124,337	265,089	417,411
Infrastructure Works & Services Total	14,200,932	5,900,068	2,659,450	8,559,519	5,641,413

	Amounts			2017-2018 Expenditure (including Committed)	Remaining Budget (including Committed)
Row Labels	2017-2018 Budget	2017-2018 Expenditure	Committed		
Organisational Development & Planning					
Planning Scheme					
LGIP Prepare Infrastructure Plan	200,000	3,393	49,919	53,312	146,689
Plainland Structure Planning	50,000	0	0	0	50,000
Planning Scheme Revision LVRC	494,000	184,323	56,278	240,601	253,399
Planning Scheme Total	744,000	187,716	106,197	293,913	450,087
Sport Recreation and Community Grants					
Master Plans	50,000	12,127	0	12,127	37,873
Sport Recreation and Community Grants Total	50,000	12,127	0	12,127	37,873
Pest Management					
Loan Spray Equipment	20,000	0	0	0	20,000
Pest Management Compound Improvements	25,000	21,177	0	21,177	3,823
Upgrade Animal Traps	0	2,307	0	2,307	-2,307
Pest Management Total	45,000	23,484	0	23,484	21,516
Organisational Development & Planning Total	839,000	223,327	106,197	329,524	509,476
Grand Total	20,954,932	7,694,436	3,577,092	11,271,528	9,683,404





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12.2

Amendment to Fees and Charges 2017/18

Date: 09 January 2018
Author: Mike Lisle, Manager Community Facilities and Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

The purpose of this report is to seek the amendment of Council's register of fees and charges in relation to the costs associated with the use of library meeting rooms.

Officer's Recommendation:

THAT Council amend its register of cost recovery and commercial fees and charges for 2017/18 effective from 18 January 2018 to include the following charges:

- **\$10.00 per hour charge for hire of the Hub and Local History rooms at the Gatton Library and**
- **\$20.00 per hour charge for hire of the Wyman Room at the Laidley Library and Customer Service Centre.**

Report

1. Introduction

The purpose of this report is to seek the amendment of Council's register of fees and charges for the 2017/18 financial year which was adopted by Council on 24 May 2017 in relation to hiring of rooms at the Gatton Library and the Laidley Library and Customer Service Centre.

2. Background

Increasing interest has been received from persons wishing to hire rooms at the Gatton Library and the Laidley Library and Customer Service Centre for private and community use. The rooms are primarily used for library operations but are able to be hired out for free when required. However some business operators are now seeking more regular booking of the rooms which will impact on ongoing library operations and community use.

3. Report

There has been a steady increase in requests for the use of meeting rooms at the Gatton Library and the Laidley Library and Customer Service Centre as users have attempted to avoid fees and charges associated with other private and public venues.

In order to ensure that all community and business groups have access as required, it is considered that the implementation of a fee will assist in preventing conflicting bookings, while allowing continued use by various community groups.

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The Gatton Rooms (Hub and Local History Room) and the Wyman Room at the Laidley Library and Customer Service Centre have capacities of 12 and 5 respectively.

The Gatton Rooms have limited facilities; however, the Wyman Room at the Laidley Library and Customer Service Centre has excellent audio visual equipment and kitchen facilities.

Noting the difference in service standards between the 2 rooms, charges with a 2 hour booking period of \$10.00 per hour for the Gatton Rooms (Hub and Local History Room) and \$20 per hour the Wyman Room at the Laidley Library and Customer Service Centre are considered appropriate when compared to other Council owned venues.

4. Policy and Legal Implications

Section 97 of the *Local Government Act 2009* provides for a local government to fix a cost recovery fee and section 98 provides for a Register of Cost Recovery Fees.

Section 262 (3)(c) also empowers a local government to charge for a service or facility, other than a service or facility for which a cost-recovery fee may be fixed.

Council may change its fees and charges at any time by resolution.

5. Financial and Resource Implications

Council will recover a small portion of the costs that are associated with the maintenance of its library facilities.

6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report. The Executive Manager Corporate and Community Services will manage the requirements in line with existing delegations.

7. Communication and Engagement

The users of the Gatton Library and the Laidley Library and Customer Service Centre will be advised of Council's amended fees and charges associated with room hire.

8. Conclusion

The adoption of the recommendation of this report will eliminate some of the unintended consequences of Council's register of fees and charges for the 2017/18 financial year.

9. Action/s

1. Adoption of the amended fees and charges for updating in the Register.
2. Communication of the revised fees and charges to all relevant stakeholders, both internal and external, together with the date of effect.
3. Update of the Register on Council's website.

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12.3 Laidley Saleyards Incident 30 December 2017

Date: 10 January 2018
Author: Peter Driemel, Manager Health, Waste and Regulatory Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

This purpose of this report is to inform Council of an incident that occurred at the Laidley Saleyards on Saturday 30 December 2017 and to seek guidance from Council on whether to suspend an approval for a horse sale on Saturday 27 January 2018 at the Laidley Saleyard by the Laidley Horse and Saddlery Auctions due to complaints being made to the RSPCA regarding animal welfare and reputational damage to Council through social media.

Officer's Recommendation:

THAT Council resolve to instruct the Chief Executive Officer to arrange a meeting between Councillors and the Owner/Director of Laidley Horse and Saddlery Auctions to discuss Council's concerns and proposed actions in relation to issues surrounding the horse auction on 30 December 2017;

And further;

THAT Council delegate authority to the Chief Executive Officer to issue a show cause notice in relation to proposed horse sales under Council's Local Law No. 1 Administration, Sections 18 and 19 as it applies to a prescribed activity defined under section 6 (1)(b) and section 7.

Report

1. Introduction

Council owns the Laidley saleyards located on the Rosewood – Laidley Road, Laidley and the facilities are hired to private operators to conduct commercial sales including the fortnightly cattle sales conducted on a Thursday and the monthly horse sales conducted on a Saturday.

2. Background

A report to Council on 23 March 2016 detailed an incident that occurred whereby a foal had died at the Laidley Saleyards whilst under the supervision of Laidley Horse and Saddlery Auctions. At that time complaints received also related to general animal cruelty issues including the provision of water and shade to the yards for animals awaiting the selling process.

The matter was investigated by Biosecurity Queensland as the matter is a Department of Agriculture and Fisheries (DAF) responsibility under the *Animal Care and Protection Act 2001*.

DAF ascertained at that time that Council's saleyards contained approximately 77 pens, including 33 connected to a water supply and 4 large holding yards also connected to a water

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supply. DAF also determined that adequate numbers of watered yards existed to ensure all horses got sufficient access to water with the auctioneer and his staff required to ensure that horses are rotated through the yards to ensure that the maximum deprivation times outlined in the *Animal Care & Protection Act 2011* are not exceeded.

DAF advised at the time that shade was not mandatory at a selling facility and it was noted the Laidley yards had some trees that provide shade to animals for sale and the auctioneer has documented procedures in place to manage extreme heat events.

The purpose of horse sales generally is to facilitate the selling and buying of horses for private use and commercial sales (horse dealers and horse abattoirs).

Cattle sales are also held fortnightly by Stariha Auctions with no complaints being received in recent years in relation to these sales. The owner of Stariha Auctions has contacted Council officers following media interest and proposes to arrange a meeting and to forward a submission to Council on the effect of any reductions in sales on his business operations.

3. Report

Laidley Horse and Saddlery Auctions were approved to conduct a horse sale on 30 December 2017.

A number of persons who were in attendance at the sale were concerned for the welfare of a number of the horses and foals due to the hot weather, resulting in a series of complaints being made to the RSPCA and provoking dialogue through Facebook channels.

Data available from the Bureau of Meteorology for 30 December 2017 measured at the University of Queensland Gatton climate recording location showed the daily maximum temperature for the day was 33.8 degrees Celsius.

The regional RSPCA officer was activated and attended the Laidley Sale yards on behalf of Biosecurity Queensland.

The officer's report noted the following items:

- allegedly six (6) week old foals were separated from their mares
- horses (including foals) were in yards without water
- an injured horse had allegedly been kept in one of the rear holding yards and subsequently sold; however, he did not sight this animal
- a number of horses/foals were not in shade
- one of the auctioneer's staff members failed to move a horse to water when requested by the attending officer
- local Laidley residents were providing water to horses during the event.

Council officers were notified of the issues by the RSPCA officer late Saturday afternoon. Council's saleyards maintenance contractor attended the saleyards and advised that at 7.30pm on the day of the sale, there were four horses including a mare and foal being kept overnight at the Laidley Saleyards in watered yards. He also confirmed that by midday on Sunday 31 December 2017 all horses had been removed from the facility.

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Biosecurity officers have advised that they interviewed the operator and two of his staff on Monday 8 January 2018 as part of their investigation. The Biosecurity officers indicated that their investigation would be completed within the next few weeks.

Auction 27 January 2018

An application, by way of booking form, was received from Laidley Horse and Saddlery Auctions late last year seeking to hire the Laidley Saleyards and on 5 December 2018 approval to hire the saleyards was confirmed for the following dates:

- 27 January 2018
- 24 February 2018
- 31 March 2018.

Laidley Horse and Saddlery Auctions has paid the horse sales fees for 30 December 2017, as well as the holding fees for the horse auction for 27 January which was paid on 5 January 2018.

Existing Data

Existing data is limited and it is considered that we need to seek more information moving forward to assist with management of the facility and to allow Council to refer recurring animal welfare cases to appropriate authorities.

Existing data on hand only identifies the total number of horses sold in order to determine the fees to be raised.

2017	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Horses Sold	84	52	52	50	62	45	63	74	103	N/A	94	90

Local Climatic Temperatures

Temperatures fluctuate due to seasonal conditions and Council may need to consider the option of cancelling horse sales based on extreme hot weather forecasts by the Bureau of Meteorology. Approvals for sales could be conditioned accordingly.

As an example, using data from the closest climate recording location at the University of Queensland Gatton, the Bureau of Meteorology recorded the highest daily temperature for the "traditionally hot" months over the three years for December, January, February and March as 39.6 degrees Celsius, 39.6 degrees Celsius, 45.7 degrees Celsius and 38.7 degrees Celsius respectively.

Application of Local Laws

The operation of the saleyards and approval for use of the saleyards for stock auctions and consignment are governed by the following local laws:

- (a) *Local Law No. 6 (Operation of Saleyards) 2011 (Local Law 6);*
- (b) *Local Law No. 1 (Administration) 2011 (Local Law 1);* and
- (c) *Subordinate Local Law No. 1.17 (Sale or Consignment of Stock at a Saleyard) 2011 (Subordinate Local Law).*

A person who uses the saleyard for:

- (a) selling or offering to sell stock by auction or otherwise at the saleyard; or

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(b) consigning stock from the saleyard, carries out a prescribed activity for which an approval under the Subordinate Local Law is required.

There is no approved form of application, and the booking form used is considered an application for this purpose. The 'approval' granted by Council constitutes a short letter and does not specify any conditions or make reference to the subordinate local law noted above. However, Section 13(3) of Local Law 6 provides that a person selling stock at the saleyard must comply with every condition prescribed by subordinate local law, including conditions that will ordinarily be imposed on the sale of stock at the saleyard as set out in Item 6 Schedule 1 of the Subordinate Local Law.

In addition, the operators of Laidley Horse and Saddlery Auctions have developed and implemented an Operations Manual to meet legislative requirements and accepted standards. This document includes provisions relating to animal welfare and the conduct of auctions during extreme weather conditions.

The purpose of Local Law 6 is to provide for the orderly and proper conduct of business activities at the saleyards. The local law contains various provisions about stock handling including the times for acceptance of stock, the identification of stock delivered, the process for reception of stock, the care and control of stock and the removal of stock. In particular, section 8 provides for the care and control of stock and is extracted below:

8 Care and control of stock

When stock are delivered to the saleyard –

- (a) the stock are deemed to be in the possession, and under the control, of the auctioneer or agent who has taken delivery of the stock, and are not in the possession, or under the control, of the local government; and*
- (a) the auctioneer or agent must comply with all reasonable directions of the manager in relation to reception, yarding and other dealings with the stock; and*
- (b) if the stock are kept at the saleyard for more than 24 hours – the auctioneer or agent must provide the stock with adequate food and general care in accordance with the reasonable directions of the manager.*

The maximum penalty for each of paragraphs (b) and (c) is 50 penalty units.

The term "manager" is defined in the Dictionary schedule to the local law and means the person appointed by the local government to exercise the powers of a manager under this local law and includes any person for the time being performing the duties of the manager at the direction of, or with the approval of, the local government. No formal appointment appears to have been made, although the majority of these management functions are currently performed by the Manager Community Facilities and Services.

It is within the power of the manager (section 21) to require any diseased or injured animals to be immediately removed from the saleyard.

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Section 28 also provides a limitation of liability for Council's benefit and is extracted below:

28 Limitation of liability

- (1) *The local government is not civilly liable for an act done, or omission made, honestly and without negligence, under this local law.*
- (2) *In particular, the local government –*
 - (a) *does not have legal possession or control of any stock brought onto the saleyard by a person other than the local government; and*
 - (b) *owes no duty of care to any person in respect of, and is not otherwise responsible for, the safety, management or control of any stock within the saleyard.*

Options available to address complaint

Local Law 6 is to be read with Local Law 1. The following options are available to Council under Local Law 1 to address the complaint received:

1. Issue a stop order under Section 29;
2. Issue a show cause notice to amend, suspend or cancel approval under Section 18; or
3. Issue a show cause notice as per Option 2 above and simultaneously issue an immediate suspension notice under Section 19.

Discussion of each option follows.

Option 1

This option is not really practical and exposes Council to criticism from third party stock owners.

A stop order can only be issued if the continuation of the prescribed activity poses an urgent and serious:

- (a) threat to public health or safety; or
- (b) risk of environmental harm, property damage or loss of amenity.

In the circumstances, an authorised person would need to establish that the continuation of horse sales by Laidley Horse and Saddlery Auctions poses an urgent and serious risk of property damage (that is horses). The term 'property' is broadly defined in the *Acts Interpretation Act 1954* as "any legal or equitable estate or interest (whether present or future, vested or contingent, or tangible or intangible) in real or personal property of any description (including money), and includes things in action".

A stop order only operates for 3 days (calendar days not business days). For an effective notice to be given, the stop order would need to be issued on 26 January (a public holiday) by which date significant pre-auction steps will have been taken, and costs incurred, by Laidley Horse and Saddlery Auctions and stock owners looking to sell stock, with these costs including advertising and transportation of stock.

Option 2

The grounds on which an approval may be amended, suspended or cancelled are set out in section 17 of Local Law 1. The only grounds which may possibly be relied on are:

- (a) the amendment, suspension or cancellation is necessary to prevent property damage; or
- (b) in undertaking the prescribed activity, the approval holder has failed to comply with an Act.

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As for Option 1 above, Council would need to be satisfied that stock are “property” and that there is a risk of damage (animal welfare grounds). The horse and foals the subjects of the complaint are no longer at the saleyards and are unlikely to return for the upcoming sales. Therefore, to determine a risk of property damage, the condition of horses listed for sale at the upcoming auction, or a breach of statutory animal welfare obligations, would need to be identified.

Preliminary advice received from Biosecurity Queensland which is investigating the complaint indicates that there is no requirement for water or shade to be provided to the yards. It is noted that a similar complaint in relation to lack of shade and water in the yards was investigated in 2016 and similar advice was provided.

Council would have stronger grounds for amending, suspending or cancelling the approval if it could establish that Laidley Horse and Saddlery Auctions has failed to comply with a local law, an Act or a condition of the approval. Investigations by Council officers to date have failed to uncover any evidence of this occurring.

If a risk of property damage or breach of animal welfare or other statutory requirements can be satisfactorily established, before taking the proposed action to amend, suspend or cancel the approval, Council will need to issue a show cause notice stating:

- (a) the proposed action;
- (b) the grounds for the proposed action;
- (c) an outline of the facts and circumstances that are the basis of the grounds;
- (d) if the proposed action is suspension of the approval, the proposed suspension period; and
- (e) that the approval holder may make written submissions, within a stated reasonable time of at least 21 days after the notice is given, why the proposed action should not be taken.

Council officers will need to consider all submissions that have been made within the stated time. Only if it is still considered that there is a ground to take the proposed action, may the approval be amended, suspended or cancelled. This decision will take effect on the day that written notice of the decision is given to the approval holder, unless a later day is specified. This decision should be made within 14 days of written submissions being made.

If this process is followed, the auction scheduled for 27 January 2018 will proceed.

Option 3

This option involves taking action to immediately suspend the approval while the show cause process detailed in Option 2 is undertaken. It is not an alternative, stand-alone option.

Despite the process detailed in Option 2 above, the approval may be immediately suspended if Council believes that the continuation of the prescribed activity by Laidley Horse and Saddlery Auctions poses an urgent and serious –

- (a) threat to public health or safety; or
- (b) risk of environmental harm, property damage or loss of amenity.

The same considerations in relation to risk of property damage detailed in Option 2 apply. If an urgent and serious risk of property damage can be established, the suspension can only be affected by giving the approval holder the following notices simultaneously:

1. notice of the decision to immediately suspend the approval; and
2. show cause notice about proposed action to amend, suspend or cancel the approval.

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The suspension operates immediately upon these notices being given to the approval holder and will continue to operate until the earliest of the following happens:

- (a) the suspension is cancelled;
- (b) the approval holder is given notice of Council's decision about the show cause notice (after considering submissions);
- (c) 14 days have passed since the end of the submission period stated in the show cause notice;
- (d) 14 days have passed since the approval holder notifies Council that it has made its final written submissions regarding the show cause notice.

If this process is followed, the auction scheduled for 27 January 2018 will not proceed. There is also a possibility that the auction scheduled for 24 February 2018 may not proceed if the show cause process has not been completed.

It should be noted that a suspension will affect not only the commercial operation of Laidley Horse and Saddlery Auctions, but will also impact on any third parties involved in the auction and the buying, selling and transportation of stock.

4. Policy and Legal Implications

The grounds used to justify taking any action in accordance with the options available to Council and listed in the body of this Report should be carefully considered. If no adverse findings are made as part of the Biosecurity Queensland investigation, there is a risk that any grounds relied on by Council to establish a risk (not even a serious or urgent risk) of property damage may be considered weak.

It may be more appropriate to take action with a view to amending, rather than suspending, the approval. This approach would enable Council to:

- (a) clearly specify that the conditions in Item 6 Schedule 1 of the Subordinate Local Law that would ordinarily be imposed on an approval apply; and
- (b) impose specific conditions related to animal welfare obligations (that are not inconsistent with statutory obligations) and extreme weather events that will apply in addition to statutory obligations and the Operations Manual.

Such an approach would address the substance of the complaints made while balancing the expectations of the approval holder and the community.

If action is taken which disrupts any scheduled auctions, there is some risk that Laidley Horse and Saddlery Auctions may seek legal recourse to cover potential sale costs already incurred in preparing for the auction. If no breach of statutory requirements or animal welfare standards is identified by Biosecurity Queensland, this would likely strengthen any claim made against Council.

Finally, as a result of reviewing documents relevant to this complaint, the approval given to Laidley Horse and Saddlery Auction and the relevant local laws to prepare this Report, it has been identified that it would be beneficial to review relevant local laws and Council's administrative procedures and forms to minimise risk to Council from activities occurring at the saleyards and provide clarity of local law requirements.

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In particular, it is suggested that:

- (a) a “manager” for the Laidley Saleyards, within the meaning of Local Law 6 be formally appointed (by way of future report to Council)
- (b) the booking form be reviewed, and a local law approval template be created, to conform with the requirements of relevant local laws
- (c) relevant local laws be reviewed to consider the most appropriate structure and to strengthen Council powers where animal welfare risks have been identified.

5. Financial and Resource Implications

Any budget implications associated with this report will continue to be addressed through existing allocations.

The Laidley Saleyards is budgeted to return a “profit” of \$20k in 2017/18 financial year which has a minimal impact upon Council’s operating result.

Given the significant negative social media around this event and the absence of any formal complaints to Council, further consideration could also be given to either closing the facility or the completion of minor capital works (water to all yards and plantings) to address ongoing management issues.

6. Delegations/Authorisations

The Chief Executive Officer has been delegated authority to give effect to the recommendations of this report if accepted by Council. The Executive Manager Corporate and Community Services will manage other requirements in line with existing delegations and this direction of Council.

7. Communication and Engagement

To date Council officers have been in regular communication with representatives of the RSPCA and Biosecurity Qld Officers. Council’s Manager Marketing, Communication and Engagement is managing community media releases.

8. Conclusion

This is the second incident in recent years, involving the by Laidley Horse and Saddlery Auctions and the subsequent media attention is impacting the reputation of Council. It is considered that the proposed sale on the 27 January 2018 be cancelled and a show cause notice is issued to the Owner/Director of Laidley Horse and Saddlery Auctions.

This most recent animal welfare incident is being investigated by officers from Biosecurity Queensland, Department of Agriculture and Fisheries (DAF) under the Animal Care & Protection Act 2011 and the Animal Care & Protection Regulation 2001 as it relates to handling of livestock at saleyards.

9. Action/s

- 1. To ensure the interests of Council are protected Council authorise the Chief Executive Officer to invite the operator of Laidley Horse and Saddlery Auctions to a meeting to

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discuss Council's concerns, proposed actions and future expectations for operating a horse sale at Council's Laidley Saleyard facility.

2. The Chief Executive Officer confirms in writing the immediate suspension of an approval to facilitate a horse sale on Saturday 27 January 2018 at the Laidley Saleyard and issues a show cause notice about the proposed action under Council's Local Law No. 1 Administration, Sections 18 and 19 as it applies to a prescribed activity defined under section 6 (1)(b) and section 7 accordingly.
3. The Legal Services Coordinator and the Manager, Health Waste and Regulatory Services develop a suitable Subordinate Local Law under Local Law 6 (Operation of Saleyards) 2011 to ensure Council has the authority to fully enforce the provisions of the Local Law.
4. The Manager Community Facilities and Services develop suitable conditions of approval for the use of Councils Saleyards.

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12.4 Applications for Excess Animal Permits - PID127920 and PID127950

Date: 10 January 2018

Author: Peter Driemel, Manager Health, Waste and Regulatory Services

Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

The purpose of this report is to seek Council approval for Excess Animal Permit Applications lodged by the owners of PID127920 and the owners of PID127950 under the provisions of the Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011.

