

Minutes



ORDINARY MEETING OF COUNCIL

MINUTES

28 AUGUST 2019

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ATTENDANCE:

Councillors Present

- Cr Jason Cook (Deputy Mayor) (Acting Chairperson)
- Cr Kathy McLean
- Cr Janice Holstein
- Cr Chris Wilson
- Cr Michael Hagan
- Cr Rick Vela

Officers Present

- Ian Church, Chief Executive Officer
- David Lewis, Executive Manager Corporate & Community Services
- Angelo Casagrande, Executive Manager Infrastructure Works & Services
- Rick Machin, Manager Marketing, Communication & Engagement (part of meeting)
- Lacey Buzza, Media and Communications Officer
- Corrin Bischoff, Coordinator Governance & Strategy
- Amanda Pugh, Manager Planning and Development
- Renee Sternberg, Senior Environmental Planner
- Caitlin Natalier, Legal Services and Property Coordinator (part of meeting)
- Elizabeth Jones, Community Development and Engagement Officer
- Graham Cray, Manager Information Services (part of meeting)
- Mark Westaway, Contract Senior Planner (part of meeting)
- Tanya O'Brien, Planning Officer (part of meeting)
- Fiona Tallon, Development Support Coordinator (part of meeting)
- Kate Burns, Environment Project Officer (part of meeting)
- Chris Hoffmann, Catchment Project Officer (part of meeting)
- Jason Harm, Manager Regional Development (part of meeting)
- Brendan Sippel, Manager Parks, Gardens and Cemeteries (part of meeting)
- Susan Boland, Governance & Strategy Officer
- Tyana Boon, Governance & Strategy Trainee (Minute Secretariat)

Apologies

- Cr Tanya Milligan (Mayor)
- Dan McPherson, Executive Manager Organisational Development & Planning Services

Media Present

- Dominic Elsome, Gatton Star

1.0 MEETING OPENED

The meeting commenced at 10:00am.

The Deputy Mayor, Cr Cook as the acting Chairperson opened the meeting and welcomed all present. Pastor Barry Benz led the meeting in prayer, following a minute's silence for those persons recently deceased.

RESOLUTION

THAT Council authorise the media outlets present to record the open session proceedings of the 28 August 2019 Ordinary Meeting of Council.

Moved By: Cr McLean

Seconded By:

Cr Vela

Resolution Number: 16-20/1475

CARRIED

6/0

2.0 LEAVE OF ABSENCE

Mayor Tanya Milligan was granted leave of absence for this meeting, at Council's Ordinary Meeting held on 24 July 2019.

3.1 Condolences/Get Well Wishes

Date: 21 August 2019
Author: Kerri MacMahon, Executive Coordinator, Mayor and Deputy Mayor
Responsible Officer: Ian Church, Chief Executive Officer

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

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

CARRIED
6/0

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

4.1 Declaration of Material Personal Interest on any Item of Business

Pursuant to section 175C of the *Local Government Act 2009*, a councillor or senior council officer who has a material personal interest in an issue to be considered at a meeting of a local government, or any of its committees must:

- (a) inform the meeting of the material personal interest in the matter, including the following particulars about the interest –
 - i. the name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - ii. how the person or other entity stands to gain the benefit or suffer the loss
 - iii. if the person or other entity who stands to gain the benefit or suffer the loss if the person or other entity is not the councillor or senior council officer—the nature of the relationship to the person or entity; 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 175E of the *Local Government Act 2009*, a councillor or senior council officer 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 personal interest in the matter, including the following particulars about the interests:

- a) the nature of the interests
- b) if the personal interests arise because of the relationship with, or receipt of a gift from, another person:
 - i. the name of the other person; and
 - ii. the nature of the relationship or value and date of receipt of the gift; and
 - iii. the nature of the other person's interests in the matter.
- c) how the councillor or senior council officer intends to handle the matter i.e. leave the meeting or proposes to stay in a meeting.

No declarations were made by Councillors or Senior Council Officers at this time.

5.0 MAYORAL MINUTE

No Mayoral Minute

6.1 Confirmation of Ordinary Meeting Minutes 14 August 2019

Date: 21 August 2019
Author: Ian Church, Chief Executive Officer
Responsible Officer: Ian Church, Chief Executive Officer

THAT the Minutes of the Ordinary Meeting of Lockyer Valley Regional Council held on Wednesday 14 August 2019 be taken as read and confirmed.

THAT the Minutes of the Ordinary Meeting of Lockyer Valley Regional Council held on Wednesday 14 August 2019 as amended to include in Item 1.0 Meeting Opened, “The Deputy Mayor, Cr Cook”, be taken as read and confirmed.

Moved By: Cr Hagan **Seconded By:** Cr Vela
Resolution Number: 16-20/1477

CARRIED
6/0

Date: 20 August 2019
Author: Sara Rozynski, Personal Assistant to the Executive Manager Infrastructure Works and Services
Responsible Officer: Angelo Casagrande, Acting Chief Executive Officer

THAT the unconfirmed minutes of the Friends of the Cemeteries Group meeting held on 7 August 2019, as attached, be received and noted.

THAT the unconfirmed minutes of the Friends of the Cemeteries Group meeting held on 7 August 2019, as attached, be received and noted.

CARRIED
6/0



TIME OF MEETING:	10:30am to 11:30am
DATE OF MEETING:	7 August 2019
LOCATION OF MEETING:	Theatre, Lockyer Valley Conference and Function Centre
CHAIRPERSON:	Brendan Sippel
MINUTES:	Sara Rozynski

ATTENDANCE

PRESENT			
Cr Christopher Wilson	Dellwyn Sippel	Wendy Newby (part)	
Cr Janice Holstein	Ken Newby	Daphne Nolan (Guest)	
Angelo Casagrande	Neil Williamson	Doreen Hannant (Guest)	
Brendan Sippel	Noeleen Hogan		
Deborah Cook	Wayne Sippel		
APOLOGIES			



AGENDA ITEMS

DATE RAISED	DESCRIPTION	RECORD MATTERS FOR ACTION	RESPONSIBLE OFFICER
07/08/2019	Apologies if applicable	All members and guests were present.	All to note
07/08/2019	Welcome	The meeting was opened by Brendan. All members and guests introduced themselves.	All to note
07/08/2019	Election of Chairperson	The committee voted Brendan to continue as chairperson for the committee.	All to note
07/08/2019	Structure of meetings	<ul style="list-style-type: none"> Meetings will be held quarterly. Minute taker will email members 2 weeks prior to the meeting to call for agenda items. Agenda items must be provided by any member to no less than 5 business days before the scheduled meeting. The minute taker will circulate the agenda and previous minutes at least two business days before the scheduled meeting via email. 	All to note
07/08/2019	Terms of Reference	<ul style="list-style-type: none"> A copy of the Friends of the Cemeteries Group Terms of Reference was provided to all members and discussed briefly. The committee is not a decision-making body, it is a forum where ideas can be put forward by the members / community which Council will take on board to investigate and report back to the committee. 	All to note
07/08/2019	Lockyer Valley Regional Council Cemetery Plan 2019-2029	<ul style="list-style-type: none"> A copy of the Lockyer Valley Regional Council Cemetery Plan 2019-2029 was provided to all members and discussed briefly. 	All to note
07/08/2019	Preferred Meeting Days	<ul style="list-style-type: none"> The committee discussed suitable days to meet to which the outcome being the 1st Wednesday of the month in the afternoon (3.15pm to 4.15pm) was suitable for most members. Council will try to accommodate this request where possible. 	All to note
07/08/2019	General Business	<ul style="list-style-type: none"> Laidley Ashes Memorial Garden - Cr Holstein suggested all members view the recently constructed Laidley Ashes Memorial Garden at the Laidley Cemetery (Southern Street, Laidley) prior to the next meeting. 	All to undertake site visit prior to next meeting
		<ul style="list-style-type: none"> Forest Hill Cemetery – The Forest Hill Cemetery located on corner of Logan Road and QAC Connection Road has reopened. There is a new columbarium wall, new gardens and front gate. Part of the entrance road has been sealed. 	All to note
		<ul style="list-style-type: none"> Council owned cemeteries include: <ul style="list-style-type: none"> - Gatton - Laidley - Forest Hill - Murphys Creek 	All to note

DATE RAISED	DESCRIPTION	RECORD MATTERS FOR ACTION	RESPONSIBLE OFFICER
07/08/2019	Next meeting	<ul style="list-style-type: none"> • Caffey - Ingoldsby - Ropeley • Non-Council owned cemeteries include: <ul style="list-style-type: none"> - Helidon Catholic Cemetery - Helidon General Cemetery - Lockrose Lutheran Church - Hatton Vale Apostolic Church Cemetery - Plainland Lutheran Church Cemetery • Direction Signage - The installation of directional signage to sections within the cemetery (religion etc) would make it easier for visitors to navigate through the cemetery. Hardcopy maps available at the cemetery that outline the sections and plots would assist visitors. 	All to note
	General Business	<ul style="list-style-type: none"> • Caffey Cemetery Toilet - The question was asked if Council have plans on installing a toilet at the Caffey Cemetery. At this stage there are no plans or budget allocated. • Funding applications - Council have previously applied for funding to undertake a number of activities in our cemeteries however being a Council we are limited to funding we are available to apply for. Council will continue to monitor available funding programs that are available. • Gattton Cemetery Chapel and expansion – seating and gardens are yet to be installed at the Chapel and the road leading to the back section will eventually be bitumen. • Maintenance to heritage/old gravestones – the responsibility to maintain the gravestones belongs to the living family of the deceased. If there are safety concerns present and the living family is not contactable, Council will intervene and make safe when necessary. • Heritage listed graves – Council doesn't have any known heritage listed graves in the Lockyer Valley however the historic Murphy grave relating to the 1898 Gattton murders could potentially be listed. • Committee membership vacancies remain open. Council asks you to encourage friends and family to join the committee via the expressions of interest process. Information is still available on Council's website or via the minutes taker. 	<p>All to note</p> <p>All to note</p> <p>All to note</p> <p>All to note</p> <p>Brendan to undertake research</p> <p>All to note</p>

Meeting closed: 11.31am

Tabled documents:

- Friends of Cemeteries Terms of Reference
- Lockyer Valley Regional Council Cemetery Plan 2019-2029

Date: 14 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

THAT the unconfirmed Minutes of the Audit and Risk Management Committee Meeting held on 8 August 2019, as attached, be received and noted.