Officer's Recommendation:

THAT Council resolve:

- a) to approve the Excess Animal Permit Application lodged by the owners of PID127920 under the provisions of the Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011;
and further;
- b) to approve the Excess Animal Permit Application lodged by the owners of PID127950 under the provisions of the Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011;
and further
- c) to approve that the following conditions to be applied to the approved Excess Animal Permits:
 1. the holder of the permit must comply with the provisions of *Council's Local Law No.2 (Animal Management) 2011 Local Law* at all times;
 2. all dogs over the age of three months and kept on the property at any time, must be registered with Lockyer Valley Regional Council as required by the Animal Management (Cats & Dogs) Act 2008;
 3. if the permit holder gives away, supplies, sells or advertises dogs or puppies that were born on or after 26 May 2017, they must have a unique identifying number (a supply number);
 4. fencing or enclosures on the property must be maintained at all times so as to effectively enclose any animal within the bounds of the property at all times;
 5. a buffer fence must be constructed of suitable materials so as to prevent a horse from reaching over / under or through any boundary fencing shared with PID127940;
 6. all faeces, offensive material or food scraps must be collected at least once daily and disposed of in an acceptable manner and not permitted to cause a nuisance by odour, insect and/or vermin attraction;
 7. Council reserves the right to cancel this permit at any time should any conditions of the permit not be complied with;

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8. the holder of the permit is required to pay an annual renewal fee; and
9. the permits will remain in effect until 30 September 2018.

Report

1. Introduction

Council is an elected body that is responsible for the good rule and local government of a part of Queensland. Thus Council is charged with the enforcement of Local Laws and subordinate Local Laws as promulgated under the provisions of the Local Government Act 2009.

Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011 require the occupants of properties who wish to keep more than the allowable numbers of animals on their properties to only do so under the conditions of an approved permit. This is to minimise the effects caused to the community from the keeping of excess numbers of animals on properties.

The purpose of the report is to seek a resolution from Council to approve "Excess Animal Permit" Applications lodged by the owners of PID127920 and the owners of PID127950 under the provisions of the Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011.

2. Background

Currently, Council has thirty (30) approved Excess Animal Permits with standard conditions held by animal owners who are complying with the requirements of Councils Animal Local Laws and various state legislative requirements including the Animal Management (Cats and Dogs) Act 2008.

The Excess Animal Permits approved have been for the keeping of animals such as dogs, cats, sheep, goats, horses and other animals on properties ranging from 1,057sqm to 35 hectares in area.

For some time there have been ongoing issues between the owners of PID127940 and the owners of PID127920 and PID127950.

A search of Council's customer request management system shows the following historical complaints in relation to the 2 (two) properties involved in the applications:

PID127920

- CRM2014/05930 (19 February 2014) regarding 6 horses and 2 cows being kept at the address and issues relating to fences being damaged, flies and manure odour. Action resulted in Warning Notices and an infringement (dog registration) being issued. Horses were reduced to 2 (two) and the cows were removed from the address. Manure was cleaned up on a regular basis.
- CRM2014/15545 (16 May 2015) regarding the construction of an illegal shed. Action resulted in finding that a temporary shelter had been erected for an injured horse that

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needed to be confined for a period of 4 (four) weeks. The shelter was subsequently dismantled.

PID127950

- CRM2017/14833 (31 August 2017) regarding the alleged attack by a dog from PID127950 on a Great Dane owned and kept at PID127940.
Action identified that the dog in question was a Shih Tzu type dog and its owner subsequently alleged it had been pulled through the boundary fence by the complainant's dog from its own property. The smaller dog suffered injuries which required veterinary treatment.
- CRM2017/18610 (28 November 2017) regarding a horse that was allegedly stuck between an electric fence and the boundary fence (reported by owner of PID127940). Subsequent contact with the horse owner identified that no horses were in the position as described.

There was also an incident in mid-2015 where a horse owned by the owners of PID127920 and being kept on PID127930 entered the property at PID127940 and suffered an injury while on the property. The animal was subsequently euthanized onsite. The incident was witnessed by a Council officer who was visiting PID127920.

3. Report

On 27 July 2017, Council received a complaint alleging the keeping of excess numbers of dogs and horses at properties in Forestry Road Adare and Alvisio Road Adare. The complaint also included allegations of straying dogs, the keeping of a stallion and fences being damaged by horses from the properties concerned.

In particular, the properties identified as PID127920 and PID127950 were identified as requiring approvals to keep more than 3 (three) dogs and 2 (two) horses on either property.

PID127920

In August 2017, Officers undertook an investigation of PID127920 and identified the following issues

- 8 (eight) dogs and 3 (three) horses were being kept
- no stallions were kept at the property at any time
- minimal waste from the keeping of the horses was evident
- collected horse waste was being utilised on garden beds as mulch
- nil smell or odour was detected
- horses were fenced away from the boundary fencing of the property
- existing boundary fencing was in good order and adequate to contain horses
- dogs were secured to the property
- no dogs were registered.

Warning Notices were issued to the owner of the animals including matters such as dog registration; reduction of numbers of dogs and horses kept or the lodgement of an application to keep excess numbers of animals.

The property owner responded to the warning notices by:

- reducing the numbers of dogs kept to 4 (Four)

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- registering 3(three) dogs as required
- repairing a buffer fence located on the boundary fence shared with PID127940; and
- lodging an application to keep 4 (four) dogs and 3 (three) horses.

The breed types of the dogs to be kept under the permit are an 8 year old Jack Russell Terrier, 5 year old Dogue De Bordeaux, 6 month old Dogue De Bordeaux and an adult Fox Terrier type dog. Additionally the horses to be kept are three (3) purebred Quarter Horses.

Part of the required documentation for an Excess Animal Application is to provide letters of "No Objection" from the current residents of all residential blocks that share a boundary with an applicant.

The owners have provided a letter of no objection to the keeping of the excess numbers of animals from the occupant of PID127910 who is an immediate residential neighbour of the applicant.

A letter was also included which gives permission to the owner to keep a horse on the property situated at PID127930 which is adjacent to the applicant's property and that of PID127940.

PID127950

In August 2017, Officers also undertook an investigation of PID127950 and identified the following:

- 8 (eight) dogs and 3 (three) horses were found to being kept
- no stallions were kept
- minimal waste from the keeping of the horses was evident
- 1 (one) horse was secured to the paddock between the residence of PID127950 and the fence boundary shared with PID127940
- existing boundary fencing was in good order and adequate to contain horses
- nil smell or odour was detected
- dogs were secured to the property in appropriate enclosures
- no dogs were registered.

Warning Notices were issued to the owner of the animals including matters such as dog registration; reduction of numbers of dogs and horses kept or the lodge an application to keep excess numbers of animals.

The owner responded by:

- reducing the numbers of dogs kept to 6 (six)
- registering 3 (three) dogs as required
- erection of a two strand electric fence as a buffer fence to the boundary fence shared with PID127940
- lodging an application to keep 6 (six) dogs and 3 (three) horses.

The breed type of the dogs to be kept under a permit are a 6 year old Shih Tzu Crossbreed, a 7 year old Maltese Terrier, a 3 year old Shih Tzu, an adult Maltese Cross type dog and an adult Poodle Cross type dog. Additionally the horses to be kept are 2 (two) Appaloosa's and 1 (one) Australian Stockhorse type.

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The owners have provided a letter of no objection to the keeping of the excess numbers of animals from the occupant of PID127960 who is an immediate residential neighbour of the applicant.

Objections to the approval of Excess Animal Applications

Objections to the applications for the keeping of excess animals have been received from the owners of two neighbouring properties namely:

- the owners of PID127940 (9,908.68sqm residential property) whose property adjoins PID127920 on one boundary and adjoins PID127950 on another boundary, and
- the owners of PID205290 (26.71 hectare vacant block) who share common fence boundaries with both applicants' properties.

The owners of PID127940 have provided via their solicitor the following objections:

- that the keeping of excess animals will result in significant amenity impacts arising from odour from horse and dog excreta, unreasonable noise from horses and dogs, damage to boundary fences by horses, dust arising from the keeping of horses and environmental impacts from the keeping of dogs (i.e. roaming and killing of koalas and other fauna)
- a concern that the dogs will roam onto PID127940.

The owners of PID205290 provided the following objections:

- they believe the occupants of both PID127920 and PID127940 are responsible for some of the following:
 - grazing of livestock on their property without approval
 - exercising of horses and dogs on their property without approval
 - dumping of household rubbish including horse and dog waste on their property
- that dogs from PID127950 are "left to wander at large harassing livestock"
- the fencing to the rear of PID127920 is not secure enough to hold horses nor contain dogs to that address.

Standard Conditions for an Excess Animal Permit

Typically the standard conditions for the keeping of excess animals include but are not limited to:

- the holder of the permit must comply with the provisions of *Council's Local Law No.2 (Animal Management) 2011 Local Law* at all times
- all dogs over the age of three months and kept on the property at any time, must be registered with Lockyer Valley Regional Council as required by the Animal Management (Cats & Dogs) Act 2008
- if the permit holder gives away, supplies, sells or advertises dogs or puppies that were born on or after 26 May 2017, they must have a unique identifying number (a supply number)
- fencing or enclosures on the property must be maintained at all times so as to effectively enclose any animal within the bounds of the property at all times
- all faeces, offensive material or food scraps must be collected at least once daily and disposed of in an acceptable manner and not permitted to cause a nuisance by odour, insect and/or vermin attraction
- Council reserves the right to cancel this permit at any time should any conditions of the permit not be complied with
- the holder of the permit is required to pay an annual renewal fee
- this permit shall remain in effect until 30 September 2018.

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An additional condition to be added to the standard conditions is that a buffer fence must be constructed of suitable materials, and maintained in good order at all times, so as to prevent a horse from reaching over / under or through any shared boundary fencing.

The addition of this condition requiring the construction and maintenance of a buffer fence on the shared boundary fencing will prevent any issues arising from allegations of animals damaging fencing.

4. Policy and Legal Implications

Excess animal permits upon application can be approved by Council under the provisions of the Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011.

Under these local laws Council is able to apply standard (and or specific) conditions as part of its approval of an Excess Animal Permit and can also cancel an approved permit should proven breaches of the conditions of a permit be identified as having occurred without a reasonable excuse for the breach.

Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011 and its Subordinate Local Law provides for the issuing of infringement notice [equivalent to two (2) Penalty Units @ \$252 per infringement per offence per animal] in relation to proven matters of animals wandering at large, inadequate fencing or enclosures that do not prevent animals from wandering at large and or escaping the property.

The Animal Management (Cats and Dogs) Act 2008 provides for the issuing of an infringement notice [equivalent to two (2) Penalty Units @ \$252 per infringement] for the keeping of a dog over the age of three (3) months and failing to register it with the local government with a similar infringement able to be issued for the keeping of a dog and failing to renew its registration with the local government.

If any party is not satisfied with Council's decision, they are entitled to an external review by the Queensland Civil and Administrative Tribunal (QCAT).

5. Financial and Resource Implications

Any budget and resources implications 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 Corporate and Community Services will manage the requirements in line with existing delegations.

7. Communication and Engagement

Council officers have engaged with both applicants and the owners of PID127940 to understand the issues and concerns associated with these animal matters; however, due to the opposing viewpoints an amicable resolution has not been able to be reached.

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8. Conclusion

Council officers have investigated concerns raised by residents in respect to excessive animal numbers on properties in Alvisio and Forestry Roads, Adare with directions being given to comply with Council's Local Laws.

Generally fences to contain animals are in a satisfactory condition with some minor works needed to ensure animal containment and off the boundary fences.

Impacted owners subsequently made application to Council to keep excessive numbers of animals on their properties under a permit system.

Objections to the issuing of Permits have been received from owners of neighbouring properties.

The application of suitable conditions to a permit will mitigate the concerns and objections raised to the keeping of the described excess animals at the identified properties.

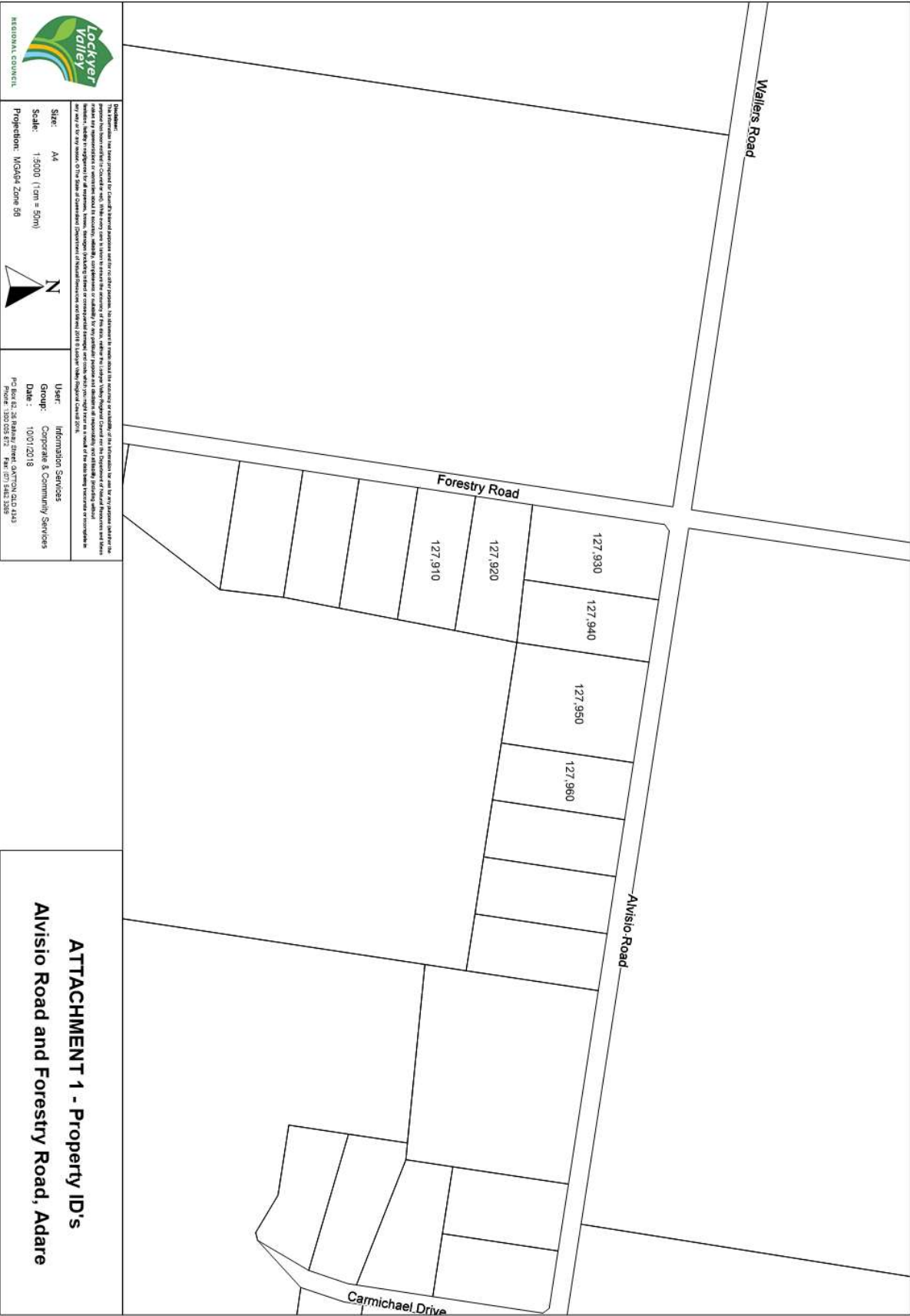
Council approval of the Excess Animal Applications lodged for the keeping of excess numbers of dogs and horses will allow for the applicants, subject to conditions, to retain their animals but will prevent the keeping of such animals from affecting the amenity of the area and therefore the lifestyles of residents in the area.

9. Action/s

1. The Chief Executive Officer approve, subject to reasonable & relevant conditions, the Excess Animal Permit Application lodged by the owners of PID127920 under the provisions of the Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011; and
2. The Chief Executive Officer approves, subject to reasonable & relevant conditions, the Excess Animal Permit Application lodged by the owners of PID127950 under the provisions of the Lockyer Valley Regional Council Local Law No. 1 (Administration) 2011 and Lockyer Valley Regional Council Local Law No. 2 (Animal Management) 2011;

Attachments

1 [View](#) Map 1 Page



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12.5

Mosquitoes of the Lockyer Valley

Date: 10 January 2018

Author: Peter Driemel, Manager Health, Waste and Regulatory Services

Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

The purpose of the report is to inform Council on the current mosquito activities occurring within the Lockyer Valley region.

Officers will continue to maintain the existing approach to mosquito management that being to monitor breeding locations when identified and educate the public on preventative mosquito methods to ensure they have appropriate knowledge on how they can protect themselves from these insects using their own self-awareness, protective equipment and lotions.

Officer's Recommendation:

THAT Council resolve to receive and note the officers report on mosquito monitoring practices;

And further;

THAT Council continue with self-awareness education to the community to ensure individuals protect themselves from these potentially disease carrying insects.

Report

1. Introduction

Council is an elected body that is responsible for the good rule and local government of a part of Queensland. Thus Council is charged with the enforcement of specified State Laws including the Public Health Act 2005 (the Act) and the Public Health Regulation 2005.

The object of the Act is includes:

- (a) Preventing, controlling and reducing risks to public health; and
- (b) Providing for the identification of, and response to, notifiable conditions; and
- (c) Inquiring into serious public health matters; and
- (d) Responding to public health emergencies; and
- (e) Providing for compliance with this Act to be monitored and enforced.

A Public Health Risk includes management of mosquitoes.

Mosquito management is critical to ensure the public safety of communities by utilising contemporary monitoring techniques in both the natural and built environments together with a measured public education program. Such activities require an "all of Government" approach.

Council continues to meet its legislative requirements to undertake mosquito monitoring and report on such activities annually to Queensland Health. Under the abovementioned Acts,

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Council is also able to conduct authorised prevention and control programs, ie. spray/fogging programs, if Council has the required resources.

2. Background

Mosquitoes come from the large biological order of insects called “Diptera”. The entomology of these insects comprises the two winged or true flies group which have the hindwings reduced to form balancing organs and includes many biting forms such as mosquitoes and tsetse flies that are vectors of disease.

Mosquitoes are blood sucking insects that are responsible for the transmission of many diseases throughout the human and animal populations of the world and form part of the Biodiversity cycle for the natural environment. Within Australia there are more than 300 different species of mosquito (77 species in Queensland), but only a small number are of major concern. Several important human diseases are transmitted throughout Australia by these insects including Dengue fever, Australian encephalitis, Ross River virus disease and Barmah Forrester virus disease. Malaria has been transmitted locally in Australia only rarely in recent decades. In addition to being disease vectors, mosquitoes can cause major disruptions, through their persistent (nuisance) biting, to occupational, recreational and social activities.

Mosquitoes have a complex life cycle where the immature stages (eggs, larvae and pupa) are totally aquatic and the adult is terrestrial. The adult female returns to a water habitat for a brief period to lay each batch of eggs. Mosquito species vary in their breeding habits, biting behaviour, host preferences and flight range. Most mosquitoes disperse less than two kilometres; some move only a few metres away from their original breeding place, others can fly some 5 or 10 kilometres, and a few species will disperse up to 50 kilometres downwind from the larval habitats.

On average, a female mosquito will live 2-3 weeks, but the male's lifespan is shorter. Within their lifetime both adult male and female will feed on nectar and plant fluids, but <http://medent.usyd.edu.au/arbovirus/mosquit/photos/aen1bf.jpg> it is only the female that will seek a blood meal. The majority of species require this blood meal as a protein source for egg development.

The mosquito breeding season is from September to April in the warmer and wetter months. The majority of notifiable disease reports received by Council are from January to April.

3. Report

Over the past two years (i.e. 2016 & 2017), Council has received 11 and 9 customer requests relating to mosquitoes respectively with such requests complaints emanating sporadically from various localities across the regional area. Details of these locations are outlined in Table 1.

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Table 1 – Number of mosquito related customer requests

Locality	2016	2017
Laidley	3	
Placid Hills	1	
Kensington Grove	2	1
Regency Downs	1	
Murphy's Creek	1	
Gatton	1	1
Plainland	1	1
Helidon Spa	1	
Postman's Ridge		1
Lockrose		1
Brightview		1
Withcott		2
Grantham		1

Due to recent rains and new community members moving into the region some residents are now seeking increased action by Council to mitigate mosquito breeding locations as well as spraying strategies for adult mosquitoes.

With the increased number of enquiries, Council has increased public awareness of preventative measures within the community by developing two fact sheets and monitoring known mosquito sites as well as at customer requests, residences.

Additionally Council receives notifications from the Department of Health of notifiable diseases reported in the Lockyer Valley as determined by the *Public Health Act 2005*. Notifiable diseases include food borne illnesses and mosquito borne diseases. In 2016, Council received 15 notifications of mosquito borne diseases, all of which were Ross River virus. In 2017 (to date), Council has received 30 notifications; 28 of which were Ross River virus and 2 of Dengue Fever. It is noted that the diseases may not have been caught within the Lockyer Valley, as was the case with the 2 Dengue Fever illnesses, but reported to a doctor in the Lockyer Valley.

With a small budget and the certain pieces of equipment on loan from Queensland Health, Council Officers have purchased, constructed and deployed a number of Ovitrap, GAT buckets, BG traps and Light traps. The range of monitoring equipment is due to the biological makeup in the mosquito species where each species adapts to their own breeding locations.

Ovitrap were initially developed for specific monitoring of the *Aedes aegypti* -Dengue fever mosquito. The Ovitrap allow the female adult mosquito to lay her eggs on a strip of material near the water's surface and for the researcher to collect the strip and analyse the egg population for number of eggs and the species of the mosquito.

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Gravid *Aedes* Traps (GAT) are a newer style of trap and were also developed to capture adult *Aedes* container breeding mosquitos. Using the GAT allows the operator to deploy a trap to collect and kill adult mosquitos which are more easily identifiable than mosquito eggs and larvae.



BioGents (BG) Sentinel traps were developed to monitor adult container breeding mosquitos such as *Aedes*, however through use it is known to catch other mosquito species and insects. Thus dependent on the user and their needs this trap can assist or hinder in mosquito monitoring and identification.



Light traps were developed to attract mosquitos by way of light and carbon dioxide (dry ice). Light traps while more expensive, run on battery and with dry ice, attracting a greater range of adult mosquitos and allowing for easy identification.