THAT the unconfirmed Minutes of the Audit and Risk Management Committee Meeting held on 8 August 2019, as attached, be received and noted.

CARRIED
6/0



AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

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ATTENDANCE:

Councillor Members	<ul style="list-style-type: none">• Cr Jason Cook• Cr Chris Wilson
Independent External Members (Voting)	<ul style="list-style-type: none">• Kerry Phillips (Chairperson)• Alison D'Costa• Mark Newton
Attendees (non-voting)	<ul style="list-style-type: none">• Angelo Casagrande, Acting Chief Executive Officer• Corrin Bischoff, Coordinator Governance and Strategy• Madonna Brennan, Governance and Strategy Advisor• Tony Brett, Acting Executive Manager, Corporate & Community Service• Graham Cray, Manager Information Services• Amanda Pugh, Manager Planning and Development• Jodi Marchant, Financial Services Coordinator• Cathy Blunt, O'Connor Marsden & Associates (Internal Audit); via teleconference• Junaide Latif, William Buck (External Audit)• Chantelle Hanna, Queensland Audit Office; via teleconference• Erin Carkeet, Governance and Strategy Officer (Secretariat)
Apologies	<ul style="list-style-type: none">• Ian Church, Chief Executive Officer• David Lewis, Executive Manager, Corporate & Community Service.• Cr Tanya Milligan (Mayor) (ex officio)

1.0 MEETING OPENED

The meeting commenced at 10:30am.

2.0 APOLOGIES

The Chair noted an apology from Ian Church, Chief Executive Officer and acknowledge the attendance of the Acting Chief Executive Officer, Angelo Casagrande.

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 section 175C of the *Local Government Act 2009*, a member who has a material personal interest in an issue to be considered at a meeting of a local government, or any of its committees must

- a) inform the meeting of the material personal interest in the matter, including the following particulars about the interest—
 - i. the name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - ii. how the person or other entity stands to gain the benefit or suffer the loss
 - iii. if the person or other entity who stands to gain the benefit or suffer the loss if the person or other entity is not the member —the nature of the relationship to the person or entity; and
- b) leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is discussed and voted on.

3.2 Declaration of Conflict of Interest on any Item of Business

Pursuant to section 175E of the *Local Government Act 2009*, a member 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 personal interest in the matter, including the following particulars about the interests—

- a) the nature of the interests
- b) if the personal interests arise because of the relationship with, or receipt of a gift from, another person—
 - i. the name of the other person; and
 - ii. the nature of the relationship or value and date of receipt of the gift; and
 - iii. the nature of the other person's interests in the matter.
- c) how the member intends to handle the matter i.e. leave the meeting or proposes to stay in a meeting.

No declarations by members were made at this time.

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

4.0 CONFIRMATION OF MINUTES

4.1 Confirmation of Audit and Risk Management Committee Meeting Minutes
23 May 2019

Date: 01 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Angelo Casagrande, Acting Chief Executive Officer

Officer's Recommendation:

THAT the Minutes of the Audit and Risk Management Committee held on Thursday 23 May 2019 be taken as read and confirmed.

RESOLUTION

THAT the Minutes of the Audit and Risk Management Committee held on Thursday 23 May 2019 be taken as read and confirmed.

Moved By: A D'Costa **Seconded By:** Cr Wilson
Resolution Number: ARMC/0123

CARRIED
5/0

8 AUGUST 2019

5.1 Business Arising from Minutes of Meeting 23 May 2019

Officer's Recommendation:

- **6.3 – Internal Audit Update, including draft 2019-20 Internal Audit Plan.**
- **6.8 – Committee Self-Assessment, Review of Committee Charter and Code of Conduct.**

- **6.3 – Internal Audit Update, including draft 2019-20 Internal Audit Plan.**
- **6.8 – Committee Self-Assessment, Review of Committee Charter and Code of Conduct.**

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

6.0 AUDIT COMMITTEE REPORTS

6.1 Acting Chief Executive Officers Report

Date: 01 August 2019
Author: Angelo Casagrande, Acting Chief Executive Officer
Responsible Officer: Angelo Casagrande, Acting 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

THAT the Audit and Risk Management Committee receive and note the Acting Chief Executive Officer's Report.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the Acting Chief Executive Officer's Report.

Moved By: A D'Costa **Seconded By:** Cr Cook
Resolution Number: ARMC/0125

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

6.2 Draft 2018-19 Annual Financial Statements

Date: 02 August 2019
Author: Tony Brett, Acting Executive Manager Corporate & Community Services
Responsible Officer: Tony Brett, Acting Executive Manager Corporate & Community Services

Summary:

Section 176 of the Local Government Regulation 2012 requires Council to prepare financial statements each financial year comprising of a general purpose financial statement, a current-year financial sustainability statement and a long-term financial sustainability statement.

Section 211 (1)(b)(iii) of the Regulation then requires Council's Audit and Risk Management Committee to review a draft of the local government's financial statements for the preceding financial year before the statements are certified and given to the Auditor-General for auditing under Section 212. The draft 2018-19 financial statements and sustainability statements are included for the Committee's review.

Officer's Recommendation

THAT the Audit and Risk Management Committee endorse Council's Draft 2018-19 unaudited Financial Statements for presentation to the Auditor-General for auditing.

RESOLUTION

THAT the Audit and Risk Management Committee endorse Council's Draft 2018-19 unaudited Financial Statements for presentation to the Auditor-General for auditing.

Moved By: M Newton **Seconded By:** Cr Cook
Resolution Number: ARMC/0126

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

6.3 Revaluation of Non-Current Assets 2018-19

Date: 02 August 2019
Author: Tony Brett, Acting Executive Manager Corporate & Community Services
Responsible Officer: Tony Brett, Acting Executive Manager Corporate & Community Services

Summary:

As part of the accounting processes for the preparation of the 2018-19 financial statements, Council has conducted independent revaluations on its Land, Buildings, and Infrastructure asset classes.

The revaluation process has resulted in an increase in the fair value for Land, a decrease in the fair value of Buildings and an overall decrease in the fair value of Council's Infrastructure assets.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the report on revaluation of non-current assets 2018-19.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the report on revaluation of non-current assets 2018-19.

Moved By: M Newton **Seconded By:** Cr Wilson
Resolution Number: ARMC/0127

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

6.4 Internal Audit Update - Including draft 2019-20 Internal Audit Plan

Date: 02 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Angelo Casagrande, Acting Chief Executive Officer

Summary:

The purpose of this report to present to the Audit and Risk Management Committee the revised Internal Audit Charter and the draft 2019-20 Internal Audit Plan for endorsement.

Officer's Recommendation

THAT the Audit and Risk Management Committee endorse the Internal Audit Charter to be presented to Council for adoption.

And further;

THAT the Audit and Risk Management Committee endorse the draft 2019-20 Internal Audit Plan to be presented to Council for adoption.

RESOLUTION

THAT the Audit and Risk Management Committee endorse the Internal Audit Charter and the Internal Audit Policy (as tabled at the meeting) to be presented to Council for adoption.

Moved By: Cr Cook **Seconded By:** A D'Costa
Resolution Number: ARMC/0128

CARRIED
5/0

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the draft 2019-20 Internal Audit Plan.

And further;

THAT the draft Internal Audit Plan is amended to include feedback from the Committee and the amended draft Internal Audit Plan is distributed to the Audit and Risk Management Committee for consideration.

Moved By: Cr Wilson **Seconded By:** Cr Cook
Resolution Number: ARMC/0129

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

RESOLUTION

THAT an Internal Audit function benchmarking exercise is undertaken by management and a report outlining the findings tabled at the 28 November 2019 meeting of the Audit and Risk Management Committee.

Moved By: A D'Costa

Seconded By:

M Newton

Resolution Number: ARMC/0130

CARRIED

5/0

6.5

Strategic Procurement Review Update

Date:

02 August 2019

Author:

Tony Brett, Acting Executive Manager Corporate & Community Services

Responsible Officer:

Tony Brett, Acting Executive Manager Corporate & Community Services

Summary:

This report provides an update to the Committee on the progress of the Strategic Procurement Review.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the Strategic Procurement Review Update.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the Strategic Procurement Review Update.

Moved By: M Newton

Seconded By:

A D'Costa

Resolution Number: ARMC/0131

CARRIED

5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

6.6 Risk Management Update

Date: 01 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Angelo Casagrande, Acting Chief Executive Officer

Summary:

The purpose of this report is to provide the Audit and Risk Management Committee with an update on the progress of Council's risk management functions.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the Risk Management Progress Update.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the Risk Management Progress Update.

Moved By: A D'Costa **Seconded By:** Cr Wilson
Resolution Number: ARMC/0132

CARRIED
5/0

8 AUGUST 2019

Date: 01 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Angelo Casagrande, Acting Chief Executive Officer

This report provides the Audit and Risk Management Committee (Committee) with an updated on the action undertaken in relation to the recommendations identified in Council's Audit Register, which also includes the outcomes from the priority review conducted by the Executive Leadership Team.

THAT the Audit and Risk Management Committee accept that items numbered 17IACS1.3, 17IACS2.2, 17IACS3.2.3, 17IACS3.2.4, 17IACS3.2.5, 17IACS3.2.8, 17IACS3.2.11, 17IACS3.2.12, 17IACS3.2.15, 17IACS4.1, 17IACS5.2, 18IACPR9, 18IACPR11, 18IACPR12, 18IACPR20, 18IACPR21 and 18IACPR22 are recommended to be transferred to the responsible officers business unit plan or risk register.

THAT the Audit and Risk Management Committee accept that items numbered 17IACS3.2.4, 17IACS3.2.5, 17IACS3.2.8, 17IACS5.2, 18IACPR11, 18IACPR12, 18IACPR20, 18IACPR21 and 18IACPR22 are recommended to be transferred to the responsible officers business unit plan or risk register.

Moved By: M Newton Seconded By: Cr Wilson
Resolution Number: ARMC/0133

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

CARRIED
5/0

6.8 External Audit Update

Date: 01 August 2019
Author: Tony Brett, Acting Executive Manager Corporate & Community Services
Responsible Officer: Tony Brett, Acting Executive Manager Corporate & Community Services

Summary:

The attached briefing note provides an update on the activities of Council's External Auditor for the Audit and Risk Management Committee's information.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the External Audit Update.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the External Audit Update.

Moved By: Cr Cook **Seconded By:** A D'Costa
Resolution Number: ARMC/0134

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

6.9 Committee Self Assessment, Review of Committee Charter and Code of Conduct

Date: 01 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Angelo Casagrande, Acting Chief Executive Officer

Summary:

This report summarises the outcome to the Audit and Risk Management Committee of the Committee Self-Assessment and the review of the Audit and Risk Management Committee Charter and Code of Conduct.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the outcomes of the annual Committee Self-Assessment.

And further;

THAT the Audit and Risk Management Committee endorse the reviewed Audit and Risk Management Committee Charter and Code of Conduct to be presented to Council for adoption.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the outcomes of the annual Committee Self-Assessment.

And further;

THAT the Audit and Risk Management Committee endorse the reviewed Audit and Risk Management Committee Charter and Code of Conduct to be presented to Council for adoption.

Moved By: Cr Wilson **Seconded By:** M Newton

Resolution Number: ARM/0135

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

8 AUGUST 2019

6.10 Rolling Work Plan and Proposed Committee Schedule for 2020

Date: 31 July 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Angelo Casagrande, Acting Chief Executive Officer

Summary:

The purpose of this report is to present the proposed rolling work plan/forward meeting schedule for 2020 to the Audit and Risk Management Committee.

Officer's Recommendation

THAT the Audit and Risk Management Committee accept the rolling work plan and forward meeting schedule for 2020.

RESOLUTION

THAT the Audit and Risk Management Committee accept the rolling work plan and forward meeting schedule for 2020.

Moved By: M Newton **Seconded By:** A D'Costa
Resolution Number: ARMC/0136

CARRIED
5/0

7.0 ITEMS FOR INFORMATION

There were no items for information.

8.0 AUDIT AND RISK MANAGEMENT COMMITTEE MEMBERS ONLY SESSION WITH INTERNAL AND EXTERNAL AUDIT

There was no only members session held with internal and external audit.

9.0 GENERAL BUSINESS

There were no general business items for discussion.

10.0 MEETING CLOSED

There being no further business, the meeting closed at 12:56pm.

7.0 BUSINESS ARISING FROM MINUTES

No Business Arising from Minutes

8.0 COMMITTEE REPORTS

No Receival of Committee Reports as Minutes

9.0 DEPUTATIONS/PRESENTATIONS

No Deputations/Presentations

10.0 EXECUTIVE OFFICE REPORTS

10.1 Audit and Risk Management Committee Charter and Code of Conduct

Date: 20 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to seek Council approval of the resolutions made by the Audit and Risk Management Committee at its meeting held on 8 August 2019 regarding the Committee Charter and Code of Conduct.

Council is also required at least once per term of Council to review the remuneration paid to the Independent Members of the Audit and Risk Management Committee, this review is included in this report for Council's consideration.

Officer's Recommendation:

THAT Council adopt the Audit and Risk Management Committee Charter and Audit and Risk Management Committee Code of Conduct as attached to this report.

Further;

THAT the remuneration for the Independent Members of the Audit and Risk Management Committee remain as \$1,500 per meeting for the Independent Chair and \$750 each per meeting for the Independent Professional and Community Members.

And further;

THAT a review of the Audit and Risk Management Committee independent membership structure be undertaken on the conclusion of the term of the current Committee independent membership.

RESOLUTION

THAT Council adopt the Audit and Risk Management Committee Charter and Audit and Risk Management Committee Code of Conduct as attached to this report.

Further;

THAT the remuneration for the Independent Members of the Audit and Risk Management Committee remain as \$1,500 per meeting for the Independent Chair and \$750 each per meeting for the Independent Professional and Community Members.

And further;

THAT a review of the Audit and Risk Management Committee independent membership structure be undertaken on the conclusion of the term of the current Committee independent membership.

Moved By: Cr Wilson

Seconded By:

Cr Hagan

Resolution Number: 16-20/1480

CARRIED

6/0

Report

1. Introduction

The Audit and Risk Management Committee (the Committee) is an advisory committee of Council. The Committee's primary responsibility is to provide independent assurance and assistance to Council on its risk, internal control and compliance frameworks, and to ensure that Council meets its statutory requirements regarding external accountability responsibilities.

2. Background

The Audit and Risk Management Committee Charter outlines the role, responsibilities, composition and operating guidelines of the Audit and Risk Management Committee in accordance with the *Local Government Act 2009* and *Local Government Regulation 2012*. The remuneration paid the independent members is also outlined in the Audit and Risk Management Committee Charter.

The Audit and Risk Management Committee Code of Conduct applies to all Committee Members and Advisors when exercising their duties, responsibilities and functions under the Council's Audit and Risk Management Committee Charter.

The Code of Conduct is designed to assist in maintaining the reputation and integrity of the Committee and to provide a basis for fair dealings and reaching findings and making recommendations on matters before it.

3. Report

As identified in the Audit and Risk Management Committee Charter (the Charter) and Audit and Risk Management Committee Code of Conduct, both documents are required to be reviewed annually by the Committee to ensure they are consistent with the Committee's authority, objectives and responsibilities. The Charter and the Code of Conduct were presented to the Committee at its meeting held on the 23 May 2019 for review.

Formatting amendments were made to both the Committee Charter and Code of Conduct to reflect changes made to Council's Corporate Style Guideline. Amendments have been made to the Committee Charter to provide better clarity on what the Committee's duties and responsibilities are. Amendments have been made to the declaration of interest section of the Committee Code of Conduct to align with Council's Code of Meeting Practice.

In relation to conducting a review of remuneration for the Committee Members a benchmarking activity has been conducted in the past 12 months against Council's either located in close proximity to Lockyer Valley Regional Council and/or with Councils of a similar size. A table with the comparative data is included below:

Council and Category	Number of External Committee Members	Committee Remuneration Breakdown Per Meeting	Total Meeting Fee Costs
Lockyer Valley Regional Council (Category 3)	3 external members	Chair \$1,500 per meeting other independent members \$750	\$3,000 per meeting

Council and Category	Number of External Committee Members	Committee Remuneration Breakdown Per Meeting	Total Meeting Fee Costs
Council A (Category 3)	1 external member	\$400 per meeting	\$400 per meeting
Council B (Category 3)	3 external members	\$1,500 per meeting for each member	\$4,500 per meeting
Council C (Category 5)	3 external members	\$1,500 per meeting for each member	\$4,500 per meeting
Council D (Category 3)	2 external members	Chair \$1,940 per meeting. Other \$1,430 per meeting	\$3,370 per meeting

Council receives significant value for money from the professional guidance provided by the independent members. It is recommended that remuneration remain at the current level for this financial year.

To ensure the continuation of high quality independent membership, a further review of independent committee member remuneration is recommended in line with the budget process and a planned future review of the independent committee member requirements of the committee.

4. Policy and Legal Implications

Section 105 of the *Local Government Act 2009* requires Council to establish an audit committee and section 210 of the *Local Government Regulation 2012* determines the required framework of the audit committee.

The Audit and Risk Management Committee Charter has been developed in accordance with this legislative framework and as such outlines the role, responsibilities, composition and operating guidelines of Council's Audit and Risk Management Committee.

The Audit and Risk Management Committee Code of Conduct has been developed in accordance with section 175 of the *Local Government Act 2009* and should be read in conjunction with the Audit and Risk Management Committee Charter.

5. Financial and Resource Implications

The Officer's recommendation made in the report does not have any budgetary implications. However, if an increase was to be made to the remuneration for the independent members on the Audit and Risk Management Committee an amendment to the Committee's budget will be required.

6. Delegations/Authorisations

The Audit and Risk Management Committee is an advisory committee to Council and has no delegated authority to make decisions, however it can make recommendations to Council.

7. Communication and Engagement

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

8. Conclusion

That Council adopt the Audit and Risk Management Committee Charter and Audit and Risk Management Committee Code of Conduct as endorsed by the Audit and Risk Management Committee.

9. Action/s

1. Update the revised Audit and Risk Management Committee Charter and Code of Conduct to reflect the adoption by Council.
2. Distribute to the Committee Members and Advisors the adopted Audit and Risk Management Committee Charter and Code of Conduct and post on Council's website and bigtincan hub.

Attachments

- | | | | |
|---|--------------------------|---------------------------------|---------|
| 1 | Download | Draft Committee Charter | 6 Pages |
| 2 | Download | Draft Committee Code of Conduct | 6 Pages |



Audit and Risk Management Committee Charter

1 THE CHARTER

- 1.1 The Audit and Risk Management Committee Charter of the Lockyer Valley Regional Council, outlines the role, responsibilities, composition and operating guidelines of the Audit and Risk Management Committee (the Committee) in accordance with the *Local Government Act 2009* and *Local Government Regulation 2012*.

2 AUTHORITY AND INDEPENDENCE

- 2.1 The Committee has no executive powers, unless delegated to it by the Council.
- 2.2 The Committee is an advisory committee of Council and is directly responsible to the Council. In discharging its responsibilities, the Committee has the authority to:
- Conduct or authorise investigations into matters within its scope of responsibility.
 - Access information, records and personnel of the Council for such purpose.
 - Request the attendance of any employee of the Council at Committee meetings.
 - Conduct meetings with the Council's internal and external auditors, as necessary.
 - Seek advice from external parties, as necessary.

3 ROLE

- 3.1 The role of the Committee is to provide independent assurance and assistance to the Council on:
- The risk, control and compliance frameworks.
 - The Council's external accountability responsibilities as prescribed in the *Local Government Act 2009* and *Local Government Regulation 2012*.
- 3.2 The Committee does not replace or replicate established management responsibilities and delegations, the responsibilities of other advisory committees within Council, or the reporting lines and responsibilities of either internal audit or external audit functions.