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Mosquito breeding is at its peak during the warmer months between September and April. In 2017, as part of the introduction of a state wide campaign, GAT traps were distributed to properties of selected Council staff members to gather a baseline data for the main towns of Gatton and Laidley. Officers will expand the roll out these traps to other community members this year.

Council staff have also conducted monitoring with BG traps at various Council facilities and used light traps at customer complainant's properties. Council's Health Waste & Regulatory services and Pest Management sections have been working collaboratively to deliver an effective basic mosquito surveillance and monitoring program.

As a result of monitoring a number of mosquitoes within the region have been identified which include:

- Aedes notoscriptus – can carry Ross River and dog heartworm
- Aedes vittiger – can carry Ross River
- Anopheles annulipes – can carry malaria and Ross River
- Culex quinquefasciatus (brown house mosquito) – can carry dog heartworm
- Culex annulirostris – can carry many aboviruses; Ross River, Murray Valley Kunjun virus & Japanese encephalitis
- Mansonia uniformis - unknown
- Toxorhynchites speciosus – no diseases

It should be noted no control or mitigation actions are being taken after adult monitoring surveillance.

Mosquito activities undertaken by other Local Governments in SE Qld.

Noosa Shire Council has a program to manage mosquitoes. It includes monitoring and treating mosquito-prone areas. This is done through the ground and aerial application of two main control products – Methoprene and BTI.

Sunshine Coast Regional Council also has an intensive aerial application program, using a larvicide that is harmless to humans and the environment at application levels. Control efforts are being concentrated around the wetlands of the river systems, where some of the worst mosquitoes, including the aedes vigilax variety, are known to breed. Their new approach has

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largely replaced the previous land-based ‘fogging’ treatments, which can have adverse impacts and may offend against the Environmental Protection Act 1994.

Gold Coast City Council’s majority of mosquito problems on the Gold Coast are caused by saltmarsh mosquitoes. Officers use all-terrain vehicles to access remote areas to determine if mosquito larvae have hatched. When significant numbers of mosquito larvae are found over an extensive area, helicopters are used to control the larval populations. Habitat modification, in the form of runnelling (shallow spoon shaped drains), is used in some saltmarsh areas to reduce mosquito breeding. This allows better tidal flushing and fish predators better access to the marsh. Water holding areas such as drains and freshwater wetlands are checked weekly by the City staff and treated with larvicide if breeding is present.

With the introduction of new technology, drones capable of carrying a payload of chemicals are now being deployed by some Council’s as part of their mosquito fleet equipment.

The table below shows a comparison of Lockyer Valleys activities compared to neighbouring Councils.

Table 2 – Regional Council Mosquito Monitoring Activities

Council	Monitoring	Control	Staff	Budget
Lockyer Valley	Y	N	2 x EHO Commencing training with Local Law officers	\$3,000
Southern Downs	Y	N	3 x EHO	Negligible
Western Downs	Y	N	EHO’s, Technical Officers, Compliance Officer and Local Law Officers	\$5,000
Toowoomba	Y	N	EHO’s, Technical Officers, Compliance Officer and Local Law Officers	Negligible
Scenic Rim	N	N	1 x EHO	\$2,500
Somerset	Y	N	3 x EHO	Negligible

The Manager Health Waste and Regulatory Services has also actively participated in a State Government project to review the Strategic Framework for Mosquito Management 2010 – 2015 Protocol.

The primary focus of the review which is in its final stages was on the development of key priorities for mosquito management, development of timeframes for initiatives, producing a partnership agreement and seeking endorsement from key stakeholders including the Department of Health and the Local Government Association of Queensland (LGAQ).

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4. Policy and Legal Implications

This report and recommendations align with the purpose and local government delegations of the *Public Health Act 2005* and the Strategic Framework for Mosquito Management 2010 – 2015 Protocol.

5. Financial and Resource Implications

The budget for this service is allocated for the purchasing of equipment including mosquito traps and identification paraphernalia. A service increase in the spraying or any kind of treatment of mosquito breeding sites would require an increase in funding to cover the cost of dedicated mosquito chemicals. Specialised mosquito identification training for officers and upgrades of pest management licences would also need to be covered within current training budget allocations.

6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report. The Executive Manager Corporate and Community Services will manage the requirements in line with existing delegations.

7. Communication and Engagement

Two facts sheets were developed in the previous mosquito season in conjunction with Council communication unit. The first of the fact sheets educates the reader on the different types of mosquito traps Council uses for monitoring purposes and the second is generic advice from the Queensland Health website on preventative measures for mosquito bites.

Strategically, media releases can be organised during wet weather events where there is potential for an upswing in mosquito activity and to provide the community with self-awareness precautionary measures to be taken. Such media was released late in 2017.

Should a heavy incursion of mosquitoes occur resulting in a flood of customer requests to Council, then Council officers will undertake to saturate Council's media outlets with advertising particularly if spraying activities were to be included as part of a mitigation strategy.

8. Conclusion

The number of notifiable diseases cases for mosquito borne illnesses in the Lockyer Valley remains relatively constant although the number of customer requests does increase after rain events. Council is complying with its responsibilities under the *Public Health Act 2005* for the monitoring of mosquito breeding activities.

Any further increase in service provision would likely require an increase in funding.

Currently no other neighbouring Councils undertake significant control or mitigation measures for mosquito breeding sites. Council's officers continue to proactively undertake a mosquito monitoring and identification program. Basic mosquito identification training has also commenced with local laws officers.



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9. Action/s

No further actions of are to be taken on monitoring and mitigation activities for mosquitoes.

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12.6 Local Government Approval of Referable Dam Emergency Action Plans

Date: 10 January 2018
Author: Peter Hillcoat, Manager Disaster Coordination
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

This report provides an overview of the Department of Energy and Water Supply's (DEWS) Referable Dam Emergency Action Plan (EAP) legislative requirements; in particular the responsibility placed on Local Governments in the overall approval process.

This report also recommends that Council delegate approval authority to Council's Chief Executive Officer (CEO).

Officer's Recommendation:

THAT Council note the Department of Energy and Water Supply's Referable Dam approval process as outlined in this report;

And further;

THAT Council resolve to delegate to the Council's Chief Executive Officer the approval of Dam Emergency Action Plans.

Report

1. Introduction

This report provides Council with information on the DEWS EAP approval process with a focus on the role of Local Government, in conjunction with the Local Disaster Management Group (LDMG) in the process.

2. Background

All referable dams must have an approved EAP in place.

Under the *Water Supply (Safety and Reliability) Act 2008*, an EAP must have provisions regarding:

- identification, detection and management of dam hazards, as well as dam hazard and emergency events
- how effective warnings and notifications are communicated to those potentially impacted.

Why a plan is required

An EAP is required to minimise the risk of harm to persons or property if a referable dam were to fail. Such risks can arise from a range of scenarios, including:

- significant dam releases or outflows which would risk the safety of persons or property

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- failure of elements of the dam
- failure of the complete dam.

An EAP also ensures that protocols and procedures are in place so that dam owners, local governments and disaster management groups can:

- coordinate emergency responses
- Issue notifications and warnings for people downstream of a referable dam.

3. Report

Plan approval process

Pre-approval

From 1 July 2017, an EAP must be submitted to each potentially affected local government and each district disaster management group for review before submitting an EAP to the department for approval.

Each local government will provide the dam owner with a written notice identifying any aspects of the draft emergency action plan that are inconsistent with their local disaster management plan.

The chairperson of each district disaster management group may also provide the dam owner with a similar notice. The dam owner has the opportunity to respond in writing to these notices.

A summary of the approval process is as follows:

- the dam owner (who may also be the local government) must give the local government a copy of the EAP for review
- the local government must assess the EAP for consistency with its disaster management plan. DEWS has provided a “Local Government Support Tool” to assist in the assessment and approval process. (See Attachment 1.)
- the local government must consult with the LDMG in this process
- the local government must provide a notice to the dam owner within 30 business days regarding the outcome of its assessment.

A potential issue for Council is the 30 business day timeframe in which a notice to the dam owner must be forthcoming.

The Manager Disaster Coordination discussed this issue with the CEO on the 9 January 2018 at which time the CEO agreed to accept delegated dam EAP approval responsibility should Council decide to endorse this approach.

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 allocations.

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6. Delegations/Authorisations

If the recommendations of this report are endorsed by Council, the CEO will be delegated approval of Dam Emergency Action Plans on Council's behalf.

7. Communication and Engagement

The Executive Officer of the Office of the Toowoomba District Disaster Coordinator will be notified of Council's response.

8. Conclusion

The amended dam EAP approval procedure now involves Council as well as the LDMG hence the recommendation included in this report.

9. Action/s

The Executive Officer of the Office of the Toowoomba District Disaster Coordinator will be notified of Council's response. Ongoing approval of dam EAPs.

Attachments

1 [View](#) EAP Review 5 Pages

TRIAL – Support Tool - Emergency Action Plan Assessment by Local Governments

Background - This support tool has been developed to assist a local government, when assessing an EAP for its consistency with the relevant Local Disaster Management Plan (LDMP) under section 352HC of the *Water Supply (Safety and Reliability) Act 2008* (the WSSR Act).

An effective EAP requires agreement between key parties in the disaster management area. All parties who have a role in implementation of the EAP need to agree on their roles and responsibilities.

Integrating frameworks - This support tool has been prepared with reference to WSSR Act requirements and the Emergency Management Assurance Framework (EMAF) and the Standard for Disaster Management in Queensland (the Standard), an approved standard under the *Disaster Management Act 2003*.

Responsibilities - If a local government is given a copy of an EAP for assessment by the dam owner, the local government **MUST**, in consultation with its local disaster management group (LDMG), assess the plan for consistency with its local disaster management plan (LDMP).

The local government **MUST**, within 30 business days after receiving the EAP, give the dam owner a 'notice' stating whether the local government considers the EAP is consistent with its LDMP. If the local government considers the plan is not consistent, the notice must outline the reason why the EAP is not considered consistent. The local government 'notice' should be signed by the Chief Executive Officer or appropriate delegate of the local government.

Note: This support tool remains with the local government and is not required to be sent to the dam owner, district group or the Department of Energy and Water Supply. It is for Local Government purposes only.

Name of dam owner:

Title of EAP and version number

Date EAP received

Person completing support tool

Date completed

EAP Support tool for Local Government

Risk Assessment	
What is the name of the LDMP that covers the areas of identified dam hazards and emergency events in this EAP?	
Were any members of the local government or LDMG involved in the development of this EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please indicate the level of collaboration with the dam owner in the development:	
<input type="checkbox"/> Minimal <input type="checkbox"/> Good <input type="checkbox"/> Comprehensive	
Does the EAP clearly identify the Population at Risk (PAR)?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Risk Reduction	
Are the roles and responsibilities for the below stakeholders made clear in the EAP:	
<input type="checkbox"/> Dam owner <input type="checkbox"/> Population at Risk <input type="checkbox"/> Local Council	
<input type="checkbox"/> Local Disaster Management Group <input type="checkbox"/> District Disaster Management Group	
<input type="checkbox"/> Other relevant entities	
Have the roles and responsibilities been agreed to for each dam hazard identified in the EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the dam owner outline in the EAP how it will register lessons learned following an emergency event?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Will the approved EAP be readily accessible to communities to which they relate?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are any residual risks identified in the EAP and assigned in the relevant disaster management plans?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is modelling and mapping used in the EAP to inform disaster operations, including public information and warnings?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Preparedness and Planning	
Has the local government/s or its LDMG invited the DDMG to participate in this assessment of this EAP under section 352HB of the Act?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Has any member/s of the Local Government or LDMG participated in an exercise or testing of this EAP in the last 12 months?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the Local Government or LDMG aware of learnings captured from exercises or events (including any disaster management review recommendations) implemented in the EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do all the disaster management stakeholders roles required for the activation of the EAP have the skills and knowledge required to perform their role/s? If not, what roles require further training?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a liaison officer available to the Local Council or LDMG during an emergency event under the EAP? If not, how can a liaison officer be made available?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does each relevant entity stated in the EAP agree to their priorities for disaster management and the responsibilities for key functions and roles?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the escalation points and capability limits clearly outlined in the EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Was there engagement with all stakeholders in the documenting of roles in the EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Emergency Communications	
Has the local government/s or its LDMG/s advised the DDMG of any inconsistency between the EAP and the LDMP, with particular focus on:	
<ul style="list-style-type: none"> inconsistency between the EAP and LDMP on the escalation triggers and priority order for notifications and warnings of identified dam hazards and the relevant communication systems used to relay notifications and warnings during activation of an EAP 	Yes <input type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> the communication systems – are they robust and provide for redundancy appropriate to the environment for the identified affected community/s 	Yes <input type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> consistency with the key community messages about the EAP and any relevant messaging in the relevant LDMP/s? If not, what is the inconsistency? 	Yes <input type="checkbox"/> No <input type="checkbox"/>
<ul style="list-style-type: none"> roles and responsibilities in delivering the warnings and notifications to PAR and notifications to relevant entities - are the messages: <ul style="list-style-type: none"> clearly outlined in the EAP for each dam hazard appropriate for each dam hazard trigger levels (i.e. evacuation messages and timings are consistent with LDMP) appropriate to the local environment use common language communication responsibilities are agreed 	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
Response	
Is there agreed doctrine and common language used across agencies and entities?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If not, where are there inconsistencies in the language contained in the EAP?	
Does the EAP clearly document agreed control responsibilities that stem from legislation and align with relevant disaster management plans?	Yes <input type="checkbox"/> No <input type="checkbox"/>
EAP Review Findings	
What is the current title and version number of the local disaster management plan relevant to this EAP?	
Is the EAP consistent with the above plan? Specifically, is there consistency in terms of community communications, notifications and warnings – who, how, when and priority order of messaging is clear and aligns with the above plan?	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
If not, please outline the areas of inconsistency:	

EAP Support tool for Local Government

Optional - Further considerations	
<p style="color: #E67E22;">The following questions on emergency communications provides a more in-depth Local Government Assessment, if the local government chooses to.</p> <p>Please identify if you understand the roles and responsibilities identified in the EAP for the delivery of:</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Notifications about the dam <input type="checkbox"/> Warnings about the dam <input type="checkbox"/> Communications about the dam </div> <div style="text-align: right;"> Yes <input type="checkbox"/> No <input type="checkbox"/> </div> </div>	
Is the EAP clear on the communication system(s) / method(s) used by the dam owner to notify and warn the PAR ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, will the dam owner use the Emergency Alert system as a form of communicating warnings?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the EAP clear on the communication system(s) / method(s) used by the dam owner to notify the relevant entities ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the EAP detail how and how often the dam owner will provide the disaster management groups with notifications about the dam during an emergency event?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the messages considered to be in plain language?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there community education programs to inform the community of the hazards identified in the EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there multiple delivery channels which are adaptable to meet audience needs and circumstances?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the EAP provide for communications to be accurate, reliable, relevant and timely?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the EAP provide communications that link to warning types, sources and content?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the EAP provide for communications that is consistent across, and vertically through entities and systems?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the roles and responsibilities for public information and public education on the communications outlined in the EAP agreed to and documented in the EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are you aware if the public information and education activities are regularly tested for community understanding of content, perception of authority and resultant action?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the communication system/s support the continuous flow of up-to-date critical information between stakeholders?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are roles, responsibilities and protocols for use and access to communication systems in the EAP agreed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the communication system/s in the EAP support the continuous flow of up-to-date critical information between key stakeholders?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there a redundancy in place for primary communication system/s?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the communications system/s responsive to the range of reasonably foreseeable operating environments for the dam location?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the communities at risk of impact of a dam hazard or emergency event profiled to identify and define groups?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there any identified barriers to communication outlined in the EAP?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the EAP outline that the warning messages and systems are regularly reviewed, tested and exercised?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the warning messages in the EAP delivered by entities with the authority to do so, in line with agreed documented roles and responsibilities?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the dam owner value-add to warnings with appropriate local context and content and tailor dissemination approaches to local needs?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Example format for the Local Government Notice to Dam Owner

Water Supply (Safety and Reliability) Act 2008

Section 352HB (1) provides that, if a local government is given a copy of an emergency action plan under section 352HA (a), the local government must assess the emergency action plan for consistency with its disaster management plan

Section 352HB (2) provides that, in assessing the emergency action plan, the local government must consult with its local group for the plan

Section 352HB (3) provides that, the local government must **within 30 business days** after receiving the emergency action, give the owner of the dam a notice

LOCAL GOVERNMENT NOTICE TO DAM OWNER

Water Supply (Safety and Reliability) Act 2008, Section 352HB

1. <<INSERT NAME OF LOCAL GOVERNMENT >> was given a copy of an emergency action plan (EAP) for <<insert name of dam>> by <<insert dam owner name>> on <<insert date copy EAP received by Council>> to assess its consistency with the Local Government's disaster management plan.
2. This notice is given under section 352HB of the *Water Supply (Safety and Reliability) Act 2008* (Qld).
3. <<Name of Local Government>> considers the EAP is consistent with the local government's disaster management plan

<<OR>>

<<Name of Local Government>> considers the EAP is not consistent with the local government's disaster management plan for the following reasons:

<< insert reasoning>>

Dated: <<insert date of notice>>

<INSERT NAME>

<TITLE>

<Name of Local Government>



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13. INFRASTRUCTURE WORKS AND SERVICES REPORTS

No Infrastructure Works & Services Reports

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14. ITEMS FOR INFORMATION

14.1 Inwards Correspondence for Noting

Date: 10 January 2018
Author: Stephen Hart, Coordinator Council Business
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

Attached to this report is relevant correspondence received by Council since the last Council Meeting. This correspondence is provided for Councillor's information.

This document is for Council's information only.

Report

1. Introduction

A key strategy in Council's Operational Plan 17-18 is to enhance decision making through informative reporting. To improve the flow of information to decision makers it is important that documents of a strategic nature are provided to Councillors for their information.

2. Background

The Lockyer Valley Regional Council receives a considerable amount of correspondence. While much of this correspondence is of a routine and operational nature, there are also Reports, Reviews and correspondence of a more strategic nature that is likely to be relevant for Councillor's information and consideration. Recent correspondence of this nature is attached to this report.

3. Report

Relevant correspondence received since the last Council Meeting is attached to this report for Councillor's information. This includes correspondence from:

1. Director-General Department of Infrastructure, Local Government and Planning approving the Council request for an extension of time for the Laidley flood mitigation works.
2. Chief Executive Officer Queensland Reconstruction Authority providing a further update on reforms to the National Disaster Relief and Recovery Arrangements (NDRRA).
3. Department of Prime Minister and Cabinet providing information on the Government's response to contamination by Per- and Poly- Fluoroalkyl substances that have affected some communities.
4. Director-General Transport and Main Roads responding to Council's concerns over TSRC construction vehicles unlawfully using Jones Road Withcott.



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Attachments

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3 View	Correspondence	2 Pages
4 View	Response Letter	2 Pages



Department of Infrastructure,
Local Government and Planning

Our ref: DGBN17/1414

7 DEC 2017

Mr Ian Church
Chief Executive Officer
Lockyer Valley Regional Council
PO Box 82
GATTON QLD 4343

Dear ~~Mr Church~~ *Ian*,

I refer to the variation request of 20 November 2017 from the Lockyer Valley Regional Council (the council) seeking an extension of time to complete the Laidley Flood Mitigation Works – drainage channel works and associated levee project (the project), for which funding was approved under the 2015-16 Community Resilience Fund.

I have approved the council's request for an extension of time for the completion of this project.

The project completion date is now extended to 28 February 2018. I strongly encourage you to ensure the project's completion date is met, as any further requests for an extension of time cannot be assured of approval.

The council is reminded all conditions contained within the project's funding sub-agreement must be adhered to, including all project acquittal requirements. An officer of the Department of Infrastructure, Local Government and Planning (the department) will be in contact with the council to arrange a Deed of Variation to give effect to this change.

If you require further information, I encourage you to contact Ms Rebecca McAnalen, Acting Principal Advisor, Local Government and Regional Services (South) in the department on 3452 6738 or by email at rebecca.mcanalen@dilgp.qld.gov.au.

Yours sincerely


Frankie Carroll
Director-General



Level 39
1 William Street Brisbane
PO Box 15009 City East
Queensland 4002 Australia
Telephone +61 7 3452 7009
Website www.dilgp.qld.gov.au
ABN 251 66 523 889

Queensland Reconstruction Authority

For reply please quote: QRATF/17/2922

20 December 2017

Mr Ian Church
Lockyer Valley Regional Council
PO Box 82
GATTON QLD 4343



Dear Mr Church

I write to provide you with a further update, following my letter to you 15 August 2017, on the Commonwealth Government's reform of the Natural Disaster Relief and Recovery Arrangements (NDRRA). The newly named Disaster Recovery Funding Arrangements (DRFA) are due for implementation from 1 July 2018.

Key elements of the Commonwealth Government's DRFA proposal include:

- a shift to an estimates based funding model for reconstruction of essential public assets
- retain a reimbursement model for consolidated eligible community relief and recovery expenditure (including personal hardship and distress grants, counter-disaster operations, support for business and primary producers, and community recovery packages) when relevant thresholds are met.

QRA continues to work with councils, the LGAQ, relevant state departments, as well as other states and territories through inter-jurisdictional meetings to prepare for the new arrangements.

The Queensland Government continues to advocate that any changes to the current funding model will not leave Queenslanders worse off, and is encouraged to see the following in the draft arrangements:

- the restoration estimate includes appropriate contingency allowances
- councils have autonomy to use internal plant and day labour for emergent and restoration works
- efficiencies achieved through restoration delivery may fund future resilience and mitigation projects.

Councils will need to continue to work with their Regional Liaison Officers (RLO) and prepare for delivering DRFA funded works under the new model. In preparation, it is recommended that Council:

- continues to engage with QRA regarding understanding the DRFA

Level 11, 400 George Street Brisbane
PO Box 15428 City East
Queensland 4002 Australia
Telephone +61 7 3008 7200
Facsimile +61 7 3008 7299
www.qldreconstruction.org.au

- continues to engage with QRA to refine benchmark rates and road data
- prepare for an increasing focus on demonstrating pre-disaster condition, supported by reliable asset registers and maintenance registers
- review financial and procurement systems to ensure compliance with legislative requirements.

Throughout the negotiations, testing and preparations for DRFA, QRA remains focused on providing confidence for councils that they can continue to recover quickly after a natural disaster event.

My leadership team and I will continue to provide updates to Council on the preparations for the new model. Our RLOs will also be engaging with all councils at an officer level to discuss readiness for reform.