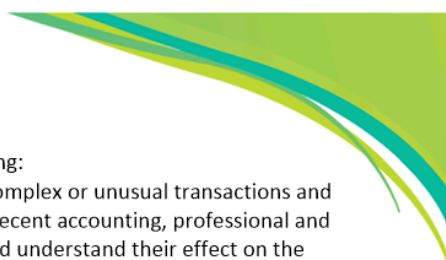
4 DUTIES AND RESPONSIBILITIES

- 4.1 The Committee's duties and responsibilities, in accordance with the *Local Government Act 2009* is to monitor and review:

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Unit: Governance and Strategy
Approved: Ordinary Council Meeting
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- 4.1.1 Financial Statements. This includes monitoring and reviewing:
- Significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas (i.e. asset revaluations), and recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial statements.
 - Results of the external audit, including any significant issues arising.
 - Whether the financial statements are complete, consistent with information known to the Committee members and reflect appropriate accounting policies and principles.
 - Accuracy and completeness of the financial statements and assurance given by management.
 - Preparation timeliness against agreed milestones.
- 4.1.2 Risk Management. This includes monitoring and reviewing:
- Systems and processes to ensure that material risks to Council are appropriately identified, assessed and managed.
 - The process for the development and review of Council's risk profile, risk framework and risk appetite statement.
 - Processes and practices of the Council that support effective business continuity.
- 4.1.3 Internal Control. This includes monitoring and reviewing:
- Management's approach to maintaining an effective and sound internal control framework (including policies, procedures and delegations).
 - How management identifies any required changes to the design or implementation of internal controls.
 - Steps taken by management to embed a culture which is committed to ethical and lawful behaviour.
- 4.1.4 Internal Audit. This includes monitoring and reviewing:
- The appointment or replacement of the Internal Auditor, and budget, staffing and skills of the internal audit function.
 - Internal audit plan, its coverage, scope and progress, and any significant changes to it, including any difficulties or restrictions on scope of activities, or significant disagreements with management.
 - Findings and recommendations of internal audit and the response to them by management.
 - Implementation of internal audit recommendations accepted by management.
 - Internal and external audit functions to ensure no material overlap exists.
 - Internal Audit Charter and the performance of internal audit and provide advice to Council on an annual basis.
- 4.1.5 External Audit. This includes monitoring and reviewing:
- Proposed audit strategy, audit plan and audit fees for the year.
 - Findings and recommendations of external audit (including from performance audits) and the response to them by management.
 - Responses provided by management to ensure they are in line with the agency's risk management framework.
 - Implementation of external audit recommendations accepted by management and where issues remain unresolved ensure that satisfactory progression is being made to mitigate the risk associated with audit's findings.

- The Chair and independent members will hold executive sessions with external audit at least twice per year, if required.

4.1.6 Compliance. This includes monitoring and reviewing:

- Management consideration of legal and compliance risks as part of the Council's risk assessment and management arrangements.
- The effectiveness of the system for monitoring the agency's compliance with relevant laws, regulations and government policies.
- The findings of any examinations by regulatory agencies, and any auditor observations.

5 MEMBERSHIP AND MEETINGS

5.1 Membership

- The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of the Council.
- At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public-sector environment.
- Membership of the Committee is by the appointed position; no delegates of the members are permitted.

5.2 The Committee shall consist of:

5.2.1 Councillor Members (voting)

- The Mayor (ex officio; non-voting)
- The Deputy Mayor
- The Councillor holding the Portfolio responsibility for Business Systems and Process; Corporate Plans and Performance; Finance; Information Communication and Technology.
- Proxy – Councillor nominated by Council to attend in the absence of a Councillor member.

5.2.2 Independent External Members (voting)

- Three independent external members shall be appointed by the Council to serve on the Committee.
- The three external members shall be selected as set out in Appendix A.

5.2.3 Attendees (non-voting)

- Chief Executive Officer
- Council advisors from the business areas of Finance and Governance and Strategy
- Internal Auditor (who may be the representative of the contracted provider where the service is outsourced).
- Representative of the External Auditor.

5.2.4 Invitees (non-voting) for specific Agenda Items

- Other officers may attend by invitation as requested by the Committee.

5.3 Term of Office

- The independent external members will be appointed for the term of two years, after which they will be eligible for extension or re-appointment for a further two years at the Council's discretion, following a review of their performance.
- The maximum number of terms an independent external member can be a member of the Committee is two terms.

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5.4 Vacancy

- In the case of vacancy of an independent external member, the Council is to appoint another independent external member as soon as is practicably possible in accordance with the process set out in Appendix A.

5.5 Remuneration

- The independent Chair and independent members of the Committee will be entitled to fees of \$1,500 for the Chair and \$750 for the independent members for preparation and attendance at meetings with a review at least once during the term of each Council. This will cover all preparation time and meeting attendance as well as expenses for travel and reasonable out of pocket disbursements.

5.6 Chair

- In accordance with the *Local Government Regulation 2012* the Council will appoint an independent member of the Audit and Risk Management Committee to be Chair of the Committee.
- In the absence of the appointed Chair, the members of the Committee will appoint one of the members to be Acting Chair.

5.7 Code of Conduct

- All members and advisors of the Committee are to abide by the Audit and Risk Management Committee Code of Conduct, except as required by professional standards, regulation or law.

5.8 Quorum

- A quorum will consist of a majority of the Committee members, including the independent external members.

5.9 Proceedings

5.9.1 Meetings

- The Committee shall meet at least four times per year (or more often as decided by the Chair).
- A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit and Risk Management Committee Charter.

5.9.2 Decision Making

- The Committee will endeavour to make decisions by consensus, but if voting becomes necessary then the details of the vote are to be recorded in the minutes.
- Each member of the Committee shall be entitled to one vote only. In the case of an equality of votes on any issue the Chair shall have the casting vote.
- Between meetings the Chair may circulate to members by email specific proposals for adoption by the Committee.
- Any decision taken by the Committee by email is to be noted and recorded in the minutes of the next meeting.

5.9.3 Business Papers and Minutes

- Secretariat support will be provided to the Committee by the Governance and Strategy Team.
- The Secretariat will ensure the agenda for each meeting and supporting papers are circulated in accordance with Council's Code of Meeting Practice, at a minimum of two days prior to the meeting and ensure minutes of the meetings are prepared and maintained.

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- Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

5.9.4 Induction

- New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

5.9.5 Reporting

- Quarterly reports will be submitted to Council outlining relevant matters that have been considered by the Committee as well as the Committee's opinions, decisions and recommendations.
- Minutes of the Committee meetings will be circulated to the Council, Committee members and invited guests as appropriate.
- An annual report will be prepared and presented to Council summarising the performance and achievements for the previous year. An interim program of the planned activities for the coming year is also to be provided.

6 RELATIONSHIPS

6.1 The Committee shall liaise with other advisory committees of Council as required to ensure that:

- Its statutory and operational responsibilities are met.
- There is no material overlap between the functions and duties of the groups.
- Meaningful interchange of information.

7 EVALUATION OF COMMITTEE ACTIVITIES

7.1 The Committee will undertake an annual self-assessment of its performance for the previous 12 months each year.

7.2 The Committee will provide a report of the annual review outcomes to the Council.

7.3 The Chair will provide each individual member with feedback on that person's contribution to the Committee's activities at least once during each member's term of office.

8 REVIEW OF THE CHARTER

8.1 The charter will be reviewed annually by the Committee to ensure it remains consistent with the Committee's authority, objectives and responsibilities.

8.2 All amendments to the charter will be discussed and approved the Council.

9 APPROVAL OF THE CHARTER

9.1 The Lockyer Valley Regional Council Audit and Risk Management Committee Charter is endorsed by the Committee and approved by Council.

Version No: 7.0

Endorsed Audit and Risk Management Committee (Resolution No): ARMC/0135

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Unit: Governance and Strategy
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APPENDIX A – SELECTION OF INDEPENDENT MEMBERS

The selection criteria and process for the appointment of the independent external members shall ordinarily be as follows:

- The Council shall seek nominations from persons interested in being appointed to the available position. All nominees who satisfy the conditions of this charter shall be eligible for appointment.
- The eligible persons will be interviewed by a Panel comprising the Mayor or delegate, the Independent Chair of the Committee (except where the candidate is seeking position of Chair of the Committee), Councillor responsible for Business Systems and Process; Corporate Plans and Performance; Finance; Information Communication and Technology and the Council's Chief Executive Officer who shall make recommendations to the Council.
- Following receipt of recommendations from the Panel, the Council may appoint the independent external member by resolution.
- If no nominations are received, the Committee will make a recommendation to Council regarding appropriate interim arrangements as circumstances prevail.

Independent Members will be drawn from the following:

Independent Community Member

This member may not be a current or previous Councillor or staff member of the Council or its predecessor local government entities. They must be generally of good character and free of any current or past criminal convictions. They must reside in the Council area. They need not hold any professional qualifications but should be sufficiently experienced in business or organisational management to be able to participate fully in the business and functions of the committee. They must be able and willing to subscribe to any Code of Conduct of the committee that may be established from time to time.

An Independent Professional Member

This member may not be a current or previous Councillor or staff member of the Council or its predecessor local government entities. They must be generally of good character and free of any current or past criminal convictions. They need not reside in the Council area. They must hold duly recognised professional qualifications in Accounting, Finance, Business or Risk Management and should be sufficiently experienced in business or organisational management to be able to participate fully in the business and functions of the Committee. They must be able and willing to subscribe to any Code of Conduct of the committee that may be established from time to time.

Independent Chairperson

This member may not be a current or previous Councillor or staff member of the Council or its predecessor local government entities. They must be generally of good character and free of any current or past criminal convictions. They need not reside in the Council area. They must hold duly recognised professional qualifications in Accounting, Finance, Business or Risk Management and should be sufficiently experienced in business or organisational management to be able to lead the business and functions of the Committee.

This member (Chair) shall also promote effective communications between the Audit and Risk Management Committee and Council, Chief Executive Officer (CEO), other senior management and the external auditors. The Chair shall ensure the Audit and Risk Management meetings are run smoothly and that the views of all members are heard, and that the agenda and meeting papers properly reflect proceedings. They must be able and willing to subscribe to any Code of Conduct of the committee that may be established from time to time.

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Audit and Risk Management Committee Code of Conduct

Charter

The Charter of the Lockyer Valley Regional Council's Audit and Risk Management Committee outlines the functions, responsibilities and operating procedures of the committee.

Code of Conduct

The Committee seeks the highest ethical standards in delivering services to the Council and to the Lockyer Valley community.

All members and advisors of the Committee are to abide by the Audit and Risk Management Committee Code of Conduct, except as required by professional standards, regulation or law.

This Code is to be read in conjunction with the Audit and Risk Management Committee Charter.

Responsibilities

Committee members must:

- act in accordance with the requirements of the law, the Charter and this Code;
- act in an appropriate way toward the public, staff of the Council and other members of the Committee and at all times act in the best interests of the Lockyer Valley community.

Confidentiality

Committee members must not approach or liaise with Lockyer Valley Regional Council employees, other than those that have a formal role within the Audit and Risk Management Committee to obtain information and clarify matters relating to their duties, responsibilities and functions and matters before them as members of the Committee.