Should you or your officers have any queries, please contact your QRA Regional Liaison Officer, or contact Jimmy Scott, General Manager Operations on 3008 7254 or by email at jimmy.scott@qldra.org.au.

Yours sincerely



Brendan Moon
Chief Executive Officer



Australian Government
Department of the Prime Minister and Cabinet



Cr Tanya Milligan
Mayor
Lockyer Valley Regional Council
PO Box 82
GATTON QLD 4343

Dear Mayor,

I am writing to provide you with information about per- and poly- fluoroalkyl substances (PFAS), and work being undertaken by the Australian Government and state and territory governments to ensure consistent, evidence-based responses that support affected communities.

The Prime Minister established the PFAS Taskforce in December 2016, to provide coordination and oversight of the Australian Government response to PFAS, and to realise the COAG commitment to ongoing collaboration between all governments to support affected communities. As part of this work, the Taskforce has been consulting closely with states and territories, and the Australian Local Government Association (ALGA), on developing guidance and protocols for government agencies for responding appropriately and consistently to PFAS contamination.

We met with ALGA recently to discuss PFAS issues and relevance to local government, and to seek advice on the best ways to provide useful information to local government bodies. This letter is one such avenue, along with a range of other approaches we are making, through ALGA and through state and territory government agencies, to ensure we keep local councils informed of developments.

PFAS are a group of manufactured chemicals that have been widely used globally, since the 1950s, in the manufacture of household and industrial products that resist heat, stains, grease and water and in other specialised applications. Because they are heat resistant and film-forming in water, some have also been used as very effective ingredients in fire-fighting foams.

The release of PFAS into the environment has become a concern because we have learned these chemicals can persist in humans, animals and the environment. Most people living in Australia will have measurable levels of PFAS in their blood due to exposure from a wide variety of PFAS-containing products. However, the background PFAS blood level in Australians is low and declining.

To date, there is no consistent evidence and no clearly demonstrated causality to confirm adverse human health effects from PFAS exposure. However, as a precaution, governments across Australia are recommending that exposure to PFAS is reduced wherever possible, and alternative water is being provided to communities where contaminated bore water was previously their main source of drinking water. Ingesting contaminated drinking water is the main exposure pathway. Other, lower risk pathways can include accidental ingestion of contaminated recreation water, and exclusively consuming homegrown produce using contaminated bore water.

It is evident that local governments have a significant role in responding to PFAS contamination, particularly at local government-owned and managed sites, such as airports, waste management facilities, and recreational areas such as public parks and swimming pools. Recent examples of Council decisions to close a public swimming pool and erect warning signs at a public beach highlighted for us the need to work together to ensure that all levels of government have access to

the same information and guidance, and follow the same evidence-based approaches. This will greatly assist to reduce community anxiety and the spread of misinformation.

To support risk assessments undertaken as part of PFAS site investigations, the Commonwealth Department of Health commissioned a report by Food Standards Australia New Zealand (FSANZ) entitled *Perfluorinated Chemicals in Food*, published in April 2017. The full FSANZ report is available at: <http://www.health.gov.au/internet/main/publishing.nsf/content/ohp-pfas-hbgv.htm#FSANZ>

FSANZ determined maximum acceptable amounts of the three main PFAS of concern that an individual could consume **on a daily basis for an entire lifetime**, without risk to health, which are expressed as Total Daily Intakes (TDIs). Based on these TDIs, the Department of Health also calculated drinking water quality and recreational water quality PFAS values for use in site investigations in Australia. These values are:

Toxicity reference value	PFOS/PFHxS		PFOA	
	ng	µg	ng	µg
Tolerable daily intake (ng or µg/kg bw/day)	20	0.02	160	0.16
Drinking water quality value (ng or µg/L)	70	0.07	560	0.56
Recreational water quality value (ng or µg/L)	700	0.7	5,600	5.6

Note: bw = body weight, ng = nanograms, µg = micrograms

Environmental regulators use these values when conducting PFAS investigations. If there are any sources of PFAS contamination in your local government area, the relevant environmental regulator will investigate and advise you and the local community of any necessary action.

The PFAS Taskforce has been working in close consultation with state/territory governments and ALGA to develop a National Framework for Responding to PFAS Contamination. This includes guidance materials for use by authorities in all levels of government with responsibilities for conducting site investigations, directing appropriate response activities, and communicating with the public. When COAG has agreed the National Framework, we will provide you with links to access these guidance materials. Please don't hesitate to contact the PFAS Taskforce at: PFAStaskforce@pmc.gov.au if you would like more information in the meantime.

PFAS contamination is a complex issue with no simple solutions. I hope that through continued engagement and access to up-to-date information, local governments will feel supported in responding to any PFAS contamination issues as they arise. The Australian Government is committed to ensuring responses to PFAS contamination are evidence-based and consistent, to provide confidence to the community about government action on this matter.

If you would like further information specific to your local government area, please seek advice from your state/territory Environment Agency, Premier's/Chief Minister's Department, or Health Department.

Yours sincerely,



Geoffrey Brown OAM
First Assistant Secretary, PFAS Taskforce
18 December 2017



Our ref: DG34592

Your ref: 3488394

Office of the
Director-General

Department of
Transport and Main Roads

20 DEC 2017

Councillor Tanya Milligan
Mayor
Lockyer Valley Regional Council
PO Box 82
GATTON QLD 4343

Dear Councillor Milligan

Thank you for your letter of 22 November 2017 about the use of council roads by construction staff as part of the Toowoomba Second Range Crossing (TSRC) project.

In relation to your concerns, Nexus Delivery has advised that it received photographs of vehicles on Jones Road, Withcott, from the Department of Transport and Main Roads (TMR) on 1 November 2017 and immediately investigated the issue. This showed that, while none of the vehicles belonged to Nexus Delivery or Nexus Infrastructure, several heavy vehicles using the road belonged to sub-contractors associated with the project.

Upon identifying these heavy vehicles, Nexus Delivery contacted all sub-contractors to reiterate that Roches Road is the approved haul route, and that the use of Jones Road is prohibited for vehicles over 4.5 tonnes. Drivers were reminded of their responsibilities and warned that penalties would apply for continued use, including removal of site access permits. Nexus Delivery reiterated these messages directly to sub-contractor staff at site meetings and issued several site-wide notices, stipulating that Jones Road was not to be used by heavy vehicles.

Since October 2017, transport inspectors from TMR have been empowered to act in relation to additional infringements and, as a result, can now enforce load limit signage on Jones Road. Infringements are now enforceable under section 104 of the Transport Operations (Road Use Management—Road Rules) Regulation 2009.

There are three offences under this section as follows, each carrying a fine of \$126.00:

- contravening a no trucks sign that has a gross vehicle mass (GVM) restriction
- contravening a no trucks sign that has a length restriction
- contravening a no truck sign where no mass or length is stipulated.

Enforcement activities commenced on Jones Road in the week of 11 December 2017, initially with patrols by transport inspectors, and thereafter, with the placement of a mobile automatic number plate recognition device.

1 William Street Brisbane
GPO Box 1549 Brisbane
Queensland 4001 Australia

Telephone +61 7 3066 7316
Facsimile +61 7 3066 7122
Website www.tmr.qld.gov.au
ABN 39 407 690 291

TMR has also requested that Nexus Delivery investigate options, including punitive measures, in relation to obtaining compliance by sub-contractors with the no-use directive on Jones Road.

TMR will keep you informed of the results of these measures.

If you require further information, I encourage you to contact Mr Andrew Wheeler, Acting Regional Director (Downs South West), TMR, by email at andrew.m.wheeler@tmr.qld.gov.au or telephone on 4639 0777.

The safety and integrity of local roads in the Lockyer Valley is important to TMR and TMR will work closely with Nexus Delivery to reinforce with its sub-contractors that they use only the approved haul routes.

I trust this information is of assistance.

Yours sincerely



Neil Scales
Director-General
Department of Transport and Main Roads



ORDINARY MEETING OF COUNCIL AGENDA 17 JANUARY 2018

14.2 Council of Mayors South East Queensland - Annual Report

Date: 21 December 2017
Author: Stephen Hart, Coordinator Council Business
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The Council of Mayors South East Queensland (COMSEQ) is a key local government advocacy organisation. Lockyer Valley Regional Council is an active member and contributor to the outcomes of that entity. The 2016/17 Annual Report is provided to detail the role, governance, membership, work outputs and the financial status of COMSEQ.

This document is for Council's information only.

Report

1. Introduction

Lockyer Valley Regional Council is a member of Council of Mayors South East Queensland (COMSEQ). This report is intended to provide Council with a brief overview of the functions and role of COMSEQ and to advise Council of some of the highlights contained in the 2016/17 Annual Report.

2. Background

COMSEQ was established in September 2005 as an independent political advocacy organisation to represent the interests of one of the nation's fastest growing regions – South East Queensland.

COMSEQ is Australia's largest regional local government advocacy organisation, representing one in seven Australians who call South East Queensland home. The membership of COMSEQ consists of the 11 Mayors representing the Councils of SEQ: Brisbane, Ipswich, Logan, Redland, and Gold Coast City Councils as well as Lockyer Valley, Scenic Rim, Somerset, Toowoomba, Moreton Bay and Sunshine Coast Regional Councils.

The COMSEQ mission is to consistently deliver better regional funding, policy and collaborative outcomes for the mayors, councils and communities of South East Queensland.

Their driving strategy is to:

- Advocate for a better resourced SEQ region with world standard infrastructure to support economic development
- Influence other levels of government to ensure that their policy and legislative positions support SEQ regional growth; and to
- Collaborate in effective and innovative cooperative programs across the SEQ region.

**ORDINARY MEETING OF
COUNCIL AGENDA
17 JANUARY 2018**

COMSEQ is governed by a Board which is comprised of the respective Councils Mayors as Directors. Cr Milligan is the LVRC Board Member and Cr Cook is the Alternate Director. The COMSEQ Board has been supported during 2016/17 by a number of Portfolios, Committees, Working Groups and Taskforces.

3. Report

The complete COMSEQ 2016/17 Annual Report is attached for Councillor's information. A number of key aspects from this period are highlighted below:

- The Lockyer and Mid Brisbane Catchment Action Plans were launched under the Resilient Rivers initiative.
- Funding was secured to develop the SEQ Food Trails online platform.
- Preparation of the pre-feasibility analysis of a potential SEQ bid for the Olympic Games.
- Gateway 1 Report of the SEQ City Deal was completed providing the scope and framework for such a City Deal.
- COMSEQ led delegations to Canberra and overseas.
- Committee meetings have largely been replaced with a new working group structure implemented for portfolios to enable both Councillor and Officers input.
- Strong engagement into the development of Shaping SEQ.
- From a financial perspective, the Directors and Auditors reports comply with relevant legislation and indicate a sustainable financial position.

Further detail can be found in the attached Annual Report and the Executive Director of COMSEQ has been programmed in to present at the 17 January 2018 Council Meeting.

Attachments

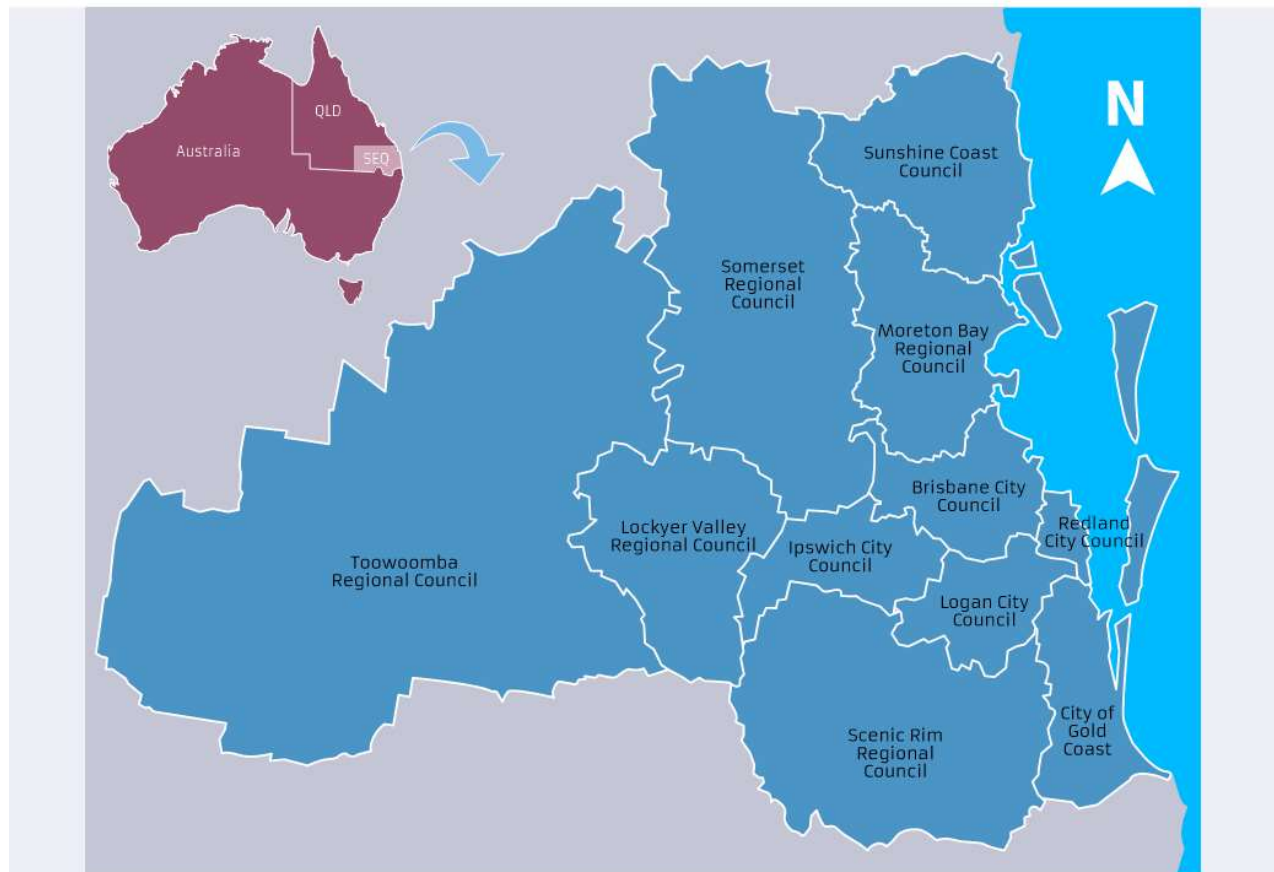
1 [View](#) Annual Report 42 Pages



Council of Mayors
South East Queensland

One Region, One Voice

One Region, One Voice



Who we are

The Council of Mayors (SEQ) is Australia's largest regional local government advocacy organisation, representing the South East Queensland (SEQ) region and the one in seven Australians who call SEQ home.

The 2016/17 membership of the Council of Mayors (SEQ) consisted of the Mayors representing the local governments of SEQ: Brisbane, Gold Coast, Ipswich, Lockyer Valley, Logan, Moreton Bay, Redland, Scenic Rim, Somerset, Sunshine Coast and Toowoomba.

Our mission

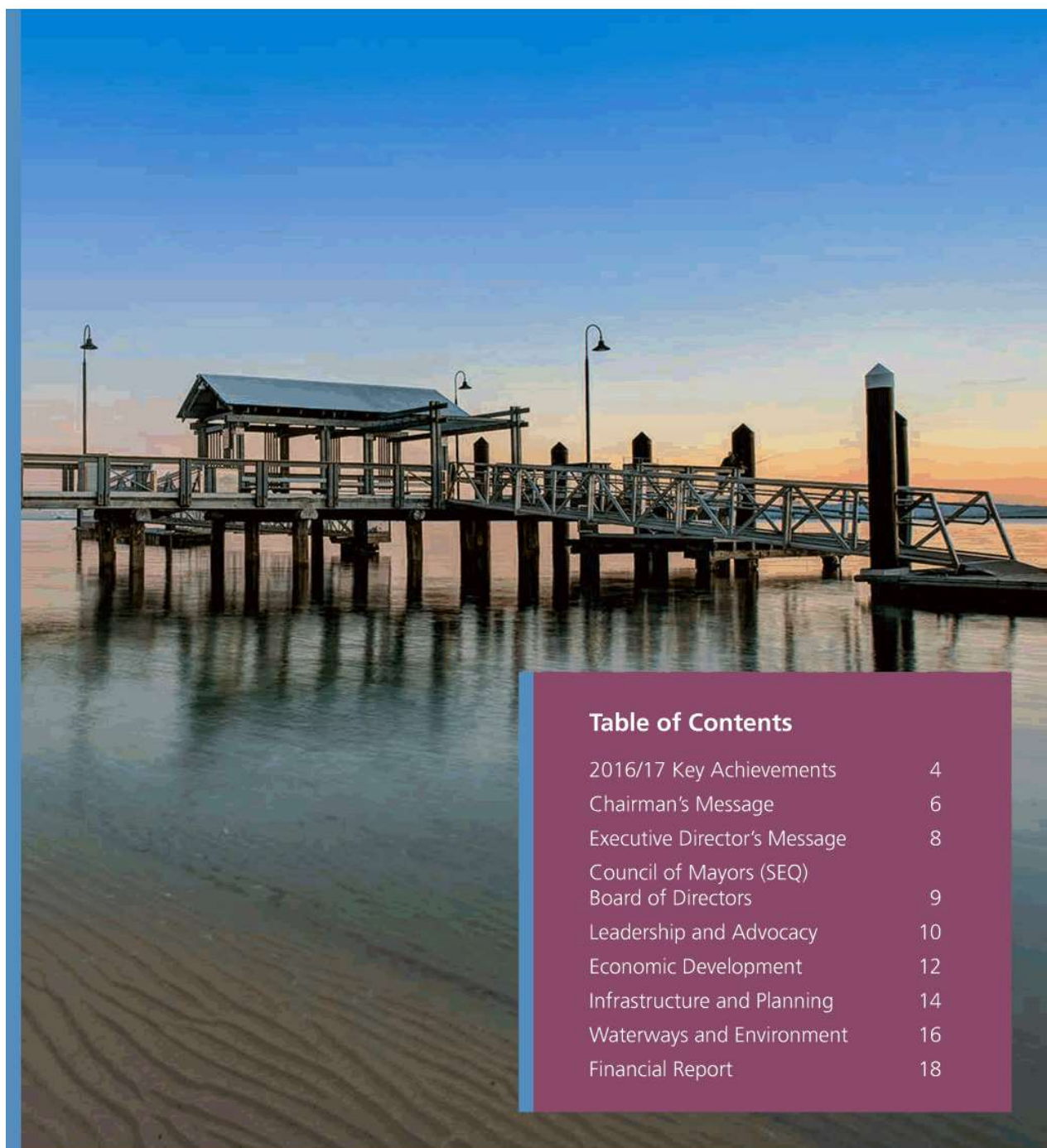
Consistently deliver better regional funding, policy and collaborative outcomes for the Mayors, councils and communities of SEQ.

Our strategy

Advocate for a better resourced SEQ region with world standard infrastructure to support economic development.

Influence the other levels of government to ensure that their policy and legislative positions support SEQ regional growth.

Collaborate in effective and innovative cooperative programs across the SEQ region.



3 Council of Mayors (SEQ) Annual Report 2016 – 2017

2016 – 2017 Key Achievements



The Lockyer and Mid Brisbane Catchment Action Plans are launched, the first two completed under the **Resilient Rivers Initiative.**



Council of Mayors (SEQ) leads one of the **largest delegations of SEQ Mayors to Canberra** to advocate for regional priorities.

Council funding secured to develop **SEQ Food Trails online platform**, an interactive guide to SEQ's foodie experiences.



Council of Mayors (SEQ) publicly releases 'Pre-feasibility Analysis of a Potential **SEQ Bid for the 2028 Olympic Games**' study.



Independent Galaxy poll gauges support for a potential SEQ Olympic Games at **more than 60%**

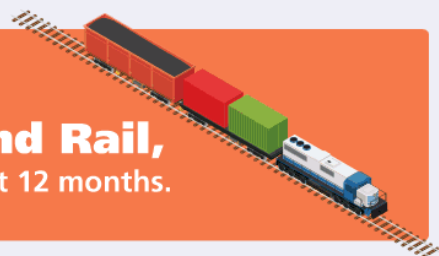


Joint agreement
between Queensland Government and Council of Mayors (SEQ) confirming regional commitment to an SEQ City Deal.



Federal budget commitment
to work with the Queensland Government and Council of Mayors (SEQ) on a strategy for City Deals in SEQ.

Secured Federal commitment of \$8.4 billion for **Melbourne to Brisbane Inland Rail**, with construction to commence within the next 12 months.



Chairman's Message

South East Queensland is a region facing an unprecedented period of transformation and growth. As its population and economy continues to grow, it takes bold leadership and a strategic vision to ensure our region continues to deliver a high quality of life for our residents and visitors.

While this growth opens the door to a plethora of possibilities, there are also a number of challenges associated with managing the region's growing population. At the heart of these challenges, is the need to ensure our region is connected, physically, digitally and globally.

This is why 2016/17 has been an important year for the Council of Mayors (SEQ) as we further our investigations and negotiations into innovative and effective ways to manage this growth. Most notably, through the exploration of an SEQ City Deal and a potential regional Olympic Games.



6 Council of Mayors (SEQ) Annual Report 2016 – 2017

As a region, we ensured the Queensland Government's support for an SEQ City Deal and received a firm indication of the Commonwealth's interest in joining us as a partner in this innovative infrastructure funding model.

We also completed the first phase, a pre-feasibility study, in a thorough investigation of the value of an SEQ Olympic Games. While this journey has a long way to go, eight SEQ councils have committed to the delivery of an Olympic feasibility program to explore whether this could be an avenue for attracting investment and interest in our region.

As always, the regional unity and collaboration that exists in SEQ continues to strengthen our discussions with the Federal and State governments. After many years of lobbying, this year delivered an \$8.4 million commitment to the Melbourne to Brisbane Inland Rail which will boost the region's freight capabilities unlike any other project we've seen.

As a group, we've also supported and advocated for a number of council projects which have the potential to deliver significant outcomes for the region including Redland's Toondah Harbour, Moreton Bay's University Precinct and the Sunshine Coast Broadband Submarine Cable.

Individually, SEQ is home to five of the ten largest councils in Australia. Together, we form a strong and powerful regional alliance with the ability to enact positive change for SEQ's businesses and communities.

I once again thank my fellow Mayors for having the regional vision and foresight to continue the important work of the Council of Mayors (SEQ), and as always, an unwavering commitment to building a better SEQ for all.

Cr Graham Quirk
Chairman



Executive Director's Message

The Council of Mayors (SEQ) experienced a period of transformation in the 2016/17 financial year, as the organisation undertook a change in leadership and a review into its existing committees to deliver a more productive and informative structure.

The public release of the 'Pre-feasibility Analysis of a Potential SEQ Bid for the 2028 Olympic Games' report in July 2016 also marked a proud moment for the team, delivering the first step in a brave new journey for SEQ.

Toowoomba Regional Council hosted the SEQ Mayors for the year's annual Strategy Workshop, where the group's focus remained firmly on advancing work in our priority areas of economic development, infrastructure and planning, and waterways and environment.

This prompted a stakeholder review of the structure and outcomes of our committees and meetings. After extensive consultation, it was decided that our traditional committee meetings would transition into a more flexible and informative arrangement.

With the exception of the economic development portfolio, committee meetings have now made way for a new working group structure and regular council roadshows. The benefit being greater exposure for all SEQ Councillors and allowing senior officers to contribute valuable input into the conversation.

Working groups can also be formed and disbanded on a needs basis, providing a structure that can easily adapt and move to ensure any emerging issues or areas of interest in SEQ can be covered. With a State election on the horizon, an Advocacy working group was the first formed to determine the region's key priorities.

The SEQ Mayors also thank previous Executive Director Peter Olah for his service as he departed the organisation in April 2017. An appointment to the position of Executive Director will be confirmed in coming financial year, bringing a fresh perspective to the leadership role.



As the Council of Mayors (SEQ) wraps up another successful year, I'd like to acknowledge our small but hardworking team that continues to advocate for the interests of SEQ. Our thanks also extends to the SEQ Mayors, Councillors and officers who make this work possible each year.

Scott Smith
Executive Director (Acting)

Council of Mayors (SEQ) Board of Directors

The 2016/17 membership of the Council of Mayors (SEQ) consisted of the eleven councils based in SEQ. Each council was represented by its Mayor on the Board of Directors:



Cr Graham Quirk (Chair)
Lord Mayor,
Brisbane City Council



**Cr Paul Antonio
(Deputy Chair)**
Mayor, Toowoomba
Regional Council



**Cr Karen Williams
(Treasurer)**
Mayor,
Redland City Council



Cr Tom Tate
Mayor,
City of Gold Coast



Cr Paul Pisasale
Mayor,
Ipswich City Council
(to 6/6/17)



Cr Paul Tully
Acting Mayor,
Ipswich City Council
(from 7/6/17 to 31/8/17)



Cr Tanya Milligan
Mayor,
Lockyer Valley
Regional Council



Cr Luke Smith
Mayor,
Logan City Council



Cr Allan Sutherland
Mayor,
Moreton Bay
Regional Council



Cr Greg Christensen
Mayor,
Scenic Rim
Regional Council



Cr Graeme Lehmann
Mayor,
Somerset
Regional Council



Cr Mark Jamieson
Mayor,
Sunshine Coast
Council

Leadership and Advocacy



In the 2016/17 financial year, the Council of Mayors (SEQ) continued its commitment to advocate for the interests of SEQ, and the one in seven Australians who call the region home.

In the previous financial year, the lack of infrastructure funding to support the needs of a growing SEQ prompted the region's Mayors to explore new and innovative ways to attract Federal and State investment.

This led to the investigation of a potential Olympic Games bid as a catalyst for expedited infrastructure delivery, economic stimulus, and the positioning of SEQ as a global destination for tourism and investment.

In July 2016, the Council of Mayors (SEQ) released the 'Pre-feasibility Analysis of a Potential SEQ Bid for the 2028 Olympic Games' study. The pre-feasibility analysis confirmed the region had the capability to successfully bid for a Games, but further investigation was needed.

Eight of the SEQ Mayors are now leading an Olympic feasibility study, including a region-wide transport and people movement study. This work will deliver a strategic roadmap to creating a better-connected region, and a valuable tool for future regional planning and decision making.

March 2017 also saw the SEQ Mayors participate in a successful mission to Canberra to highlight the region's need for safe and efficient infrastructure, as well as regional priorities including the Resilient Rivers Initiative and an SEQ City Deal.

The Canberra visit consisted of two days of meetings with key Government and Opposition representatives, and a breakfast with Ambassadors and High Commissioners from SEQ's key trading and investment partners.

The Council of Mayors (SEQ) is continuing its discussions with the Commonwealth to further negotiations around an SEQ City Deal, an innovative funding arrangement the region's Mayors have been investigating for several years.

Advocacy activities throughout this year led to the signing of a joint letter acknowledging the commitment of the Queensland Government and the SEQ Mayors to an SEQ City Deal, with an official announcement from the Federal Government expected the following year.



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Economic Development

The Economic Development Committee provides direction to the Council of Mayors (SEQ) on the identification and promotion of investment, trade and jobs creation opportunities for the communities of SEQ.

The Council of Mayors (SEQ) thanks the following members for their service throughout 2016/17 financial year:

Lord Mayor Graham Quirk (Chair),
Brisbane City Council

Mayor Paul Antonio (Deputy Chair),
Toowoomba Regional Council

Cr Hermann Vorster,
City of Gold Coast

Cr Wayne Wendt,
Ipswich City Council

Cr Chris Wilson,
Lockyer Valley Regional Council

Cr Trevina Schwarz,
Logan City Council

Cr Julie Greer,
Moreton Bay Regional Council

Cr Paul Bishop,
Redland City Council

Cr Duncan McInnes,
Scenic Rim Regional Council

Cr Cheryl Gaedtke,
Somerset Regional Council

Cr Stephen Robinson,
Sunshine Coast Council

Collaboration was a recurring theme in the Council of Mayors' (SEQ) economic development endeavours in the 2016/17 financial year.

The Council of Mayors (SEQ) collaborated with the Queensland Department of State Development, Port of Brisbane, and Brisbane, Ipswich and Logan councils to promote SEQ as an ideal destination for manufacturing business and investment at National Manufacturing Week in Melbourne.

More than 10,000 delegates and 230 exhibitors participated in the 2017 National Manufacturing Week Expo, where the delegation presented the capability of the region's advanced manufacturing industry and the potential business and lifestyle opportunities on offer in SEQ.

The Council of Mayors (SEQ) also served in an advisory capacity in the planning of the 400M AgInnovate Investment Forum held in Toowoomba in early 2017. Deputy Chair and Toowoomba Mayor Paul Antonio highlighted the strengths of SEQ as he presented to an audience of domestic and international investors.





This financial year also saw the official commencement of the SEQ Food Trails project. The Council of Mayors (SEQ) continue to work with a number of member councils to create a digital platform to capitalise on the current popularity of 'foodie' tourism and promote food and agriculture in SEQ.

A complementary piece of work is also underway, in conjunction with Moreton Bay Region Industry and Tourism, to develop the capacity of SEQ's food and agriculture sector to ensure the success of the SEQ Food Trails.

To round out a productive year of economic development activities, the Council of Mayors (SEQ) lodged a submission to the Commonwealth's Smart Cities and Suburbs fund to accelerate its Smart Region project.

Council of Mayors (SEQ) is leading the delivery of Australia's first large scale, regional long range low powered network for sensors, alongside two initial region-wide uses (flood mitigation and waste management).

The regional sensor network is designed to support the generation, collection, storage and processing of both local and regional data to solve challenges for individual councils, but more importantly, those that cross council boundaries.

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Infrastructure and Planning



The Infrastructure and Planning Committee provides direction to the Council of Mayors (SEQ) on the promotion of leading practice planning policy by all levels of government, and identifying key infrastructure priorities needed to service the growing SEQ region.

The Council of Mayors (SEQ) thanks the following members for their service throughout 2016/17 financial year:

Mayor Karen Williams (Chair),
Redland City Council
Cr Janice Holstein (Deputy Chair),
Lockyer Valley Regional Council
Cr Amanda Cooper,
Brisbane City Council
Cr Cameron Caldwell,
City of Gold Coast
Cr Andrew Antonioli,
Ipswich City Council
Cr Russell Lutton,
Logan City Council
Cr Mick Gillam,
Moreton Bay Regional Council
Cr Murray Elliot,
Redland City Council
Cr Rick Stanfield,
Scenic Rim Regional Council
Cr Dan Hall,
Somerset Regional Council
Cr Christian Dickson,
Sunshine Coast Council
Cr Carol Taylor,
Toowoomba Regional Council

In 2016/17, the Council of Mayors (SEQ) continued to protect the interests of local government throughout the development and delivery of ShapingSEQ, the new SEQ Regional Plan.

The Council of Mayors (SEQ) facilitated consultation and feedback between the SEQ Mayors and the Queensland Government in preparation for the adoption of the SEQ Regional Plan in mid 2017. This is a role the organisation will continue to play through ShapingSEQ's ongoing implementation.

This also included playing a coordination role in the development of a submission from the councils of SEQ regarding the inclusion of regional infrastructure priorities in the supporting State Infrastructure Plan.

Work on securing an SEQ City Deal progressed with the completion of the Gateway One report, an investigation into a framework to support the application of the innovative funding arrangement in SEQ.

This was followed by Deputy Premier Jackie Trad and Council of Mayors (SEQ) Chair Cr Graham Quirk signing a joint letter in March 2017 to confirm the region's readiness to commence negotiations with the Commonwealth around an SEQ City Deal.

In response, the Federal Government committed to the development of a City Deals strategy for SEQ in the latest budget announcement. The State also allocated in its latest budget an additional \$12.8 million for the Cities Transformation Taskforce to drive negotiations around an SEQ City Deal.

This financial year also saw the completion of the DA Monitoring project (Stage 1) and the delivery of a regional DA dashboard. The aim of Stage 1 was to establish a standardised reporting platform for development assessment data in Queensland.

The DA Monitoring project will continue into Stage 2 which will investigate if SEQ's strong performance in DA can be used to support advocacy for investment and infrastructure, and aid in DA process improvement across the region.

Finally, the Council of Mayors (SEQ) commenced discussions with the National Heavy Vehicle Regulator and the Local Government Association of Queensland around the use of data and technology to examine freight movements in SEQ.

As this project firms up for commencement in the following financial year, it is anticipated that the outcomes will be used to better inform council approval processes and bolster future Federal and State infrastructure advocacy.



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Waterways and Environment

The Waterways and Environment Committee provides direction to the Council of Mayors (SEQ) on the delivery of a regional approach to the management of SEQ's waterways and catchments, and regionally consistent environment and sustainability priorities.

The Council of Mayors (SEQ) thanks the following members for their service throughout 2016/17 financial year:

Mayor Greg Christensen (Chair),
Scenic Rim Regional Council

Cr David McLachlan (Deputy Chair),
Brisbane City Council

Cr Paul Taylor,
City of Gold Coast

Cr David Morrison,
Ipswich City Council

Cr Jim McDonald,
Lockyer Valley Regional Council

Cr Lisa Bradley,
Logan City Council

Cr Peter Flannery,
Moreton Bay Regional Council

Cr Wendy Boglary,
Redland City Council

Cr Nadia O'Carroll,
Scenic Rim Regional Council

Cr Helen Brieschke,
Somerset Regional Council

Cr Jenny McKay,
Sunshine Coast Council

Cr Nancy Sommerfield,
Toowoomba Regional Council



Resilient Rivers Taskforce

The Resilient Rivers Taskforce has been established to provide a governance and decision-making forum for member councils, the Commonwealth Government and the Queensland Government to manage a coordinated waterways strategy across the SEQ region.

The Council of Mayors (SEQ) thanks the following taskforce members for their service throughout 2016/17 financial year:

Lord Mayor Graham Quirk (Chair),
Brisbane City Council

Mayor Tom Tate, City of Gold Coast

Mayor Paul Pisasale, Ipswich City Council

Mayor Tanya Milligan,
Lockyer Valley Regional Council

Mayor Luke Smith, Logan City Council

Mayor Allan Sutherland,
Moreton Bay Regional Council

Mayor Karen Williams, Redland City Council

Mayor Greg Christensen,
Scenic Rim Regional Council

Mayor Graeme Lehmann,
Somerset Regional Council

Mayor Mark Jamieson, Sunshine Coast Council

Mayor Paul Antonio,
Toowoomba Regional Council

Cr Paul Tully,
Ipswich City Council

Mr Jim Reeves,
Department of Environment and Heritage Protection

Mr James Purtill,
Department of Natural Resources and Mines



The Resilient Rivers Initiative continued to grow from strength to strength during this financial year, with the public launch of the Lockyer Valley and Mid Brisbane Catchment Action Plans in late 2016.

Council of Mayors (SEQ) Chair Cr Graham Quirk and Lockyer Valley Mayor Cr Tanya Milligan joined the Lockyer Valley community in celebrating the completion of the plans to drive the delivery of vital on-ground works following the damage caused by the 2011 and 2013 floods.

The Lockyer and Mid Brisbane Catchment Action Plans were the first two to be completed as part of the Resilient Rivers Initiative, as work continued on the Logan Albert, Bremer and Lower Brisbane / Redlands plans through the year.

The timing of the finalisation of the Logan Albert Catchment Action Plan coincided with the impact of Cyclone Debbie on the south east corner of Queensland. The devastation experienced by parts of the region only served to further highlight the importance of the Resilient Rivers Initiative.

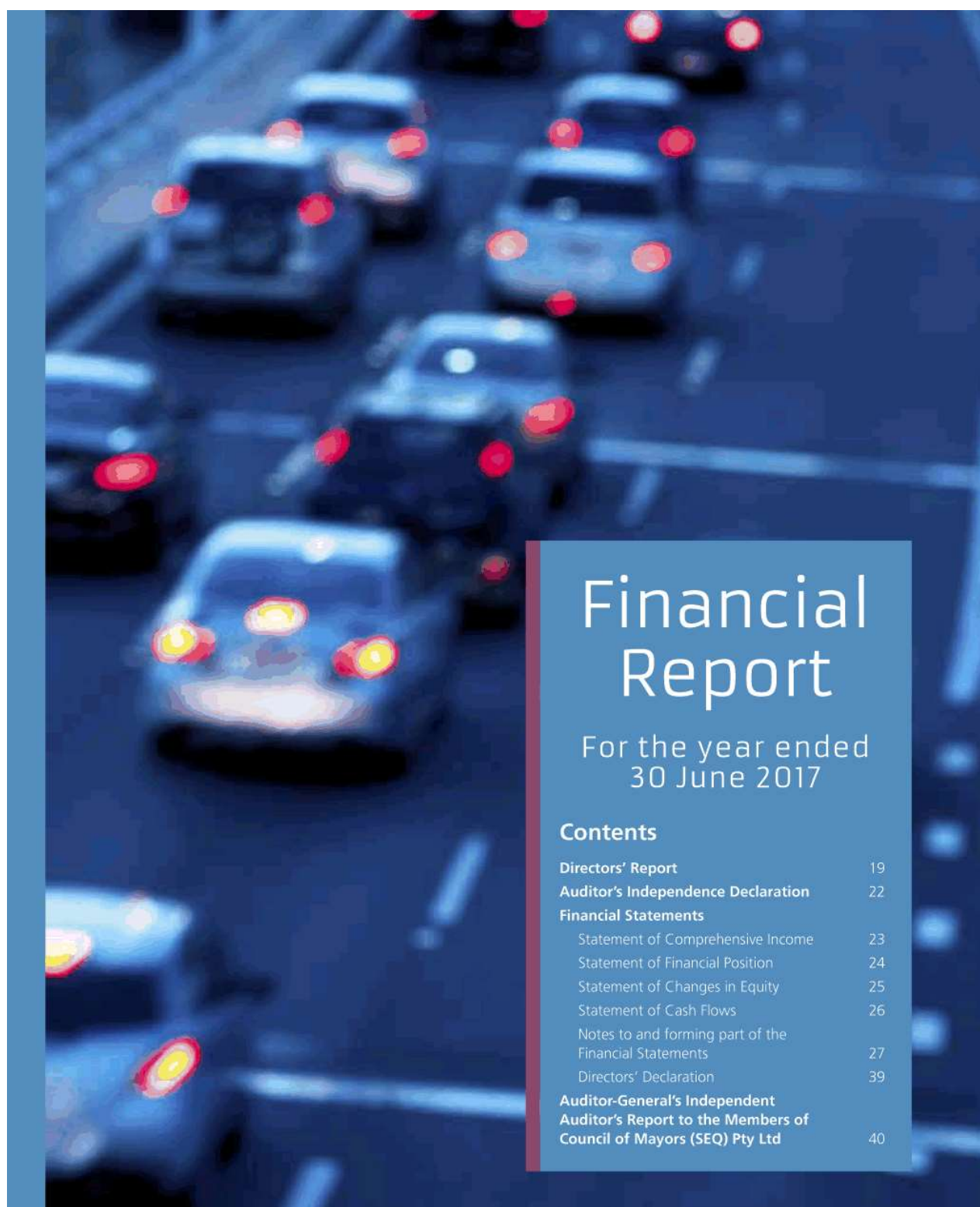
The need for a regional focus on pest management also became clear as councils led the charge against plant and animal pests across SEQ.

In December 2016, the Council of Mayors (SEQ) established the Regional Pest Management Sub Committee to define regional priorities for the State's Land Protection Fund as part of the LGAQ's overall state-wide approach.

The Council of Mayors (SEQ) also hosted two forums in the 2016/17 financial year aimed at encouraging discussions between government and industry around the strategic management of waste in SEQ.

The forums focused on resource recovery as a means to save councils money and diversify the region's economy, specifically through the faster commercialisation of priority waste streams such as organics and aggregates.

Importantly, the year ended with a commitment of pooled funds from participating councils to drive the delivery of Resilient Rivers projects throughout the region. This commitment ensures the application of the Catchment Action Plans and enables the flow of funds across council boundaries for the benefit of the region.



Council of Mayors
South East Queensland

One Region, One Voice

Director's Report



The Directors present their report and the auditor's report thereon together with the financial report of Council of Mayors (SEQ) Pty Ltd for the financial year ended 30 June 2017.

Directors

The names of Directors in office at any time during or since the end of the financial year are:

Cr Graham Quirk	1 July 2016 to present
Cr Karen Williams	1 July 2016 to present
Cr Paul Antonio	1 July 2016 to present
Cr Mark Jamieson	1 July 2016 to present
Cr Graeme Lehmann	1 July 2016 to present
Cr Paul Pisasale	1 July 2016 to 6 June 2017
Cr Allan Sutherland	1 July 2016 to present
Cr Tom Tate	1 July 2016 to present
Cr Tanya Milligan	1 July 2016 to present
Cr Luke Smith	1 July 2016 to present
Cr Greg Christensen	1 July 2016 to present
Cr Paul Tully	7 June 2017 to 31 August 2017
Cr Andrew Antonioli	31 August 2017 to present

Company Details

The company is an Australian proprietary company limited by shares, incorporated and registered in Brisbane, Queensland.

The eleven shareholder members during the 2016/2017 financial year were:

- Brisbane City Council
- City of Gold Coast
- Ipswich City Council
- Lockyer Valley Regional Council
- Logan City Council
- Moreton Bay Regional Council
- Redland City Council
- Scenic Rim Regional Council
- Somerset Regional Council
- Sunshine Coast Council
- Toowoomba Regional Council

Operating Result

The surplus of the company for the financial year ended 30 June 2017 was \$796,712 [30 June 2016 - \$154,542]. Funds provided by government entities were directed to one project which commenced in the 2014/2015 financial year and has been extended to be completed in the 2017/2018 financial year.

Review of Operations

A review of the operations of the company during the financial year shows one project that commenced in the 2014/2015 financial year has been extended to be completed in the 2017/2018 financial year. Another project was commenced in the 2015/2016 financial year that was completed in the 2016/2017 financial year.

Significant Changes in the State of Affairs

No significant changes in the company's state of affairs occurred during the financial year.

Principal Activities

The principal activities of the organisation are:

to be a political advocacy organisation that represents the interests of the residents of members of the company;

- to proactively influence Federal and State Governments to ensure the long-term viability, wellbeing and sustainability of the residents of the South East Queensland region;
- to act as an advocate to State and Federal Governments or Public Bodies on issues of concern to members;
- to collectively represent members on bodies that influence the operations of the State, regional and sub-regions and the communities of individual members;
- to speak with one voice to ensure appropriate funding and delivery of infrastructure and services for the residents of the members of the Company;
- to formulate policies and strategies that support coordinated regional growth and management of change;
- to foster co-operation amongst members on issues of mutual concern or to further joint interests; and
- to ensure relevance of the strategic priorities for the region through an annual review.

Events Subsequent to the End of the Reporting Period

No significant matters or circumstances have arisen since the end of the financial year which significantly affected or could significantly affect the operations of the company; the results of those operations or the state of affairs of the company in future financial years.

Likely Developments and Expected Results of Operations

The likely developments in the operations of the company and the expected results of 2017/2018 will be influenced by the finalisation of the project commenced in 2014 and the on-going delivery to key objectives of the 2016/2020 Strategic Plan.

Environmental Regulation

The company's operations are not regulated by any significant environmental regulation under a law of the Commonwealth or of a state or territory.

Dividends

No dividends were paid or declared during or since the end of the financial year. The Directors may not authorise the payment to members of any dividends by the company.

Options

No options over issued shares or interests in the company were granted during or since the end of the financial year.

Indemnification of Officers

Insurance premium has been paid in this financial year for Councillors and Officer Liability which covers any natural person who was, or is, or may, hereafter become a Councillor, Director, Secretary, Officer and/or Employee of the company.

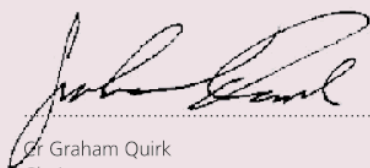
Proceedings on Behalf of Company

No person has applied for leave of court to bring proceedings on behalf of the company or intervene in any proceedings to which the company is a party to taking responsibility on behalf of the company for all or any part of these proceedings. The company was not a party to any such proceedings during the year.

Auditor's Independence Declaration


A copy of the auditor's independence declaration as required under section 307C of the *Corporations Act 2001* is set out on page 6.

Signed in accordance with a resolution of the Directors



Cr Graham Quirk
Chairman

26/10/2017



Cr Karen Williams
Treasurer

26/10/2017

Auditor's Independence Declaration

AUDITOR'S INDEPENDENCE DECLARATION

To the Directors of Council of Mayors (SEQ) Pty Ltd

This auditor's independence declaration has been provided pursuant to s.307C of the *Corporations Act 2001*.