Committee members must not discuss any issue or recommendation that is either before the Committee or will come before the Committee at some future time, with any person who is not a Committee member or advisor to the Committee.

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Disclosures of Interest

Members must disclose any material personal interest or conflict of interest arising from any matters to be considered at the meeting and comply with sections 175C and 175E of the *Local Government Act 2009*.

Material Personal Interest

Members are ultimately responsible for informing of a material personal interest on matters to be discussed at a committee meeting. When dealing with a material personal interest, Members must abide by the following procedures:

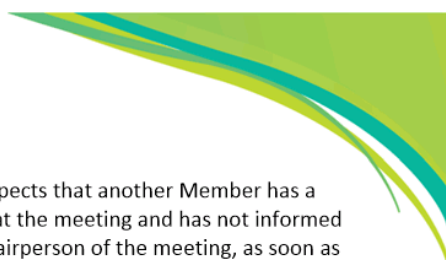
- a) A Member with a material personal interest must inform the meeting of the Local Government of their material personal interest and set out the nature of the interest, including:
 - The name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - How a person or other entity stands to gain the benefit or suffer the loss
 - If the person or other entity who stands to gain the benefit or suffer the loss is not the Member – the nature of the Member's relationship to the person or entity.
- b) The Member must then leave the place of the meeting and stay away while the matter is being discussed and voted on unless the subject Member has Ministerial approval to participate in the matter. The Member must not influence or attempt to influence the remaining Members to vote on the matter in a particular way.
- c) Once the Member has left the area where the meeting is being conducted, the Committee can continue discussing and deciding on the matter at hand.
- d) If a Member at a meeting reasonably believes, or reasonably suspects that another Member has a material personal interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Member must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
- e) The Chairperson then should ask the Member with the suspected material personal interest whether they do in fact have a material personal interest. If that is the case, the Member must follow the above procedures from item a).
- f) In the event the majority of Members inform a meeting of a material personal interest regarding a matter:
 - the Committee must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA; or
 - if the matter cannot be delegated under section 257 of the LGA, the Committee should seek Ministerial approval for the Members to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.
- g) Where a Member informs a meeting of a material personal interest in a matter, the Chairperson must ensure the minutes of the meeting record:
 - The name of the Member who has a material personal interest in the matter
 - The material personal interest, including the particulars mentioned by the Members regarding the material personal interest

- Whether the Member participated in the meeting, or was present during the meeting, under an approval granted by the Minister for Local Government.

Conflict of Interest

Members are ultimately responsible for informing of any personal interest where they have a real or perceived conflict of interest on matters to be discussed at Committee meeting (other than ordinary business matters). When dealing with a conflict of interest, Members must abide by the following procedures:

- a) A Member with a real or perceived conflict of interest must inform the meeting of the Committee of their personal interest and set out the nature of the interest, including:
 - The nature of the interest
 - If the Member's personal interest arises because of the Member's relationship with, or receipt of a gift or benefit from, another person:
 - the name of the other person
 - the nature of the relationship or value and date of receipt of the gift or benefit received, and
 - the nature of the other person's interests in the matter.
- b) The subject Member may themselves elect to leave the meeting while the matter is being discussed and voted on due to a perceived conflict of interest or conflict of interest. If the Member does not leave the meeting, they may advise the other Members why they believe they are able to act in the public interest while remaining in the meeting. This could include prior advice from the Integrity Commissioner on the personal interest.
- c) The other Members entitled to vote at the meeting must then decide whether the subject Member has a conflict of interest (including a perceived conflict of interest) in the matter due to their personal interest. A Member who has declared a personal interest in relation to a matter, must not vote under section 175E(4) as to whether another Member may stay in the meeting.
- d) If the other Members decide there is no conflict of interest or a perceived conflict of interest, the subject Member may remain in the meeting and the meeting may continue.
- e) If the other Members decide there is a conflict of interest they must then decide whether the subject Member must leave the meeting while the matter is being discussed and voted on or can participate in the meeting in relation to the matter including voting on the matter. If the Member must leave the place of the meeting the Member must not influence or attempt to influence the remaining Members to vote on the matter in a particular way.
- f) When deciding whether a Member may stay in a meeting and vote following the decision of a conflict of interest, the other Members must consider significant variables including, but not limited to:
 - The size or significance of the benefit the subject Member stands to receive or benefit
 - The benefit the subject Member stands to receive versus the benefit the community stands to receive from the potential decision
 - The closeness of any relationship the subject Member may have with a given person or group.
- g) In making the decision under 4.6, it is irrelevant how the subject Member intended to vote on the issue or any other issue (if known or suspected).

- 
- h) If a Member at a meeting reasonably believes, or reasonably suspects that another Member has a real or perceived conflict of interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Member must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
 - i) The Chairperson then should ask the Member with the suspected conflict of interest to inform the meeting of any personal interest they have in the matter and follow the above procedures from item d).
 - j) In the event the majority of Members inform of a personal interest in a matter:
 - the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA, or
 - if the matter cannot be delegated under the section 257 of the LGA, the Local Government should seek Ministerial approval for the Members to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.
 - k) Where a Member informs a meeting of a personal interest in a matter, the Chairperson must ensure the minutes of the meeting record:
 - The name of the Member who has declared the conflict of interest
 - The nature of the personal interest, as described by the Member
 - The decisions made under 4.3 and 4.5 above
 - Whether the Member participated in the meeting under an approval by the Minister
 - If the Member voted on the matter, how they voted
 - How the majority of Members voted on the matter.

Other Business or Employment

Public perception of bias/conflict of interest requires that Committee members not engage in any of the following while they are members of Committee:

- making representations to the Committee on behalf of others
- deriving income (other than remuneration for being a Committee member) through contracts with Council.

Any other work conducted within Lockyer Valley Region shall be the subject of a declaration of interest in accordance with this section 6 and 7 of this Code.

Gifts & Benefits

Committee members must not receive, accept, demand, solicit, request or accept a gift or benefit in connection with their duties on the Committee. Facilities, transportation, equipment, meals etc. provided by Council as part of Committee meetings shall not be considered as gifts under this section.

Resources

Committee members must use resources provided by the council in an effective and efficient manner; and not use such resources for private purposes.

Use of Information / Confidentiality

Committee members must:

- not use information obtained in the course of carrying out their duties for anything other than for exercising their functions, powers and duties for the Committee
- keep all information obtained or provided confidential
- determine what information and material is to be retained by the Committee and how it is to be treated for the purposes of retention.

Public Comment

Members of the Committee are not authorised to speak publicly to the media or address the public on behalf of the Committee.

No Committee member may make any comment to the media or to the public in relation to any matter before the Committee or any recommendation of the Committee.

Treatment and Respect of Other Members and Public

Committee members must:

- act fairly and honestly towards other members of the committee;
- show respect for the opinions of other members of the committee.

Findings and Recommendations

Committee members shall at all times when considering audit and risk management issues:

- act in accordance with the law
- act in accordance with the Charter
- act reasonably, justly and in a non-discriminatory manner
- deal with all matters before the Committee in a consistent manner
- only take relevant information into account; and
- act reasonably and in good faith and not for an improper purpose, ulterior purpose or on irrelevant grounds.

Breach of Code

Where any complaint alleging misconduct by a Committee member is made, the complaint is to be made in writing to the Council's Chief Executive Officer and must identify the part of this Code or the Charter alleged to have been breached, including the reasons in support of the alleged breach, and be signed by the complainant.

Upon receipt of a written complaint alleging misconduct, the Chief Executive Officer shall take such action as appropriate consistent with the Council's complaints management policy.

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Unit: Governance and Strategy
Approved: Ordinary Council Meeting
(Resolution Number:16-20/XXXX)
Date Approved: 00/08/2019
ECM: XXXX

Effective Date: 00/08/2019
Version: 2.0
Review Date: 00/00/2019
Superseded/Revoked: NA

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Corrupt and Unlawful Conduct

Committee members must not engage in corrupt or unlawful conduct and must report any actual or potential corrupt or unlawful conduct to the Chief Executive Officer of the Council in accordance with the procedures set out in this Code.

All deliberations relating to an investigation shall be conducted in strict confidence.

Sanctions for Breach of Code of Conduct

Having regard to the nature of the findings after an investigation, action including but not limited to the following may be taken by the Chief Executive officer:

- counselling of the member
- recommending to the Chair of the Committee that the member be excluded from the Committee during the discussion or determination of a particular matter
- recommending to Council the removal of the member from the Committee
- report the matter to another competent authority.

Review of Code

This Code is to be reviewed annually by the Committee.

Group: Executive Office
Unit: Governance and Strategy
Approved: Ordinary Council Meeting
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Review Date: 00/00/2019
Superseded/Revoked: NA

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Date: 21 August 2019
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

The purpose of this report is twofold:

1. To inform Council of the outcome of the review conducted by the Audit and Risk Management Committee on Council's internal audit function.
2. To seek Council's adoption of the Internal Audit Plan for 2019-20 – 2021-22, the reviewed Internal Audit Charter and Internal Audit Policy.

THAT Council receive and note the outcome of the review conducted by the Audit and Risk Management Committee on the performance of Council's internal audit function.

THAT Council adopt the Internal Audit Plan 2019-20 to 2021-22, the Internal Audit Charter and Internal Audit Policy, as attached to this report.

THAT Council receive and note the attached outcome of the review conducted by the Audit and Risk Management Committee on the performance of Council's internal audit function.

THAT Council adopt the Internal Audit Plan 2019-20 to 2021-22, the Internal Audit Charter and Internal Audit Policy, as attached.

Moved By: Cr Wilson **Seconded By:** Cr Vela
Resolution Number: 16-20/1481

CARRIED
6/0

Report

1. Introduction

Council has a statutory requirement to establish an efficient and effective internal audit function, prepare and adopt an internal audit plan and carry out an internal audit each financial year. Council's internal audit function is delivered by an independent contractor (previously BDO Pty Ltd and as of the 1 July 2019, O'Connor Marsden and Associates) in conjunction with Council's Governance and Strategy Team. The role of internal audit is to provide independent, objective assurance and consulting services to Council. Internal audit assists Council to ensure it is compliant with its statutory obligations and also to assist Council accomplish its strategic objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

2. Background

A draft Internal Audit Plan 2019-20 to 2021-22 was developed by O'Connor Marsden and Associates in consultation with the Executive Leadership Team, Governance and Strategy Team, Council's External Auditors William Buck and the Audit and Risk Management Committee.