Independence Declaration

As lead auditor for the audit of Council of Mayors (SEQ) Pty Ltd for the year ended 30 June 2017, I declare that, to the best of my knowledge and belief, there have been –

- a) no contraventions of the auditor independence requirements of the *Corporations Act 2001* in relation to the audit
- b) no contraventions of any applicable code of professional conduct in relation to the audit.




D A STOLZ
As delegate of the Auditor-General of Queensland

Queensland Audit Office
Brisbane

Financial Statements

Statement of Comprehensive Income for the Year Ended 30 June 2017

	2017 \$	2016 \$
Income		
Administration and Project Levy Contributions	2,913,481	1,536,950
Federal and State Funding	15,000	150,000
Other Income	23	30
Other Funding	87,388	95,000
Insurance Recoveries	2,193	14,132
Interest Revenue	41,903	43,571
Total Income	3,059,988	1,839,683
Expenses		
Employee Expenses	1,534,629	1,120,898
General Office Expenses	164,915	160,774
IT Expenses	87,652	110,704
Travel Expenses	46,474	27,567
Other Operating Expenses	53,808	126,082
Other Professional Fees	347,927	129,196
Depreciation Expenses	18,871	1,920
Auditing Fees—Auditor-General of Qld (note 3)	9,000	8,000
Total Expenses	2,263,276	1,685,141
Net surplus (deficit) attributable to members of the company	796,712	154,542
Other Comprehensive Income	0	0
Total Comprehensive Income attributable to members of the company	796,712	154,542

The Statement of Comprehensive Income should be read in conjunction with the accompanying notes to the financial statements.

Statement of Financial Position as at 30 June 2017

	Note	2017 \$	2016 \$
Current Assets			
Cash and Cash Equivalents	4	2,243,562	1,391,191
Trade and Other Receivables	5	38,654	14,052
Total Current Assets		2,282,216	1,405,243
Non-current Assets			
Other Receivables	6	55,000	55,000
Office Furniture and Equipment	7	14,168	15,662
Intangible Assets	8	137,510	152,650
Total Non-Current Assets		206,678	223,312
Total Assets		2,488,894	1,628,555
Current Liabilities			
Trade and other payables	9	198,819	191,955
Provisions	10	65,373	22,207
Total Current Liabilities		264,192	214,162
Non-current Liabilities			
Provisions	10	13,597	0
Total Non-current Liabilities		13,597	0
Total Liabilities		277,789	214,162
Net Assets		2,211,105	1,414,393
Equity			
Share Capital	11	11	11
Retained Earnings	12	2,211,094	1,414,382
Total Equity		2,211,105	1,414,393

The Statement of Financial Position should be read in conjunction with the accompanying notes to the financial statements.

Statement of Changes in Equity for the Year Ended 30 June 2017

2016/2017	Note	Retained Earnings \$	Share Capital \$	Total \$
Balance at beginning of year		1,414,382	11	1,414,393
Net surplus for the year	11/12	796,712	0	796,712
Balance at Year End		2,211,094	11	2,211,105

2015/2016	Note	Retained Earnings \$	Share Capital \$	Total \$
Balance at beginning of year		1,259,839	12	1,259,851
One Share Retained	11/12	1	(1)	0
Net surplus for the year		154,542	0	154,542
Balance at Year End		1,414,382	11	1,414,393

The Statement of Changes in Equity should be read in conjunction with the accompanying notes to the financial statements.

Statement of Cash Flows for the Year Ended 30 June 2017

	Note	2017 \$	2016 \$
Cash Flows From Operating Activities			
Receipts from operations		3,004,989	1,810,858
Interest Received		41,903	43,571
Total receipts from operations		3,046,892	1,854,429
Payments to suppliers and employees		(2,192,284)	(1,639,596)
Net Cash Flows used in Operating Activities	13	854,608	214,833
Cash Flows From Investing Activities			
Acquisition of assets at cost	7/8	(2,237)	(33,375)
Proceeds from sale of assets		0	0
Net Cash Flows used in Investing Activities		(2,237)	(33,375)
Cash Flows From Financing Activities			
Proceeds from the issue of share capital	11	0	0
Net Cash Flows used in Financing Activities		0	0
Net Increase / (Decrease) In Cash Held		852,371	181,458
Cash at the Beginning of the Year		1,391,191	1,209,733
Cash at the End of the Year	4	2,243,562	1,391,191

The Statement of Cash Flows should be read in conjunction with the accompanying notes to the financial statements.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

The financial statements cover Council of Mayors (SEQ) Pty Ltd as an individual entity. Council of Mayors (SEQ) Pty Ltd is a company limited by shares, incorporated and domiciled in Australia.

1. Basis of Preparation

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations of the Australian Accounting Standards Board (AASB) and the Corporations Act 2001. This company is a Not for Profit organisation as it is not operating for the surplus or gain of its individual members.

The financial statements have been prepared on an accruals basis and are based on historical costs, except where stated. Amounts in the financial statements have been rounded to the nearest Australian dollar.

2. Statement of Significant Accounting Policies

a. Income Tax

Council of Mayors (SEQ) Pty Ltd is exempt from income tax under the provisions of Item 2.1 of the table in Section 50-10 of the Income Tax Assessment Act 1997 and has been advised that it would not be required to lodge income tax returns unless and until requested to do so by the Deputy Commissioner of Taxation.

b. Office Furniture and Equipment

Office Furniture and Equipment are carried at cost, less where applicable, any accumulated depreciation. Items of office furniture and equipment with a total cost of less than \$1,000 are treated as an expense in the year of acquisition. All other items of office furniture and equipment are capitalised and subject to impairment testing.

c. Depreciation

Depreciation of Office Furniture and Equipment has been calculated on a straight-line basis over their expected useful life. This method is considered to best correspond with the underlining pattern of consumption. The estimated useful lives are assessed annually. The useful lives used for each class are:

Office Furniture	Between 3 and 4 years with zero residual value
Office Equipment	Between 3 and 10 years with zero residual value

d. Intangible Assets

Intangible assets with a cost or other value exceeding \$1,000 are recognised in the financial statements. The Development Assessment Monitoring Tool (DAMT) was fully operational as at 1 January 2017 and is amortised on a straight-line basis over the period of expected benefit to the company. Amortisation methods, estimated useful lives and residual values are reviewed at the end of each reporting period and adjusted where appropriate.

The estimated useful lives are re-assessed annually and used for each class:

Development Assessment Monitoring Tool - 5 years with zero residual value.

e. Financial Instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the company becomes a party to the contractual provisions to the instrument. For financial assets this is equivalent to the date that the company commits itself to either purchase or sell the assets (ie. trade date accounting is adopted).

Classification and subsequent measurement

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

Short-Term maturity investments

These investments have fixed maturities for a period of between two and seven months, and it is the company's intention to hold these investments to maturity. These short-term investments held by the company are stated at the amortised cost until interest is actually received into the accounts.

f. Employee Benefits

Employee benefits relate to amounts expected to be paid to or on behalf of employees for annual leave, long service leave, worker's compensation and superannuation. A liability is recognised for employee benefits arising from services rendered by employees to the end of the reporting period.

Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled. Employee benefits payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases.

Superannuation

Employer superannuation contributions are paid to LGIA Super, the default employer superannuation fund for the company at contribution rates determined by each employee's contract of employment. Employees are also entitled to choose their own superannuation fund whereby superannuation fund payments are paid to Q Super, Sun Super, Australian Super, Host Plus Super, Wealth Smart Super, Suncorp Super and Self-Management Superannuation Funds. Contributions are expensed in the period in which they are paid or payable.

g. Cash and Cash Equivalents

Cash and Cash Equivalents include cash on hand, deposits held at call with banks, and other short fixed term highly liquid investments with original maturities of seven months or less. The company does not have a bank overdraft; does not enter into transactions for speculative purposes, nor for hedging.

A new bank account was opened in the 2016/2017 financial year pertaining to the Resilient Rivers Catchment Investment Program. At 2016/2017 year's end, Total Revenue was \$588,500 with Cash at Bank balance \$588,521.

h. Income

Income is recognised when revenue has been earned and can be measured reliably with sufficient degree of certainty. Administration and Project levy contributions are recognised upon resolution of financial commitment of financial funding at General Meetings by members for the financial period (refer to Note 17).

Grant funding that is non-reciprocal in nature is recognised as revenue in the year in which the company obtains control of the funds. The company did not receive reciprocal grants. All revenue is stated net of the amount of goods and services tax (GST). Interest Revenue is brought to account when earned.

i. Trade and Other Receivables

Receivables are recognised at the amounts due at the time of sale or service delivery. The collectivity is assessed at period end and an allowance is made for impairment.

j. Trade and Other Payables

Payables are recognised upon receipt of the goods or services ordered and are measured at the agreed purchase/contract price net of applicable discounts.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

k. Goods and Services Tax

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Tax Office (ATO). In these circumstances, GST is recognised as part of the cost of acquisition of the asset or as part of the item of expense.

Receivables and Payables are stated with the amount of GST included. The net amount of GST recoverable from the ATO is included as a current asset in the statement of financial position. The net amount of GST payable to the ATO is included as a current liability in the statement of financial position.

l. Operating Lease

Operating lease payments are representative of the pattern of benefits derived from the leased assets and are expensed in the periods in which they are incurred.

m. Share Capital

Share capital is comprised of eleven equal par value fully paid shares of \$1.00 held by each of the eleven members.

n. Accounting Estimates/Significant Management Judgments

The preparation of financial statements necessarily requires the determination and use of certain critical accounting estimates, assumptions, and management judgments that have the potential to cause a material adjustment to the carrying amounts of assets and liabilities within the next financial year and are outlined in the following statements notes:

- Property, Plant and Equipment – Note 7
- Intangible Assets – Note 8

Such estimates, judgments and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised and in future periods as relevant.

o. Disclosure of Membership in Other Entities

The company was accepted as a shareholder member of SEQ Catchments Ltd on 5 August 2010 by the original shareholder member with 50% shareholder ownership and voting rights with a total contribution of \$nil.

On 28 June 2016 SEQ Catchments Ltd merged with Health Waterways Ltd and established the new entity Healthy Waterways and Catchments Ltd being a Not for Profit company limited by guarantee. A transition board of directors was elected on 28 June 2016 until the Annual General Meeting is held as scheduled in December 2017. In this past financial year, the company changed its business name to Healthy Land and Water Ltd. Council of Mayors (SEQ) is one of three members of this entity with voting rights of 25% with no risks or rewards associated with being a member of this entity.

Based on the number and composition of the directors of Healthy Land and Water Ltd, Council of Mayors (SEQ) Pty Ltd does not have significant influence over Healthy Land and Water Ltd.

p. Issuance of Financial Statements

The financial statements are authorised for issue by the Directors at the date of signing the Directors' Declaration.

q. Accounting standards issued but not yet effective and not been adopted early

At the date of authorisation of this report there are no standards issued but not yet effective that are expected to have a material impact on the financial statements. The relevant standards are listed below:

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

AASB 124 – Related Party Disclosures

From reporting periods beginning on or after 1 July 2016, the company is bound to comply with the requirements of AASB 124 Related Party Disclosures. This accounting standard requires a range of disclosures about the remuneration of key management personnel, transactions with related parties/entities, and relationships between parent and controlled entities.

The most significant implications of AASB 124 for the company's financial statements will be the disclosures to be made about transactions with related parties, including transactions with key management personnel or close members of their families (refer to Note 16).

AASB 15 Revenue from contracts with customers

This Standard will become effective from reporting periods beginning on or after 1 January 2018 and contains much more detailed requirements for the accounting for certain types of revenue from customers.

Depending on the specific contractual terms, the new requirements may potentially result in a change to the timing of revenue from sales of the company's goods and services, such that some revenue may need to be deferred to a later reporting period to the extent that the company has received cash but has not met its associated obligations (such amounts would be reported as a liability (unearned revenue) in the meantime). The company is yet to complete an analysis of current arrangements for sale of its goods and services.

AASB 9 Financial Instruments

This Standard will become effective from reporting periods beginning on or after 1 January 2018.

AASB 9 replaces AASB 139 Financial Instruments: Recognition and Measurement and changes the classification, measurement and disclosure of financial assets. AASB 9 will introduce different criteria for whether financial assets can be measured at amortised cost or fair value. The impact is expected to be immaterial.

AASB 16 Leases

This Standard will become effective for reporting periods beginning on or after 1 January 2019.

AASB 16 will require the recognition of all leases on the balance sheet. A lease liability will be initially measured at the present value of the lease payments to be made over the lease term. The company has not yet quantified the impact on the Statement of Comprehensive Income or the Statement of Financial Position of applying AASB 16 to its current operating leases, including the extent of additional disclosure required.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

3. Auditors Remuneration

Total audit fees quoted by the Queensland Audit Office relating to the 2016/2017 financial statements are \$9,000 [2015/2016 \$9,000].

4. Cash and Cash Equivalents

	2017 \$	2016 \$
Cash at Bank and in hand	1,743,562	641,191
Short Fixed Term Bank Deposits	500,000	750,000
Total Cash and Cash Equivalents	2,243,562	1,391,191

5. Trade and Other Receivables

	2017 \$	2016 \$
Trade and Other Receivables	27,148	5,658
Prepayments	11,506	0
GST Receivables	0	8,394
Total Trade and Other Receivables	38,654	14,052

6. Other Receivables

	2017 \$	2016 \$
Receivables - Bank Guarantee	55,000	55,000
Total Other Receivables	55,000	55,000

7. Office Furniture and Equipment

	2017 \$	2016 \$
Office Furniture and Equipment at Cost	27,449	25,212
Less Accumulated Depreciation	(13,281)	(9,550)
Total Office Furniture and Equipment	14,168	15,662

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

Balance at 1 July 2015	9,057
Additions	8,525
Disposals - written down value	0
Depreciation Expense	1,920
Carrying Amount as at 30 June 2016	15,662

Balance at 1 July 2016	15,662
Additions	2,237
Disposals - written down value	0
Depreciation Expense	3,731
Carrying Amount as at 30 June 2017	14,168

8. Intangible Assets	2017	2016
	\$	\$
Opening Balance	152,650	127,800
Work in Progress	0	24,850
Amortisation Expense	15,140	0
Total Intangible Assets	137,510	152,650

9. Trade and Other Payables	2017	2016
	\$	\$
Trade Payables	12,739	103,953
Employee Benefits – Accrued Annual Leave	96,310	70,200
Employee Benefits – Accrued Salaries	21,675	17,802
GST Payables	68,095	0
Total Trade and Other Payables	198,819	191,955

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

10. Provisions	2017	2016
	\$	\$
Current Provisions		
Provisions for Long Service Leave	65,373	22,207
Total Current Provisions	65,373	22,207
Non-Current Provisions		
Provisions for Long Service Leave	13,597	0
Total Non-Current Provisions	13,597	0
Total Provisions	78,970	22,207
	2017	2016
	\$	\$
Current Long Service Leave		
Opening Balance	22,207	19,554
Additional Provisions	43,166	2,653
Amounts Used	0	0
Balance At Year End	65,373	22,207
	2017	2016
	\$	\$
Non-Current Long Service Leave		
Opening Balance	0	0
Additional Provisions	13,597	0
Amounts Used	0	0
Balance At Year End	13,597	0

A provision has been recognised for current and non-current employee benefits relating to long service leave for employees. The provision for long service leave represented the present value of the estimated future cash outflows to be made by the company resulting from employees' services provided up to balance date. Three employees are currently eligible for long service leave benefits, and one employee is eligible for long service leave benefits in the 2017/2018 financial year.

The provision comprises amounts that the company has a present obligation to pay resulting from employees' services provided up to balance date and an estimate of future obligations taking into account future increases in wage and salary rates, periods of service and experience of employee departures. Related on-costs have also been included in the provision.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

11. Share Capital	2017	2016
	\$	\$
Fully paid ordinary shares – each share \$1 par value	11	12
Beginning of reporting period	11	12
Additions	0	0
Disposals	0	(1)
At the end of the reporting period	11	11
Total Issued Capital	11	11

At shareholders' meetings each ordinary share is entitled to one vote when a poll is called, otherwise each shareholder has one vote on a show of hands. For the 2015/2016 financial year, Council of Mayors (SEQ) disposed of one shareholding from Noosa Council as at 2 July 2015. No changes have occurred in the 2016/2017 financial year.

12. Retained Earnings	2017	2016
	\$	\$
Opening Balance	1,414,382	1,259,839
One Share Retained	0	1
Surplus/Deficit	796,712	154,542
Total Retained Earnings	2,211,094	1,414,382

13. Reconciliations of Cash Flows used in Operating Activities to Operating Result for the period	2017	2016
	\$	\$
Net Surplus / (Deficit)	796,712	154,542
Non-cash flows in surplus from ordinary activities:		
Depreciation	18,871	1,920
Change in assets and liabilities:		
(Increase)/decrease in trade and other receivables	(13,096)	14,746
Increase/(decrease) in trade and other payables	(4,641)	40,972
Increase/(decrease) in Provisions	56,762	2,654
Total Cash Flow from Operating Activities	854,608	214,833

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

14. Contingent Liabilities and Contingent Assets

There are no contingent liabilities that may become payable or any contingent assets that may become receivable.

15. Commitments for Expenditure

	2017	2016
	\$	\$
Operating Lease Commitments		
Not later than 1 year	126,766	119,796
Later than 1 year but not greater than 5 years	213,967	331,477
Later than 5 years	0	0
Total Operating Leases	340,733	451,273

The Operating Lease rentals of property, plant and equipment contracted for at balance date but not provided for in the financial statements are payable (inclusive GST) as listed above.

	2017	2016
	\$	\$
Operating Contract Commitments		
Not later than 1 year	33,455	248,600
Later than 1 year but not greater than 5 years	0	0
Total Operating Contracts	33,455	248,600

The Operating Contract Agreements contracted for at balance date but not provided for in the financial statements are payable (inclusive GST) as listed above.

	2017	2016
	\$	\$
Capital Commitments		
Not later than 1 year	42,350	42,350
Later than 1 year but not greater than 5 years	0	0
Total Capital Commitments	42,350	42,350

The Capital Commitment contracted for at balance date but not provided for in the financial statements is payable (inclusive GST) as listed above.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

16. Key Management Personnel (KMP) Disclosures

a. Details of Key Management Personnel

As from the financial year 2016/2017, the company's Directors, Alternate Directors, Executive Director and Acting Executive Director are identified as KMPs, consistent with additional guidance included in the revised version of AASB 124 Related Party Disclosures.

Position

Directors and Alternate Directors

Position Responsibility

All directors have one equal vote each with all having authority and responsibility for planning, directing and controlling the activities of the entity.

Executive Director and Acting Executive Director

The position is responsible for the efficient, effective and economic administration of the company

b. KMP Remuneration Policies

Key Management Personnel who hold the position of a director or alternate director do not receive any remuneration or employee benefits from the company. Under the company's constitution, a director of this company must also hold the position of Mayor in their respective council.

Remuneration policy for the company's key executive management personnel is set by the Executive Committee of the company. The remuneration and other terms of employment for the key executive management personnel is specified in the employment contract. The contract provides for the provision of performance-related cash bonuses and other benefits including motor vehicles.

	2017 \$
c. KMP Remuneration Compensation	
Short-term employee benefits	280,392
Post-employment benefits	39,001
Long-term benefits	0
Termination benefits	116,829

d. Related Party Transactions

Transactions between shareholders councils and the company are considered and voted on at regular Directors' meetings. No individual council has influence or control over the activities of the company.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

17. Economic Dependency

Council of Mayors (SEQ) activities are dependent upon subscription funding from eleven shareholder member councils. Subscriptions for 2017/2018 year have been approved by each of the eleven shareholder member councils. The company also receives project funding from participating councils to cover funding requirements for the delivery of projects.

18. Financial Instruments Disclosure

a. Financial Risk Management

The Board of Directors has the authority to control and manage the company's financial affairs, with development and adherence to the company budget, bank authorisations and day to day management.

Investments are subject to market fluctuations with this exposure limited due to all investments deposited with Australian banks. The company's principal financial instruments comprise cash and short-term deposits, with other financial assets and liabilities such as trade receivables and payables, which arise directly from its operations.

b. Credit Risk

Credit Risk exposure refers to a situation where the company may incur financial loss as a result of another party to a financial instrument failing to discharge their obligations. All receivables other than the non-current bank guarantee of \$55,000 are considered current and receivable within 30 days. The non-current bank guarantee is not due until 31 January 2020. No receivables are considered impaired.

The maximum exposure to credit risk at balance date to recognised financial assets is the carrying amount of those assets as disclosed in the statement of financial position and notes to the financial statements. As at year end, Trade and Other Receivables have a balance of \$93,654 [30 June 2016 – \$69,052].

c. Liquidity Risk

Liquidity risk refers to the ability of an entity to meet its obligations associated with financial liabilities. The company manages this risk through the following mechanisms:

- subscriptions for the financial period are invoiced at the beginning of the period and paid within 30 days of invoice date;
- preparing forward-looking cash flow analysis in relation to its operational, investing and financing activities;
- monitoring undrawn credit facilities (credit card balances);
- maintaining a reputable credit profile;
- managing credit risk related to financial assets;
- only investing surplus cash with major financial institutions; and
- comparing the maturity profile of financial liabilities with the realisation profile of financial assets.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2017

		Floating Interest Bearing	Non-Interest Bearing <1 year	Non-Interest Bearing >1 year	Total
2017	Note	\$	\$	\$	\$
Financial Liabilities					
Trade and Other Payables	9	0	198,819	0	198,819
Total Financial Liabilities		0	198,819	0	198,819

		Floating Interest Bearing	Non-Interest Bearing <1 year	Non-Interest Bearing >1 year	Total
2016	Note	\$	\$	\$	\$
Financial Liabilities					
Trade and Other Payables	9	0	191,955	0	191,955
Total Financial Liabilities		0	191,955	0	191,955

d. Interest Rate Risk

Interest Rate Risk refers to possible fluctuations in the values of financial instruments as a result of changes in market rates. Exposure to interest rate risk arises predominantly from assets and liabilities bearing variable interest rates as the company intends to hold financial assets and liabilities to maturity.

e. Fair Values

The fair value of the financial assets and liabilities is assumed to approximate their value of the original transaction, less allowance for impairment.