The draft Internal Audit Plan 2019-20 to 2021-22 was presented to the Audit and Risk Management Committee at its meeting held on 8 August 2019, along with the reviewed Internal Audit Charter and Internal Audit Policy.

3. Report

Performance Review of Internal Audit

The Audit and Risk Management Committee is required to conduct a review on the performance of Council's internal audit functions on an annual basis and report to Council on the outcomes of this review. The review for the 2018-19 financial year was conducted in accordance with Council's Internal Audit Charter and initiated with BDO Pty Ltd, who were Council's internal audit provider until 30 June 2019 by completing a self-review questionnaire. The self-review questionnaire was provided to the Committee at its meeting held on the 23 May 2019 for discussion and determination of the rating for the internal function against each of the following key requirements:

- Displayed a strong understanding of LVRC's business, goals and local government sectors and takes a genuine interest in Council's success;
- Developed prior to the beginning of the financial year a risk based annual internal audit plan
- Coordinated the implementation of the approved annual internal audit plan
- Reported significant issues related to the processes for controlling the activities of the LVRC
- Provided recommendations on how to rectify and/or potential improvements for any deficiencies identified in the processes for controlling activities of the LVRC
- Provided information on the status and results of the annual audit plan and the sufficiency of department resources
- Provided necessary updates and presentations to the Audit and Risk Management Committee on the annual internal audit plan and internal audit reports.
- Supplied professional audit staff with sufficient knowledge, skills, experience and professional qualifications to meet the requirements of the Internal Audit Charter

Overall, the agreed outcome of both the Internal Auditor and the Committee was that Council's internal audit function met expectations. With the Committee agreeing that in two key areas that Council's Internal Auditor was above expectations.

Council's contract of service with BDO Pty Ltd concluded on the 30 June 2019. Submissions were called in the fourth quarter of the 2018-19 financial year for the provision of Internal Audit Services for Council, with O'Connor Marsden and Associates awarded the successful contract based on value for money. The contract of service with O'Connor Marsden commenced on the 1 July 2019.

Draft Internal Audit Plan 2019-20

The draft Internal Audit Plan for 2019-20 to 2021-22 (the Plan) was prepared by Council's internal audit provider O'Connor Marsden and Associates (OCM). As part of the development of the three-year audit plan OCM considering several sources including:

- Reviewing Council's Community Plan 2017-2027, Corporate Plan 2017-2022 and the 2019-20 Operational Plan;
- Reviewing Council's risk;
- Reviewing previous and proposed internal audit coverage; including coverage of key business coverage processes;
- Consulting with Council's Queensland Audit Office appointed Auditors, William Buck;
- Reviewing relevant Queensland Audit Office plans and reports to identify key issues of concern, performance audit topics and areas of control focus;
- Discussing key risks, issues and audit coverage with the Chief Executive Officer and Executive Managers; and
- Obtained input from Council's Audit and Risk Management Committee.

The draft Internal Audit Plan 2019-20 to 2021-22 was presented to Council's Audit and Risk Management Committee on 8 August 2019. The Committee recommended that further consideration be made to the schedule of the internal audits captured in the Plan. Amendments were made to the Plan and endorsement has been received from the Committee for the 2019-20 component of the Plan.

As result of the planning process, the following audits are recommended for the 2019-20 financial year:

Audit Name	Justification for Audit Topic	Objective	Days Quarter
Legislative Compliance Framework 2019-20	Carry over from 2018/2019 financial year.	To provide assurance that the Council manages it legislative compliance management functions effectively, economically and efficiently and that the internal control framework governing legislative compliance is adequate.	15 Q3
Workplace Health & Safety Framework 2020/21	High risk	To provide assurance that the Council operates it WHS framework effectively, economically and efficiently and that the internal control framework governing WHS is adequate.	12 Q4
Project Management 2019-20	Poor project management practices. Value of projects. Lack of adoption of project management framework	To provide assurance that the Council manages it project management functions effectively, economically and efficiently and that the internal control framework governing project management is adequate.	15 Q2
TOTAL AUDIT DAYS			42
Annual Audit Planning			2
Audit Committee Meetings & Preparation			4
Follow Up Audit Recommendations			3
TOTAL DAYS			52

A recommendation has also been made by the Audit and Risk Management Committee for management to conduct a benchmarking exercise on Council's internal audit function and report back the finding to the Committee at its next meeting, scheduled for 28 November 2019. The findings of this benchmarking exercise along with resource constraints will assist in determining the internal audit activities to be conducted in 2020-21 and 2021-22.

Internal Audit Charter and Internal Audit Policy

The reviewed Internal Audit Charter and Internal Audit Policy were presented and endorsed by the Audit and Risk Management Committee at its meeting held on the 8 August 2019. The Internal Audit Charter was developed in accordance with the Queensland Audit Office guidelines and was reviewed in accordance with the Institute of Internal Auditors standard. The Internal Audit Charter outlines the roles, responsibilities and authority of Council's internal audit function. The Internal Audit Charter also guides the annual review of the performance of Council's internal audit function.

As a result of the review of the Internal Audit Charter, the following amendments made to the Charter:

- Section 1 – broadened to include the purpose of internal audit.
- Section 2 – section has been added to the Charter to ensure the inclusion of the definition of internal auditing, code of ethics and the standards.
- Section 4 – Independence and objectivity enhancement made to this section to ensure clarity.

The reviewed Internal Audit Charter is attached to the report for adoption by Council.

In addition to the Internal Audit Charter, Council's Internal Audit Policy was scheduled for review. A review of the Policy was conducted to ensure alignment with the Internal Audit Charter and a change has been made to the document format of the Policy to comply with Council's Corporate Style Guideline.

The Internal Audit Policy is attached to the report for adoption by Council.

4. Policy and Legal Implications

Section 105 of the *Local Government Act 2009* requires Council to establish and efficient and effective internal audit function. Section 207 of the *Local Government Regulation 2012* determines the requirements of the internal audit function.

The Internal Audit Charter and Policy have been developed in accordance with this legislative framework and as such outlines the role, responsibilities and operating guidelines of Council's internal audit functions.

5. Financial and Resource Implications

An allocation has been made in the 2019-20 budget to fund the delivery of the 2019-20 component of the Internal Audit Plan.

6. Delegations/Authorisations

The Internal Audit Charter outlines the authority for the internal audit provider, O'Connor Marsden and Associates, whilst undertaking the role and requirements of the internal audit function.

7. Communication and Engagement

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

8. Conclusion

That Council adopt the Internal Audit Plan 2019-20 to 2021-22, Internal Audit Charter and Internal Audit Policy as endorsed by the Audit and Risk Management Committee.

9. Action/s

1. Internal Audit Plan 2019-20 implemented as identified in the Plan in conjunction with the Executive Leadership Team and key internal audit stakeholders.
2. Provide a copy of the adopted Internal Audit Charter to Council's internal audit provider.
3. The adopted Internal Audit Policy updated in Council's policy and procedure/guideline registers and posted on Council's website.

Attachments

1	Review of Performance of Internal Audit	1 Page
2	Internal Audit Plan 2019-20 to 2021-22	11 Pages
3	Internal Audit Charter	4 Pages
4	Internal Audit Policy	2 Pages

Self - Review Questionnaire - Internal Audit	Internal Auditor Rating	Internal Auditor Comments	ABAC Rating	Audit and Risk Management Committee Comments
Developed a strong understanding of LVHC's business, goals and local government factors and takes a genuine interest in Council's success	Above Expectations	Throughout the financial year, BDO continued to engage across all levels of LVHC to continue building on our understanding of LVHC's business. This included regular interaction with Councilors following ABAC meetings. Our regular catch-ups with CEO also demonstrates our genuine interest in LVHC's business and our availability to support LVHC in achieving success. BDO's internal audit involvement across numerous local government sectors assisted in bringing relevant and appropriate local government insights and experience to LVHC.	Above Expectations	
Developed prior to the beginning of the financial year a risk based annual internal audit plan	Met Expectations	BDO engaged with LVHC well in advance of the end of the financial year to commence audit plan discussions. In fact, BDO commenced these discussions with CEO in January 2019. Further, BDO's involvement in the development of LVHC's risk management framework and populating risk registers also assisted in better understanding the risk environment and LVHC's key focus areas.	Met Expectations	
Coordinated the implementation of the approved annual internal audit plan	Met Expectations	BDO fully delivered on the implementation of the approved annual internal audit plan. This was achieved well before the end of the financial year.	Met Expectations	
Reported significant issues related to the processes for controlling the activities of the LVHC	Met Expectations	Through the findings reported to LVHC in our internal audit, BDO has delivered value to LVHC. This included both the infrastructure changes and tendered contract audits.	Met Expectations	
Provided recommendations on how to rectify and/or potential improvement for any deficiencies identified in the processes for controlling activities of the LVHC	Met Expectations	In the recommendations reported to LVHC, BDO provided short term as well as longer term recommendations, where relevant. This would put LVHC in a position to take corrective actions in the short term, but also consider more strategic system and process changes for the longer term. In addition, BDO also attended preparatory meetings with relevant LVHC staff to ensure that Council team members to take through the proposed recommendations within internal audit reports were trained.	Met Expectations	
Provided information on the status and results of the annual audit plan and the sufficiency of department resources	Met Expectations	In addition to providing formal quarterly updates to the ABAC meetings, BDO also regularly communicated status and progress of the internal audit plan with CEO and the wider Governance team.	Met Expectations	
Provided necessary updates and presentations to the Audit and Risk Management Committee on the annual internal audit plan and internal audit reports	Met Expectations	Throughout the financial year, BDO ensured that a sufficiently senior team member attends each ABAC meeting to present internal audit reports and be available for questions and to provide further insight, as required.	Met Expectations	
Provided oversight of other control and monitoring functions for LVHC such as risk management and/or fraud	Met Expectations	BDO was directly involved, during the year, in providing LVHC with support in both risk management and fraud control activities. Risk management support was provided through facilitation of targeted risk workshops. Fraud control support was made available through making ourselves available to LVHC, as required, for a review of specific procurement activities.	Met Expectations	
Supplied professional audit staff with sufficient knowledge, skill, experience and professional qualifications to meet the requirements of the Internal Audit Charter	Met Expectations	BDO selected the most experienced resources available with requisite skills, experience and qualifications to deliver each assignment on the internal audit plan. The BDO team was met all the requirements of independence and objectivity, as required by the Internal Audit Charter.	Above Expectations	
Do you wish to add any further information or feedback on the review process?	No		No	Verbal comment provided by the Chair at the meeting.