19. Events subsequent to the end of the Reporting Period

There are no significant events subsequent to the reporting date which require disclosure.

20. Company details

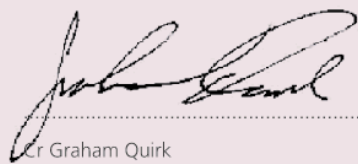
The Registered Office of the company is:
Level 12, Suncorp Plaza Building,
143 Turbot Street
Brisbane Qld 4000

Director's Declaration

In the opinion of the directors of Council of Mayors (SEQ) Pty Ltd:

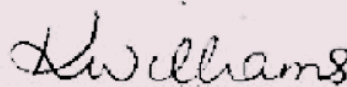
1. The financial statements and notes of Council of Mayors (SEQ) Pty Ltd are in accordance with the Corporations Act 2001, including:
 - (a) complying with the Australian Accounting Standards (including the Australian Accounting interpretations) and the Corporations Regulations 2001; and
 - (b) giving a true and fair view of the company's financial position as at 30 June 2017 and of its performance for the year ended on that date.
2. There are reasonable grounds to believe that Council of Mayors (SEQ) Pty Ltd will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Board of Directors.



Cr Graham Quirk
Chairman

26/10/2017



Cr Karen Williams
Treasurer

26/10/2017

Independent Auditor's Report

INDEPENDENT AUDITOR'S REPORT

To the Members of Council of Mayors (SEQ) Pty Ltd

Report on the audit of the financial report

Opinion

I have audited the accompanying financial report of Council of Mayors (SEQ) Pty Ltd.

In my opinion, the financial report:

- a) gives a true and fair view of the company's financial position as at 30 June 2017, and its financial performance and cash flows for the year then ended
- b) complies with the *Corporations Act 2001*, the *Corporations Regulations 2001* and Australian Accounting Standards.

The financial report comprises the statement of financial position as at 30 June 2017, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements including summaries of significant accounting policies and other explanatory information, and the directors' declaration.

Basis for opinion

I conducted my audit in accordance with the *Auditor-General of Queensland Auditing Standards*, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report.

I am independent of the company in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code and the *Auditor-General of Queensland Auditing Standards*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Other information

Other information comprises the information included in the Directors' Report for the year ended 30 June 2017, but does not include the financial report and my auditor's report thereon.

The directors are responsible for the other information.

My opinion on the financial report does not cover the other information and accordingly I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

Responsibilities of the company for the financial report

The company's directors are responsible for the preparation of the financial report that gives a true and fair view in accordance with the *Corporations Act 2001*, the *Corporations Regulations 2001* and Australian Accounting Standards, and for such internal control as the company's directors determine is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

The company's directors are also responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the company or to cease operations, or has no realistic alternative but to do so.

Auditor's responsibilities for the audit of the financial report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for expressing an opinion on the effectiveness of the company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the company.
- Conclude on the appropriateness of the company's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the company's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. I base my conclusions on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the company's directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.


D A STOLZ
as delegate of the Auditor-General



Queensland Audit Office
Brisbane

One Region, One Voice



Council of Mayors
South East Queensland

Council of Mayors (SEQ)
Level 12, 143 Turbot Street, Brisbane, QLD 4000
PO Box 12995, George Street, QLD 4003
www.seqmayors.qld.gov.au

**ORDINARY MEETING OF
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17 JANUARY 2018**

14.3 Recruitment of Local Workers for Large Resource Projects

Date: 21 December 2017
Author: Stephen Hart, Coordinator Council Business
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to advise Council of the commencement of the *Strong and Sustainable Resource Communities Act 2017* and to provide Council with a copy of correspondence received from the Coordinator-General on the implementation of this legislation. The Coordinator-General has advised of his intention to list 3 Large Resource Projects that are within a specified radius of communities within the Local Valley Region. This triggers certain requirements for these projects in the operations phase.

This document is for Council's information only.

Report

1. Introduction

The *Strong and Sustainable Resource Communities Act 2017* (the Act) was given assent in August 2017 and will commence on 30 March 2018. This legislation is intended to benefit residents of communities in the vicinity of large resource projects during their operation.

The legislation will require owners of such projects to:

- prepare a social impact assessment,
- employ people from nearby regional communities, and
- not discriminate against such residents.

The Coordinator-General has now written to Council advising that he is preparing a list of projects and affected regional communities that may be captured by the legislation.

2. Background

The Act is intended to prevent the use of 100% fly-in, fly-out (FIFO) workforce arrangements on operational large resource projects. The intention is to prevent discrimination against locals in the recruitment of workers. The Act also spells out additional Social Impact Assessment processes for large resource projects.

The Act will apply to large resource projects that have a nearby regional community. A large resource project is one that requires an environmental impact statement (EIS) or that holds a site specific environmental authority and has a workforce of 100 or more workers (or a smaller workforce decided by the Coordinator General).



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A nearby regional community is a town that is within a 125 km radius (or a greater or smaller radius decided by the Coordinator General) and that has a population of more than 200 people (or a smaller population decided by the Coordinator- General).

The Coordinator-General's letter advises of the list of Large Resource Projects and the communities within the Lockyer Valley Region to which the legislation may apply. Feedback on the list is sought.

3. Report

The Coordinator-General has identified 3 Large Resource Projects that are relevant for Lockyer Valley Communities. Please refer to the attached Maps indicating the 125 km radius from those project locations.

Meandu Mine is located west of Yarraman. The 125 Km radius includes all communities within the Lockyer Valley.

New Acland Mine is located north of Jondaryan on the Darling Downs. The 125 km radius includes all communities within the Lockyer Valley.

Queensland Curtis Liquefied Natural Gas Project is located between Dalby and Tara on the Darling Downs. The 125 km radius does enter the Locker Valley though only captures the Withcott and Murphy's Creek communities.

If the objectives of the Act can be met this should encourage the employment of residents from these communities rather than the use of FIFO workers.

The Coordinator General does have discretion to increase or decrease the radius utilised to identify nearby regional communities. If considered beneficial, Council may wish to advocate for an increased radius to capture more of the Lockyer Valley Region. However, this may not be of significant benefit as it would also capture other communities from other regions and there are diminishing benefits in terms of job attractiveness as the radius increases.

The enforcement of the legislation and the avoidance of tokenism with local employment will need to be well managed by the State if the objectives are to be met.

It may also be relevant to note that it was indicated in the recent Productivity Commission Report - *Transitioning Regional Economies* that workers, whether FIFO or employed locally, do not remain in the region after the investment phase or the operations phase unless there is sustainable economic activity in the area.

Attachments

1View	Letter	3 Pages
2View	Fact Sheet	2 Pages
3View	Maps	3 Pages



Our ref: OUT17/8381

Office of the
Coordinator-General

20 December 2017

Councillor Tanya Milligan
Mayor
Lockyer Valley Regional Council
PO Box 82
GATTON QLD 4343

Email: tmilligan@lvrc.qld.gov.au

Dear Councillor

I am writing regarding the potential application of the *Strong and Sustainable Resource Communities Act 2017* (SSRC Act) to nearby regional communities within the local government area of Lockyer Valley Regional Council. The SSRC Act will commence on 30 March 2018.

The SSRC Act prevents the use of 100 per cent fly-in, fly-out (FIFO) workforce arrangements on operational large resource projects which have a nearby regional community.

The anti-discrimination provisions of the SSRC Act, which include amendments to the *Anti-Discrimination Act 1991*, prevent discrimination against locals in the future recruitment of workers for large resource projects that have a nearby regional community.

I am required to prepare and publish a list of the large resource projects and their nearby regional community/s in accordance with section 13 of the SSRC Act.

The list must include:

- (a) the name of each nearby regional community for the large resource project
- (b) the name of the large resource project and the date the operational phase of the project started
- (c) the name of the owner of the large resource project
- (d) if the ownership of the large resource project changes, the name of the new owner, the previous owner and the date ownership changed.

The draft list that I am preparing to support the commencement of the SSRC Act will include those projects that are operational or under construction.

1 William Street
PO Box 15517 City East
Queensland 4002 Australia
Telephone +61 7 3452 7100
www.statedevelopment.qld.gov.au
ABN 29 230 178 530

Large resource projects relevant to your local government area are identified in an enclosure to this letter. I am seeking input on this initial list of large resource projects by writing to the owners of large resource projects and the local governments identified as having nearby regional communities.

A link to the maps of large resource projects and their corresponding nearby regional communities has been provided in the email with this letter for your reference. Please provide any comments by 8 February 2018 to SSRCenquiries@coordinatorgeneral.qld.gov.au.

Post commencement, the SSRC Act anti-discrimination provisions will take effect from when I publish the list. The FIFO provisions will take effect for a project six months following my publication of the project on the list. I will give priority to the publication of the list as soon as practicable following commencement of the SSRC Act.

This initial draft list is not based on any discretionary decisions I could make in the definitions of large resource project and nearby regional communities. It is based solely on mapping towns within the 125 km radius in the SSRC Act. I would consider such discretionary decisions following commencement of the Act and after I receive feedback on the initial list.

A factsheet providing further information about the SSRC Act is available at: <https://www.statedevelopment.qld.gov.au/assessments-and-approvals/social-impact-assessment.html>.

If you require any further information, please contact Ms Kym Calderwood, Manager, SIA, Coordinated Project Delivery, Office of the Coordinator-General, Department of State Development, Manufacturing, Infrastructure and Planning on 3452 7485 or email SSRCenquiries@coordinatorgeneral.qld.gov.au.

Yours sincerely



Barry Broe
Coordinator-General

Enc (3)

cc: Mr Ian Church
Chief Executive Officer
Lockyer Valley Regional Council
Email: ceo@lockyer.qld.gov.au

Large resource project/s:

- Meandu Mine
- New Acland Mine
- Queensland Curtis Liquefied Natural Gas

The Coordinator-General

Strong and Sustainable Resource Communities Act 2017

FACTSHEET
DECEMBER
2017

The object of the *Strong and Sustainable Resource Communities Act 2017* (the Act) is to introduce legislation to ensure residents of communities near large resource projects benefit from the construction and operation of the projects.

What will the Act do?

The Act will:

- prevent the use of 100 per cent fly-in, fly-out (FIFO) workforce arrangements on operational large resource projects
- through amendments to the *Anti-Discrimination Act 1991*, prevent discrimination against locals in the future recruitment of workers
- adopt a recruitment hierarchy prioritising recruitment from local and regional communities first then recruitment to the regional community
- make an enhanced social impact assessment (SIA) mandatory for large resource projects
- ensure SIA processes under both the *Environmental Protection Act 1994* and the *State Development and Public Works Organisation Act 1971* are the same.

The Act will apply to large resource projects that have a nearby regional community. The Coordinator-General will list the projects affected and their nearby regional community/s on the Department of State Development's website (the list).

What is a large resource project?

A large resource project is a resource project:

- (a) for which an environmental impact statement (EIS) is required; or
- (b) that holds a site-specific environmental authority under the *Environmental Protection Act 1994* and
 - (i) has a workforce of 100 or more workers; or
 - (ii) has a smaller workforce decided by the Coordinator-General.

What is a nearby regional community?

A nearby regional community, for a large resource project, is a town:

- (a) any part of which is within:
 - (i) a 125 km radius of the main access to the project; or
 - (ii) a greater or lesser radius decided by the Coordinator-General; and



(b) that has a population of more than:

- (i) 200 people; or
- (ii) a smaller population decided by the Coordinator-General.

How will the 100 per cent FIFO prohibition be enforced?

The Coordinator-General has investigative powers to administer and enforce the Act. In order for the Coordinator-General to determine whether an operational large resource project has a 100 per cent FIFO workforce, the Coordinator-General may require the owner to provide relevant information regarding the operational workforce arrangements.

Following an investigation, the Coordinator-General will be able to require the owner to submit an operational workforce management plan, if the project is contravening the 100 per cent FIFO prohibition.

The Coordinator-General must approve the operational workforce management plan and can set conditions on it. Monitoring and reporting by the owner will be a condition of approval attached to each operational workforce management plan. Conditions may state that the Coordinator-General may direct corrective actions where there is evidence of non-compliance or the outcomes sought by the conditions are not being achieved.

How will the anti-discrimination complaint process work?

If a person feels they have been discriminated against during the recruitment process because they are a resident of a nearby regional community, the person may lodge a complaint with the Anti-Discrimination Commission Queensland (ADCQ).

If the person is dissatisfied with the outcome of the conciliation process, the ADCQ may refer the matter to the Queensland Industrial Relations Commission.

Will the legislation apply to construction workers?

A decision on the application of the Act to the construction workforce must be made by the Coordinator-General during a SIA assessment.

What is in the enhanced SIA?

The Act requires large resource projects to prepare a social impact assessment (SIA) which is informed by stakeholder consultation. This will include the requirement to develop the following management plans:

- (a) community and stakeholder engagement
- (b) workforce management
- (c) housing and accommodation
- (d) local business and industry procurement
- (e) health and community well-being.

The workforce management plan must prioritise recruitment from local and regional communities first then recruitment to the regional community.

When will the legislation commence?

The Act will commence on 30 March 2018.

The anti-discrimination provisions will apply to large resource projects following publication of their details on the list.

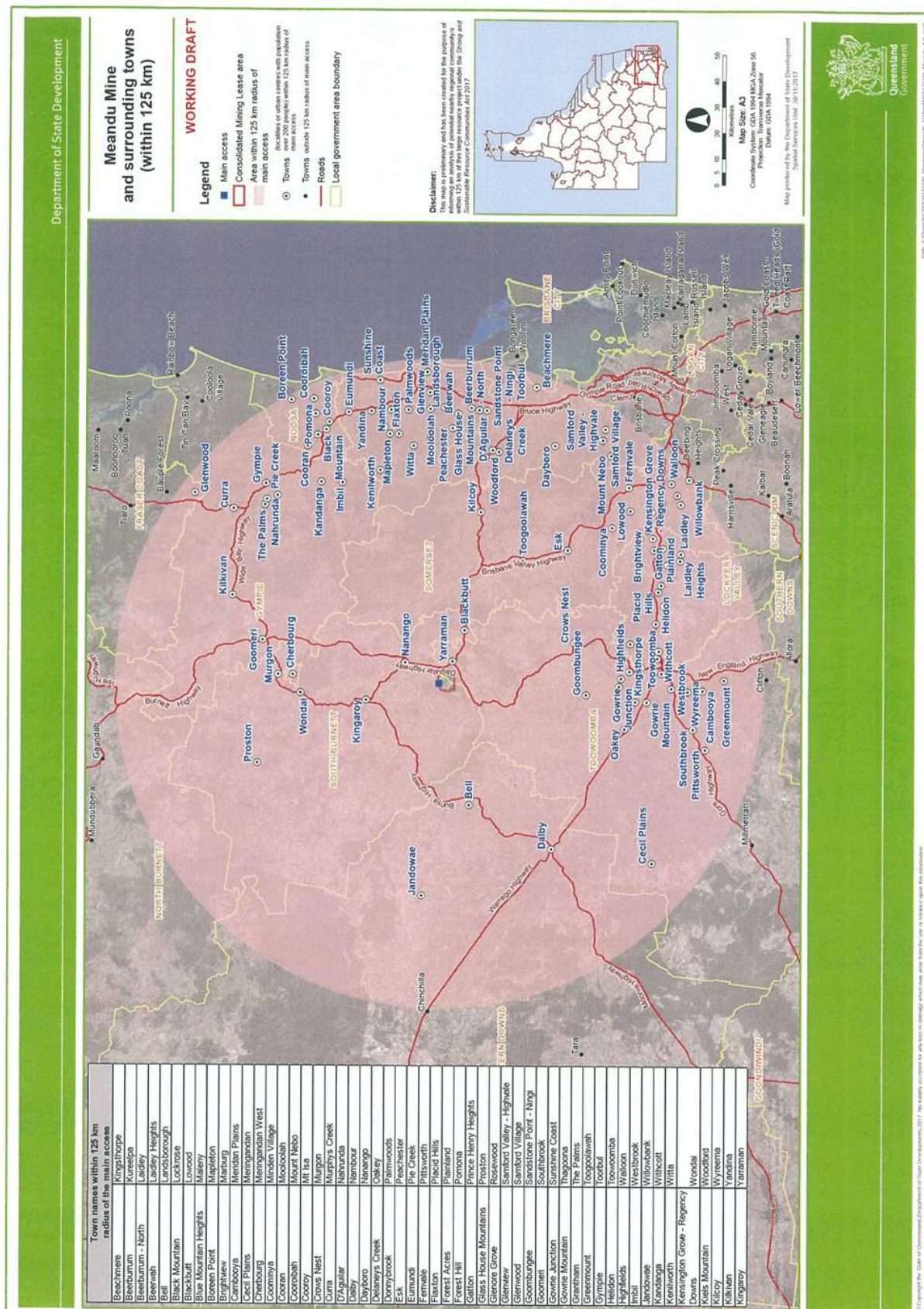
The prohibition on 100 per cent FIFO workforce arrangements will apply to large resource projects six months following publication of their details on the list.

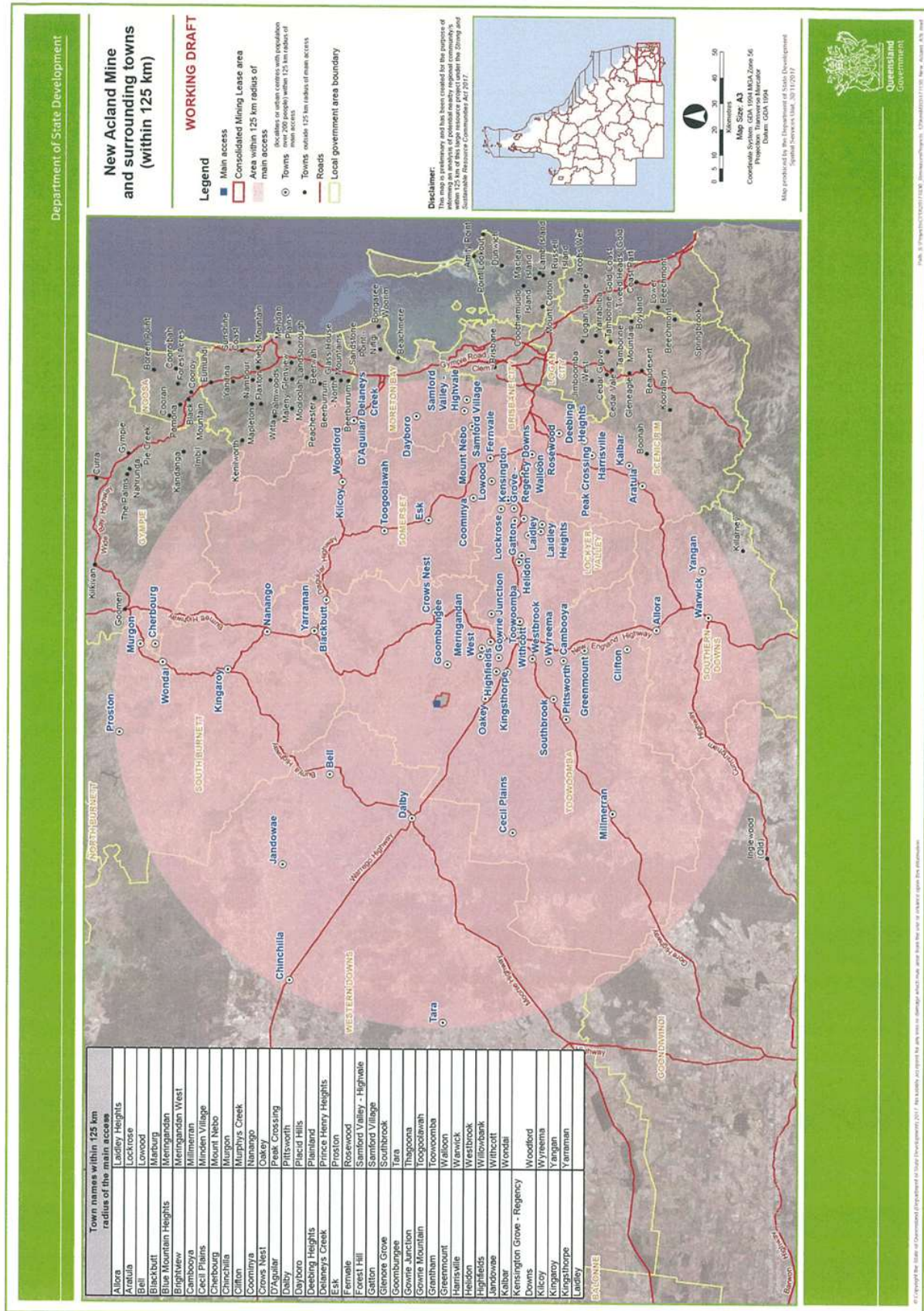
Contact us

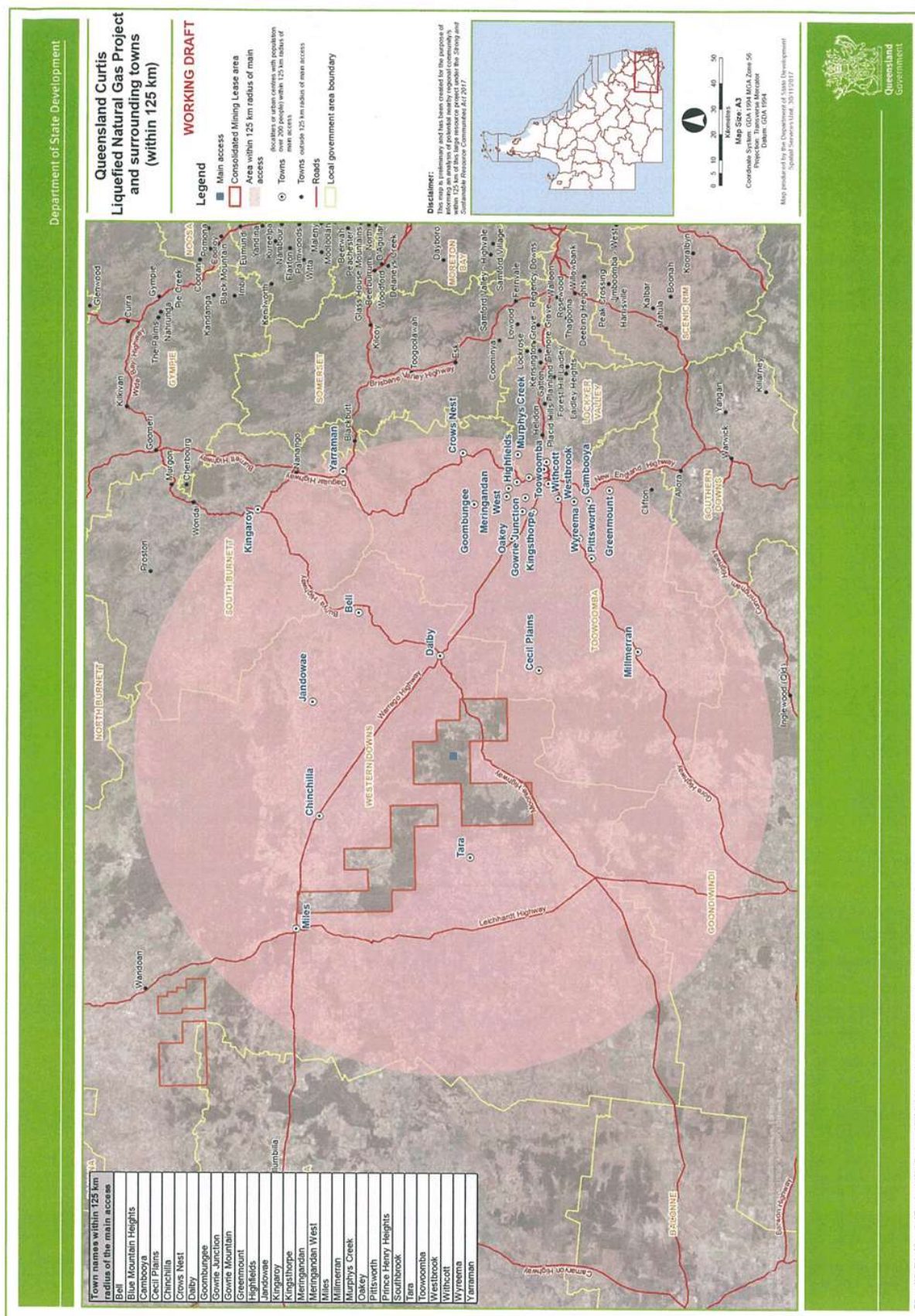
T: +61 7 3452 7485

E: ssrcenquiries@coordinatorgeneral.qld.gov.au

P: PO Box 15517, City East, Queensland 4002







**ORDINARY MEETING OF
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14.4 Productivity Commission Report - Transitioning Regional Economies

Date: 22 December 2017
Author: Stephen Hart, Coordinator Council Business
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This Report advises Council of the recently released report from the Productivity Commission entitled *Transitioning Regional Economies*. This report has a number of key findings and recommendations that are significant for local government and may influence the policy direction for regional economic development and support.