Lockyer Valley Regional Council

Internal Audit Plan

2019/2020 to 2021/2022

15 August 2019



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Draft Prepared by Internal Audit:	1 st August 2019
Final Draft Prepared by Internal Audit:	13 th August 2019
Date Endorsed by Audit Committee:	

1.1 Introduction

The aim of the Internal Audit activity is to promote awareness, and provide advice on policy, procedures, effective and efficient risk management and management control practices and proper conduct. The Internal Audit Plan has been developed with the objective of:

- Responding to the need for advice and guidance to Council, its Audit and Risk Management Committee, and management in relation to areas of potential management control risk;
- Providing assurance with respect to control systems and development, and
- Providing a development and educational approach in areas subject to review.

The Definition of Internal Auditing, from the Institute of Internal Auditors, states the fundamental purpose, nature, and scope of internal auditing:

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

1.2 Legislative Basis

Section 15 of the *Local Government Act 2009* requires that:

- 1) *Each local government must establish an efficient and effective internal audit function.*
- 2) *Each large local government must also establish an audit committee.*
- 3) *A **large local government** is a local government that belongs to a class prescribed under a regulation.*
- 4) *An **audit committee** is a committee that monitors and reviews the integrity of financial documents; the internal audit function; the effectiveness and objectivity of the local government's internal auditors; and makes recommendations to the local government about any matters that the audit committee considers need action or improvement.*

Section 207 of the *Local Government Regulation 2012* requires that:

- 1) *For each financial year, a local government must prepare an internal audit plan; carry out an internal audit; prepare a progress report for the internal audit; and assess compliance with the internal audit plan.*
- 2) *A local government's **internal audit plan** is a document that includes statements about the way in which the operational risks have been evaluated; the most significant operational risks identified from the evaluation; and the control measures that the local government has adopted, or is to adopt, to manage the most significant operational risks.*

1.3 Methodology to Prepare Audit Plan

The Institute of Internal Auditors (IIA) International Professional Practices Framework establishes the standards for the attributes and performance of Internal Audit Units. Standard 2010 specifies that the Chief Audit Executive must establish risk-based plans, taking into account the organisation's goals, risk management framework and risk appetite.

The Information Systems Audit & Control Association (ISACA) Standard 11 specifies that an appropriate risk assessment technique or approach should be used to develop the overall IS audit plan and determine the priorities.

Internal Audit considered a number of sources in developing the three year audit plan detailed in Section 1.6 below, including:

- Reviewing the Council's *Community Plan 2017-2027, Corporate Plan 2017-2022 and the 2019-2020 Operational Plan* and;
- Reviewing the Council's Risk;
- Reviewing previous and proposed internal audit coverage; including coverage of key business processes;
- Developed a draft assurance map identifying the key council activities, key risks, assurance providers, and previous and proposed audit coverage;
- Consulting with the Audit Partner from William Buck, the delegated external auditors;
- Reviewing relevant Queensland Audit Office plans and reports to identify key issues of concern, performance audit topics and areas of control focus;
- Discussing key risks, issues and audit coverage with the Chief Executive Officer and Executive Managers;
- Obtained input to the internal audit plan from the Audit and Risk Management Committee members.

1.4 QAO Audit Coverage

QAO performance audit coverage for the 2018/2019 to 2021/2022 period includes:

2018/2019	2019/2020	2020/2021	2021/2022
<ul style="list-style-type: none"> • Food Safety (Completed) 	<ul style="list-style-type: none"> • Managing the Cost of Local Government Services (in Progress) 	<ul style="list-style-type: none"> • Development Applications and Approvals • Asset Management in Local Government 	<ul style="list-style-type: none"> • Managing Ecologically Sustainable Communities • Managing Conflicts of Interest in Local Government

The 2017/2018 QAO performance audit into rates and charges management made a number of recommendations, below, for all Local Governments to improve their processes:

- Document the actions they are taking to support their financial forecast that are required to achieve or maintain sustainability:

- the actions should be specific, measurable, achievable, realistic, and time-bound, and be allocated to responsible officers
- the document should have a long-term focus (10 years) and include the assumptions on which the forecast is based, the risks that may impact on achieving the forecast, and the factors driving the forecast (including links to strategic asset management plans)
- Implement an appropriate costing model to gain a clear understanding of the full cost of delivering utilities and use this information to annually review pricing
- Implement appropriate community engagement approaches to strengthen community understanding of, and input into, the rates decisions required to ensure continuation of services
- Publish a hardship policy to assist ratepayers to seek a concession for hardship as allowed by section 120(1)(c) of the Local Government Regulation 2012
- Ensure that all future budget documents and resolutions and rates and charges resolutions comply with all requirements in the *Local Government Act 2009* and the Local Government Regulation 2012
- Train staff on all relevant requirements in the Local Government Regulation 2012, and on better practice debt collection techniques.

The 2018/2019 performance audit into food safety management examined if food safety is effectively managed by the Department of Health and local governments. Recommendations for the local governments reviewed included:

- Reviewing the risks associated with licensing inspections for new food premises and follow up inspections;
- Improvements to capture license extensions, manage backlogs in food licensing applications and reporting on activities;
- Development of operating procedures complementary to Department of Health guidance, and
- Adherence to operating procedures on food safety programs.

1.5 Key Council Risks

The following key risks have been identified by the Council, and were assessed by Internal Audit as to suitability for inclusion in the internal audit plan, as detailed below:

Risk Type	Risk	Current Risk Rating	Previous Internal Audit
Financial & Economic	Financial sustainability to support the achievement of strategy, goals and objectives in the medium to long term.	High	Capital Planning (12/13) Financial Sustainability (13/14) Operational Budget Process & Reporting (14/15) Capital Project Planning (17/18)
Financial & Economic	Decision making governance, due diligence, accountability and sustainability	High	New Councillor Induction (16/17)

Risk Type	Risk	Current Risk Rating	Previous Internal Audit
Infrastructure & Assets	Information and technology capacity and management	High	IT Risk Health Check (12/13) Email & Internet (14/15) Business Continuity Management (15/16) Cyber Security (16/17)
Business Continuity & Systems	Provision of core services now and into the future	High	
Environment & Community	Environment and the community, including sustainable development, social and community wellbeing, community relationships, public health, recreation, regional profile and identity	High	Infrastructure Charges (18/19) Customer Service Request Mgt (15/16)
Staff	Strategic Workforce Planning and Management	High	Contractor vs Employee (12/13) Payroll (13/14)
Work Health & Safety	Health and Safety	High	

1.6 Recommended Internal Audits for 2019/2020

As result of the planning process, the following audits are recommended for the periods 2019/2020 to 2021/2022.

Audit Name	Justification for Audit Topic	Objective	Days Quarter
Legislative Compliance Framework 2019-20	Carry over from 2018/2019 financial year.	To provide assurance that the Council manages its legislative compliance management functions effectively, economically and efficiently and that the internal control framework governing legislative compliance is adequate.	15 Q3
Workplace Health & Safety Framework 2020/21	High risk	To provide assurance that the Council operates its WHS framework effectively, economically and efficiently and that the internal control framework governing WHS is adequate.	12 Q4
Project Management	Poor project management practices. Value of projects.	To provide assurance that the Council manages its project management functions	15 Q2

Audit Name	Justification for Audit Topic	Objective	Days Quarter
2019-20	Lack of adoption of project management framework	effectively, economically and efficiently and that the internal control framework governing project management is adequate.	
TOTAL AUDIT DAYS			42
Annual Audit Planning			2
Audit Committee Meetings & Preparation			4
Follow Up Audit Recommendations			3
TOTAL DAYS			52
Fees \$1050/Day (Excluding GST)			\$54,600

Where appropriate, data analytics will comprise up to 10% of the budget for each audit. Additional data analytics to be undertaken and developed for management purposes are to be discussed and agreed with the Audit and Risk Management Committee and Council management.

1.7 Proposed Internal Audits for 2020/2021 and 2021/2022

As result of the planning process, the following audits are recommended for 2020/2021 and 2021/2022. However, these audits topics and the timing of the audits will be confirmed during the 2020 internal audit planning process, which will also incorporate Executive interviews, consideration of assurance map and risk register and other factors.

Audit Name	Justification for Audit Topic	Objective	2020/2021	2021/2022
Procurement 2020-21	Recent issues with procurement and tendering. Currently being reviewed by Peak Services.	To provide assurance that the Council manages its procurement functions effectively, economically and efficiently and that the internal control framework governing procurement is adequate.	12	
Information Management 2020-21	High priority but work currently underway to address outstanding recommendations from previous cyber security audit.	To provide assurance that the Council manages its information management functions effectively, economically and efficiently and that the internal control framework governing information management is adequate.	15	

Audit Name	Justification for Audit Topic	Objective	2020/2021	2021/2022
Conflict of Interest Management 2020-21	CCC reports into Council matters.	To provide assurance that the Council manages its COI functions effectively, economically and efficiently and that the internal control framework governing COI management is adequate.	12	
Workforce Planning 2020-21	High risk	To provide assurance that the Council manages its workforce planning functions effectively, economically and efficiently and that the internal control framework governing workforce planning is adequate.	15	
Staging Post Café 2020-21	Management request	To provide assurance that the Council manages the Staging Post Café effectively, economically and efficiently and that the internal control framework governing the Café is adequate.	10	
Asset Management & Planning Framework 2021-22	Linkages to financial sustainability, service delivery and community expectations.	To provide assurance that the Council manages its asset management functions effectively, economically and efficiently and that the internal control framework governing asset management is adequate.		15
Risk Management Framework 2021-22	Risk management framework has been reviewed and updated. Management request to review progress of implementation.	The objective is to review Council's Risk Management Framework for implementation of key processes and controls. Key focus areas include processes to identify, monitor and report on risks across Council, to consider the Council's current risk management maturity level and the application of better practice principles in the Framework.		12
Payroll & Remuneration 2021-22	Medium priority. Not audited by IA for 5 years but subject to external audit.	To provide assurance that the Council manages its payroll and remuneration functions effectively, economically and efficiently and that the internal control framework		12

Audit Name	Justification for Audit Topic	Objective	2020/2021	2021/2022
		governing payroll and remuneration is adequate.		
Property Management 2021-22	Maintenance, lease and use of Council properties, management of surplus Land and Buildings	To provide assurance that the Council manages its property management functions effectively, economically and efficiently and that the internal control framework governing property management is adequate.		12

1.8 Reserve/Alternative Audits

The following topics, identified through the audit planning process and ranked in priority order, are recommended as reserve/alternative audits:

Topic	Justification
Rates Revenue Management	High priority. No internal audit coverage of rates revenue management. Reviewed by external auditors.
Environmental Compliance Management	Medium priority. May be a follow up to the legislative compliance audit in 19/20.
Waste fees and levies	Medium priority. No internal audit coverage. Reviewed by external auditors
Infrastructure Works	Medium priority. Project management framework currently being rolled out across Council. Capital project planning audited in 2017/2018.
Quality Assurance Procedures & Processes	Medium priority. Lack of adequate procedures highlighted in interviews but an issue that can be addressed without an audit.
Development Applications	Medium priority. Key business process. Has not been previously audited.
Infrastructure Charges and Incentives	Low priority. Recently audited – 2018/2019.
Financial Sustainability	Low priority. Operational budgeting processes audited in 2014/2015.
Corporate Credit Card Management	Low priority. Previously audited in 2015/2016. Reviewed by external auditors.
Delegations Management	Low priority. Reviewed by external auditors.
Volunteer Management	Low priority. Small number of volunteers.