This document is for Council's information only.

Report

1. Introduction

The purpose of this report is to advise Council of a recent Study Report released by the Productivity Commission. *Transitioning Regional Economies* considered regional towns and communities that are successful and that have long term viability and vitality. In contrast the study also considers those regions that face substantial and perhaps insurmountable challenges in seeking a sustainable future.

The Productivity Commission's report presents a number of key findings and makes a range of significant recommendations that may change the direction of regional economic policy and funding.

2. Background

In December 2016, the Australian Treasurer requested the Productivity Commission undertake a study into the geographic impacts of the transition of the Australian economy following the resources investment boom. The Terms of Reference for the Study included that the Commission should:

- Identify regions less likely to transition successfully from the resources boom
- For those regions identify the primary contributing factors
- Establish an economic metric to assess the degree of local economic sustainability
- Consider the relevance of labour mobility including Fly-In/ Fly-Out and Drive-In/Drive-Out and temporary migrant labour
- Examine the prospect for change in regional economies and factors that may inhibit the sharing of opportunity.

The Transitioning Regional Economies Report was released on 15 December 2017.

3. Report

The Productivity Commission Report is a through and detailed economic analysis. The Key findings and recommendations are attached to this Council report. An Overview (37 pages) and the Full report (277 pages) can be found at the following location:

<https://www.pc.gov.au/inquiries/completed/transitioning-regions/report>

Some of the material in the report may be quite confronting for regional communities. The Commission's findings and recommendations are also quite challenging for policy makers. (For example Recommendation 5.1 is: The Australian Government should abolish the Regional Development Australia program).

An initial review of the documents indicates the following findings and recommendations will be significant for local governments and for the Lockyer Valley.

Finding 3.1 Many regions with low rates of employment growth have a large agricultural base.

Finding 3.4 Mining Regions continue to have high incomes and have substantially more people employed than prior to the boom. However, mining operations in regions that are smaller in scale, are economically marginal or are approaching the end of their economic lives have been most affected by the end of the high price cycle.

Finding 3.5 Mobile labour (such as FIFO) was instrumental in meeting the high demand for workers during the investment phase of the resources boom and helped to spread the benefits of the boom to other regions.

Finding 3.6 Efficiencies and technological innovation are generating higher levels of agricultural production using less labour. This is driving a long term trend of lower employment in agricultural regions. There is also a pattern of consolidation from smaller towns to larger regional centres which affects the social fabric of these communities.

Finding 5.1 Significant benefits would arise from expediting regulatory reforms in land use planning and development, environmental, agriculture related regulation and occupational licensing.

Finding 5.2 (In part and relating to regional program funding) Failure to set out clear objectives, build capacity and adequately plan for new spending risks regional communities missing out on opportunities and taxpayers' funds being squandered.

Finding 5.3 Strong and effective local leadership is critical in developing and implementing regional development plans. There is a case for State governments to build capacity in leadership in regional institutions and community groups to ensure the groups can attract skilled leaders.

Finding 5.4 (in part) Although all tiers of government have a shared interest in regional development, central responsibility for regional development best resides with State and Territory governments, supported by local governments.

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Recommendation 5.1 The Australian Government should abolish the Regional Development Australia program.

Recommendation 5.2 (in part) Current discretionary funding allocated by the Australian Government specifically to regional development (such as funding for regional grant programs, City Deals and the Northern Australia Infrastructure Facility) should be subject to independent, rigorous and transparent evaluation.

Finding 5.5 (in part) As a regional development strategy, decentralisation is unlikely to make a long-term, systematic difference to regional growth and resilience.

Finding 5.6 (in part) Past assistance to industries and regions has often been costly, ineffective, counterproductive, wasteful, poorly targeted and inequitable.

Attachments

1 [View](#) findings & recommendations 8 Pages

Findings and recommendations

FINDING 2.1

Australian, State and Territory governments already have a suite of existing arrangements aimed at redistributing resources across regions, achieving service delivery objectives and planning for regional transition and development.

There are also generally available measures provided to assist people and businesses across all regions when faced with economic disruptions, under the social security, tax, training and job services systems.

Assistance beyond these arrangements should be rare, occurring in response to extreme circumstances that strongly portend the development of permanent disadvantage in a regional community, and that cannot be addressed by existing arrangements. Additionally, such assistance should be designed carefully to ensure that it is only temporary.

FINDING 2.2

There is no single approach to assessing the scope for economic and social development in regions. However, assessments should be guided by the following principles.

- Incorporate the views and knowledge of regional communities.
 - Consider a region's relative strengths and inherent advantages.
 - Identify barriers to people or businesses relocating, either within the region, or to other regions.
 - Identify unnecessary regulatory impediments to people or businesses taking up economic opportunities.
 - Include robust and transparent evaluation of existing programs and policies.
 - Include rigorous strategic regional planning and cost-benefit analysis of any proposed programs, policies or strategies.
 - Consider the scope for private economic activity that is not dependent on ongoing government financial support (other than payments made under general taxation, social security and welfare laws).
-

FINDING 3.1

All Australian regions experience significant variation in their growth in employment, with many having occasional periods of negative growth. Even so, most regions (67 out of 87 SA4 regions) have seen net increases in the number of employed persons over the five years to October 2017. Many regions with low rates of employment growth have a large agricultural base.

FINDING 3.2

Almost all regions have experienced growth in average personal incomes over the four years to 2014-15.

Incomes in agricultural regions grew faster than in mining regions in the period immediately following the end of the mining construction boom (between 2012-13 and 2014-15).

But incomes in 2014-15 generally remained higher in mining regions compared with agricultural regions.

Income growth in greater capital city areas has varied across Australia, but income levels in capital cities are, on average, higher than in other regions. Across capital cities, growth in incomes between 2010-11 and 2014-15 was highest in Perth and Darwin. Perth and Darwin also had higher average incomes compared with other capital cities.

FINDING 3.3

Regions with an economic base concentrated in manufacturing tend to have declining employment in manufacturing consistent with the inexorable rise in service industries and desirable shifts in technologies. Many of these are sub-regions within greater metropolitan areas of capital cities and have demonstrated adaptability in adjusting to declining manufacturing employment.

FINDING 3.4

Mining regions continue to have high incomes and have substantially more people employed than prior to the boom. Many regions with a high concentration of activity based on mining have transitioned well from construction to production following large expansions in capacity during the mining investment boom.

However, mining operations in regions that are smaller in scale, are economically marginal or are approaching the end of their economic lives have been most affected by the end of the high-price cycle.

FINDING 3.5

Mobile labour (such as fly-in, fly-out workers) was instrumental in meeting the high demand for workers during the investment phase of the resources boom, and helped to spread the benefits of the boom to other regions.

Many of the workers employed in the investment phase lived in regions outside mining areas, such as capital cities and other regional centres, or temporarily lived in the region. In addition, many mining workers work in capital cities and their greater metropolitan areas.

The natural completion of the high mining investment phase has affected labour markets and economic conditions across the country, particularly in Western Australia but also in many regions outside of traditional resources areas.

FINDING 3.6

Efficiencies and technological innovation are generating higher levels of agricultural production using less labour. This is driving a long-term trend of lower employment in agricultural regions. There is also a pattern of consolidation from smaller towns to larger regional centres, which affects the social fabric of these communities.

FINDING 3.7

Capital cities have experienced high population growth over the past 25 years. Growing demand for services and large increases in knowledge-based service employment has resulted in demographic change in Australia's largest cities.

Many smaller cities and regional centres have also grown (in some cases more quickly than capital cities) due to movements of people from inland regions and the migration of families and retirees from capital cities. Connectivity to large cities and proximity to the coast are important drivers of the wellbeing of those living in smaller cities and regional centres.

FINDING 4.1

The Commission's index of relative adaptive capacity is based on a widely accepted methodology. The metric can be used as a litmus test to identify regions which may find it difficult to adjust to significant economic disruptions.

However, caution is required in interpreting the metric and using it as a basis for policy making. A single metric of relative adaptive capacity cannot fully capture the unique attributes of each regional community. Further, the metric does not predict the likely outcome of a region to a shock, which is based not only on the region's adaptive capacity but also the nature of shocks it faces, the options available to people affected, and the decisions that they make.

FINDING 4.2

The proportion of regions in the least adaptive category increases with the degree of remoteness. About 659 000 people (or 3 per cent of the population) live in the least adaptive regions. In contrast, nearly 16 million people (66 per cent of the population) live in the most adaptive regions, which are concentrated in major cities.

FINDING 4.3

The main factors shaping the index value of relative adaptive capacity for each region relate to:

- people-related factors (including educational achievement, employment rates, skill levels, personal incomes and community cohesion)
 - the degree of remoteness and accessibility of infrastructure and services.
-

FINDING 5.1

Governments can primarily facilitate successful development by removing unjustified or excessively burdensome regulations that impede people and businesses from taking advantage of opportunities. Significant benefits would arise from expediting regulatory reforms in land use planning and development, environmental, agriculture-related regulation and occupational licensing.

These 'win-win' reforms benefit all regions but are particularly important to regions that do not have the advantages and range of opportunities found in capital cities and major regional centres.

FINDING 5.2

Substantial funding has been devoted to regional programs by successive Australian, State, Territory and local governments over many years. The effectiveness of these programs in facilitating development in regions is unclear, largely due to a lack of robust and transparent evaluation.

There is scope to achieve considerably improved outcomes for regional communities by changing the way regional programs are designed and delivered. Fundamental to this is applying rigorous and transparent processes for choosing, implementing, and evaluating regional spending.

Failure to set out clear objectives, build capacity and adequately plan for new spending risks regional communities missing out on opportunities and taxpayers' funds being squandered.

FINDING 5.3

Strong and effective local leadership is critical in developing and implementing regional development plans. There is a case for State and Territory governments to build capacity in leadership of regional institutions and community groups and to ensure these entities can attract skilled leaders.

FINDING 5.4

States and the Northern Territory are responsible for regional development and the establishment of local governments within their jurisdictions. Assessment of regional development strategies needs to consider the circumstances of local regions and communities. Although all tiers of government have a shared interest in regional development, central responsibility for regional development best resides with State and Territory governments, supported by local governments.

RECOMMENDATION 5.1

The Australian Government should abolish the Regional Development Australia program.

RECOMMENDATION 5.2

Current discretionary funding allocated by the Australian Government specifically to regional development (such as funding for regional grant programs, City Deals and the Northern Australia Infrastructure Facility) should be subject to independent, rigorous and transparent evaluation.

Where discretionary regional programs are found to have significant net benefits, the Australian Government should transfer responsibility to the relevant states and territories consistent with their primary roles in regional development. Where the programs do not have significant net benefits they should be abolished.

RECOMMENDATION 5.3

State and Territory governments, in consultation with local governments and communities, should develop a single consistent definition of Australia's regions to be used to inform regional development planning and policy.

Regions should be based on functional economic regions, so as to take into account the stronger linkages and interdependencies between neighbouring communities.

State, Territory and local governments should adopt these classifications for guiding regional policy and planning.

RECOMMENDATION 5.4

State and Territory governments should ensure that each functional economic region has a nominated entity that:

- is responsible for developing a credible regional strategic plan that identifies the capabilities and attributes of the region and, where relevant, identifies priority actions and projects for facilitating transition and development in the region
 - is sufficiently resourced and capable of developing high-quality business cases for proposed regional initiatives
 - has representation from the relevant State, Territory and local governments, businesses and the regional community
 - utilises and incorporates past planning priorities where they have been soundly and rigorously developed.
-

RECOMMENDATION 5.5

State and Territory governments should direct discretionary expenditure for regional development (for example from regional growth funds) to areas that have been identified as priorities in a published regional strategic plan.

Decisions should be transparent, including publication of cost-benefit assessments. For major regional infrastructure projects, decisions should be informed by the work of Infrastructure Australia and state-based infrastructure advisory bodies.

Where governments choose to pursue projects that have not been assessed as a priority by infrastructure advisory bodies, or are inconsistent with the priorities of regions as identified in strategic plans, governments should provide a public justification for why these projects have been selected.

FINDING 5.5

Decentralising public sector agencies imposes costs and risks on governments, taxpayers and users of government services. These risks include a loss of efficiency and service quality, and difficulty sourcing specialised skills and expertise.

Although decentralisation has the potential to increase employment in target regions, in most cases it simply redistributes economic activity across regions. As a regional development strategy, decentralisation is unlikely to make a long-term, systemic difference to regional growth and resilience.

FINDING 5.6

Generally available welfare, training and employment measures promote fairness and equity and are usually the most effective means for facilitating transition. Assistance that creates false expectations about the future success of a particular business, industry or region can lead to confusion and reduce individuals' incentives to plan and adapt to changing circumstances.

Past assistance to industries and regions has often been costly, ineffective, counter-productive, wasteful, poorly targeted and inequitable.

RECOMMENDATION 5.6

Specific adjustment assistance (beyond generally available measures) should be reserved for extreme events that are likely to result in high levels of permanent disadvantage in a region. It should be targeted to the people who are least likely to make a successful transition and be focused on improving their employment prospects.

Assistance designed to sustain regions or industries (as distinct from individuals) should be avoided. Assistance should be designed to facilitate movement towards explicit and transparent adjustment goals, which might be a path of managed decline.

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14.5 Sustainable Energy Solution Update

Date: 10 January 2018
Author: Mike Lisle, Manager Community Facilities and Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

The increasing cost for the supply of electricity to all of its facilities is an ongoing challenge for Lockyer Valley Regional Council. In order to meet this challenge and address this issue, Council is undergoing solar generation to offset electricity costs on a major building asset.

This document is for Council's information only.

Report

1. Introduction

The operation Plan 2017- 2018 identifies that Council will and the community will actively reduce consumption of non - renewable resources. To this end as part of the implementation of recent energy audits of Councils three major facilities and determine the most efficient solar panel instillation to reduce energy consumption.

2. Background

Council is seeking to reduce electricity costs and the environmental footprint of their major facilities to ensure asset sustainability. Council engaged Peak Services to undertake a concept design study including structural and electrical suitability assessments at its three targeted sites for solar generation. The high energy consumptions site included

- Lockyer Valley Cultural Centre
- Gatton Administration Building
- Lockyer Valley Sports & Aquatic Centre

3. Report

Council engaged the services of "Peak Services" (Local Government Industry body) to investigate and monitor the electricity use of three major building assets and the benefits of solar installation.

Monitoring equipment was installed in October and November with electricity usage recording currently being received and reviewed by the electrical consultants. Peak Services performed a detailed analysis including electrical and structural assessment to investigate solar generation options for the three Council assets listed below:

- Lockyer Valley Cultural Centre
- Gatton Administration Building
- Lockyer Valley Sports & Aquatic Centre

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The assessments identified all three sites as suitable for solar installations without the need for any major structural or electrical upgrades.

Peak Services have used a purpose built financial model to perform a preliminary cost-benefit analysis for small-scale rooftop solar. The followings assumptions have been used to inform the modelling:

1. Solar panels having a 20% linear degradation in output over 25 years
2. Electricity consumption increase of 1% year on year
3. Standard inverters being replaced after 10 years
4. No battery will be required for storage
5. 2.7% increase in electricity tariffs year on year
6. Revenue from small scale technology certificates (STCs) based on solar plants being installed in 2018. Plants up to 100kW are entitled to STC.
7. STC rebate estimated at \$30/MWh. The STC rebate offsets part of the Capital Cost as it can be claimed as an upfront payment.
8. All Capital costs include a 10% contingency
9. CPI at 2.5%

Each asset was analysed individually with the estimated capital cost, cost benefit analysis and payback period differing site-by-site. The payback periods vary between seven and fourteen years depending on the consumption profile.

Lockyer Valley Cultural Centre

Option 1 - 100kW Preliminary Cost-benefit Analysis

In the first year of operation a 100kW plant could generate 176,591 kWh of electricity that could off-set consumption. The electricity consumption savings are estimated to be \$20,379 in the first year of operation and \$504,611 over 20 years.

The operating and maintenance costs are calculated to be \$4,310 in the first year of operation, while the refurbishment of inverter after 10 years would cost \$41,158. Total operation and maintenance costs along with refurbishment costs would be \$151,255 over 20 years resulting in a net profit of \$353,356.

Councils annual usage charge would be reduced from \$152,508 to \$132,580 in the first year based on the current tariffs.

The capitol cost is estimated at \$183K for the solar plant and would have payback of approximately 13 years.

Option 2 – 200 kW Preliminary Cost Benefit Analysis

In the first year of operation, a 200kW plant could generate 361,312 kWh of electricity that would off-set 349,813 kWh of Council consumption. The electricity bill savings are estimated to be \$40,626 in the first year of operation that would result in total savings of \$1.03 million over 20 years.

The operation and maintenance costs are calculated to be \$7,740 in the first year of operation, with the refurbishment of inverter after 10 years would cost \$77,987. Total O&M costs along with refurbishment cost would be \$275,703 over 20 years, resulting in a net profit of \$1.15 million in 20 years.

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Council's annual usage charge would be reduced from \$152,508 to \$113,011 in the first year based on current tariffs for peak, off-peak and demand charges.

The capitol cost is estimated at \$183K solar plant would have a payback of approximately 7 years.

Administration Office - Gatton

Upon assessment of the existing roof structure, limitations of the roof orientation, roof pitch and existing rooftop structures, limits the size of the solar plant size to a 30 kWh.

In the first year of operation a 30 kW plant could generate 54,197 kWh of electricity that would off-set 51,308 kWh of Council consumption.

The electricity consumption savings are estimated to be \$5,956 in the first year of operation and \$153,417 over 20 years.

The O&M cost is calculated to be \$1,398 in the first year of operation, while the refurbishment of inverter after 10 years would cost \$12,347. Total O&M cost along with refurbishment cost would be \$48,059 over 20 years resulting in a net profit of \$106,124. Council's annual usage charge would be reduced from \$62,566 to \$56,772 in the first year based on current tariffs.

The capitol cost is estimated at \$60K solar plant would have a payback of approximately 14 years.

Sports and Aquatic Centre

The LVRC sports and aquatic centre is made up of two main sections – the indoor sports building and the swimming centre side. The main indoor sports building roof structure is curved and would significantly increase capital costs for a customized mounting system. Other roof structures have existing pool heating or located a greater distance from the switches.

Considering the energy consumption at this site a solar plant over 300 kW could be justified, however as noted with the limitations of the roof structure limits the size of the solar plant to 100 kW.

In the first year of operation a 100 kW plant could generate 176,591 kWh of electricity that would off-set 176,591 of Council consumption. The electricity consumption savings are estimated to be \$20,168 in the first year of operation and \$504,306 over 20 years.

The operating and maintenance costs are calculated to be \$4,310 in the first year of operation, while the refurbishment costs would be \$151,255 over 20 years resulting in a net profit of \$353,212.

Council's annual usage charge would be reduced from \$205,176 to \$185,560 in the first year based on current tariffs.

The capitol cost is estimated at \$183K solar plant would have a payback of approximately 13 years.

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Budget

Council had budgeted \$180,000 in the 2017/18 financial year to install a solar system on one major facility in accordance with the Operational Plan 2017- 2018. Following detailed analysis the Lockyer Valley Cultural Centre facility selected to implement the first stage of the energy reduction strategy.

Conclusion

The project represents a significant investment in asset sustainability by providing a system that delivers a measurable reduction in long term energy related emissions and costs as well as a model for future asset management.

Peak Services have been engaged to generate tender documentation and carry out the tender procurement process for the installation of a solar system to the Lockyer Valley Cultural Centre using local government services.

The tender procurement will proceed from January with the contractor selection expected in Feb/March 2018 and the approved contractor having completed the install prior to the end of financial year 2018.

Implementation of the above project will acknowledge Councils commitment to renewable energy sources.

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15. CONFIDENTIAL ITEMS

No Confidential Items

16. MEETING CLOSED