Topic	Justification
Asset Measurement and Valuation	Low priority – covered by external auditors.
Master File Changes	Low priority – will be consider in wider financial audits
Events Management	Low priority. May impact on revenue and cash management, insurances.
Knowledge Management	Low priority. Stable workforce. Records management reviewed in 2013/2014.
Mobility Processes	Low priority. Technology being introduced.

Appendix A shows the internal audits completed for the Council since 2011.

1.9 Acknowledgement

OCM wishes to acknowledge the assistance provided by the Chief Executive Officer, Executive Managers, William Buck and the Audit and Risk Management Committee Members in the development of this internal audit plan.

Appendix A: Previous Internal Audit Coverage

	2011	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-19
Flood Relief Appeal Funding	Purchasing Contract Governance	Financial Sustainability Payment of Allowances Payroll Records Management Audit Register Follow Up	Light Fleet Fuel Management Fraud Risk Management Operational Budget Process and Reporting Email and Internet Audit Register Follow Up	Risk Management Consultancy Credit Cards Business Continuity Customer Service Request Management Audit Register Follow Up	Risk Management Consultancy New Councilor Induction Cyber	Risk Management Consultancy Capital Project Planning (Asset Management)	Risk Management Consultancy Infrastructure Charges Review Tendered Contract Review	



Purpose and Mission

The purpose of Lockyer Valley Regional Council's internal audit function is to provide independent, objective assurance and consulting services designed to add value and improve the Lockyer Valley Regional Council's (LVRC) operations. Internal audit assists Council to ensure it is compliant with statutory requirements but also assists Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

The scope of work of the internal audit function is to determine whether the governance, risk management and control process of the LVRC, as designed and represented by management, are adequate and functioning in a manner to provide a reasonable level of confidence:

- Significant key risks are appropriately identified and managed.
- Significant financial, managerial and operating information is accurate, reliable and timely.
- Employees' and Councillors' actions are in compliance with policies, standards, procedures, laws and regulations.
- Resources are acquired economically, used efficiently and protected adequately.
- Programs, plans and objectives are achieved.
- Quality and continuous improvement are fostered in the LVRC's control process
- Significant legislative or regulatory issues impacting LVRC are recognised and addressed properly.

Opportunities for improving management control, profitability and the image of the LVRC may be identified during audits. They will be communicated to the Chief Executive Officer and/or appropriate Executive Leadership Team member.

The internal audit function will apply and uphold the principles of integrity, objectivity, confidentiality and competence as required by Institute of Internal Auditors Code of Ethics.

Group: Executive Office
Unit: Governance and Strategy
Approved: Ordinary Council Meeting
(Resolution Number:16-20/XX)
Date Approved: 00/08/2019
ECM: XXXX

Effective Date: 00/08/2019
Version: 1.3 Last Updated 22/08/2018
Review Date: 00/08/2020
Superseded/Revoked: Internal Audit Charter

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Standards for the Professional Practice of Internal Auditing

Internal audit will govern itself by adherence to the mandatory elements of The Institute of Internal Auditors' International Professional Practices Framework, including the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, the International Standards for the Professional Practice of Internal Auditing, and the Definition of Internal Auditing. The Internal Audit Engagement Manager will report periodically to senior management and the Audit & Risk Management Committee regarding the internal audit's conformance to the Code of Ethics and the Standards.

Accountability

The outsourced Internal Audit Provider, in the discharge of his/her duties, shall be accountable via the Chief Executive Officer to the Audit and Risk Management Committee to:

- Develop prior to the beginning of each financial year a risk-based annual internal audit plan.
- Report significant issues related to the processes for controlling the activities of the LVRC, including potential improvements to those processes and provide information concerning such issues through resolution.
- Provide information periodically on the status and results of the annual internal audit plan and the sufficiency of Council resources.
- Coordinate with and provide oversight of other control and monitoring functions such as risk management.

Independence and Objectivity

To provide for the independence and objectivity of the internal audit function, the outsourced Internal Audit Provider will report to Council's Audit and Risk Management Committee in the manner outlined in the above section on accountability.

Internal Audit will maintain an unbiased mental attitude that allows them to perform engagements objectively and in such a manner that they believe in their work product, that no quality compromises are made, and that they do not subordinate their judgment on audit matters to others.

Internal Audit will have no direct operational responsibility or authority over any of the activities audited. Accordingly, Internal Audit will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair their judgment.

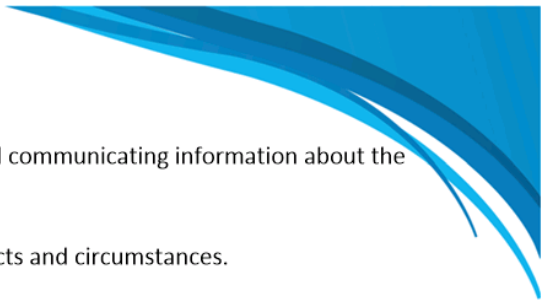
Internal Audit will:

- Disclose any impairment of independence or objectivity, in fact or appearance, to appropriate parties.

Group: Executive Office
Unit: Governance and Strategy
Approved: Ordinary Council Meeting
(Resolution Number:16-20/XX)
Date Approved: 00/08/2019
ECM: 37XXXX

Effective Date: 00/08/2019
Version: 1.3 Last Updated 22/08/2018
Review Date: 00/08/2020
Superseded/Revoked: Internal Audit Charter ECM

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- Exhibit professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined.
 - Make balanced assessments of all available and relevant facts and circumstances.
 - Take necessary precautions to avoid being unduly influenced by their own interests or by others in forming judgments.

Internal Audit will disclose to the Audit & Risk Committee any interference and related implications in determining the scope of internal auditing, performing work, and/or communicating results.

Responsibility

The Chief Executive Officer will be the contract manager for the outsourced Internal Audit Provider and will be responsible for ensuring internal audits and other agreed activities are conducted in compliance with this Charter and the Terms of Engagement.

The outsourced Internal Audit Provider has responsibility to:

- Develop flexible annual and strategic audit plans using an appropriate risk-based methodology, including any risks or control concerns identified by management and submit the plans to the Audit and Risk Management Committee for review and approval.
- Coordinate implementation of the approved annual internal audit plan including, as appropriate, any special tasks or projects requested by the Chief Executive Officer on behalf of Council and the Audit and Risk Management Committee.
- Supply professional audit staff with sufficient knowledge, skills, experience and professional qualifications to meet the requirements of the Charter.
- Establish a quality assurance program to assure the operation of internal audit activities.
- Coordinate consulting services, as requested and approved, beyond internal auditing's assurance services, to assist the Chief Executive Officer on behalf of Council in meetings its objectives.
- As requested and approved, coordinate evaluation and assessment of significant changes to operations and control processes coincident with their development, implementation and/or expansion.
- Review and verify management responses to internal audit reports.
- Issue periodic reports to the Audit and Risk Management Committee and the Executive Leadership Team summarising results of audit activities.
- Inform the Audit and Risk Management Committee of emerging trends and successful practices in auditing and risk management. As requested and approved, assist with the investigation of significant suspected fraudulent activities within the Council and notify the Chief Executive Officer and the Council of the results.

Authority

The outsourced Internal Audit Provider is authorised to:

Group: Executive Office
Unit: Governance and Strategy
Approved: Ordinary Council Meeting
(Resolution Number:16-20/XX)
Date Approved: 00/08/2019
ECM: 37XXXX

Effective Date: 00/08/2019
Version: 1.3 Last Updated 22/08/2018
Review Date: 00/08/2020
Superseded/Revoked: Internal Audit Charter ECM

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- Have unrestricted access to all relevant functions, records, property and personnel with the law.
- Have full and free access to the Audit and Risk Management Committee
- Meet with the Chair of the Audit and Risk Management Committee without a Council representative present.
- Obtain the necessary assistance of LVRC personnel, as well as other specialised services from within or outside Council.

Performance Measures and Review of Charter

An annual self-review questionnaire will be completed by the outsourced Internal Audit Provider for discussion with the Audit and Risk Management Committee.

As part of a comprehensive audit and risk management function, the Chief Executive Officer will arrange for the Audit and Risk Management Committee to complete an annual independent review of the efficiency and effectiveness of the operations of the outsourced Internal Audit Provider.

This Charter will be reviewed on an annual basis, any substantive changes will be formally approved by Council on the recommendation of the Audit and Risk Management Committee.

Chief Executive Officer

Dated _____

Chair, Audit and Risk Management Committee

Dated _____

Noted by Internal Auditor

Dated _____

Group: Executive Office
Unit: Governance and Strategy
Approved: Ordinary Council Meeting
(Resolution Number:16-20/XX)
Date Approved: 00/08/2019
ECM: 37XXXX

Effective Date: 00/08/2019
Version: 1.3 Last Updated 22/08/2018
Review Date: 00/08/2020
Superseded/Revoked: Internal Audit Charter ECM

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STRATEGIC GOVERNANCE SG06

Internal Audit

Head of Power

Local Government Act 2009, section 105
Local Government Regulation 2012, section 207

Key Supporting Council Document

Lockyer Valley Regional Council Corporate Plan (2017 – 2022):

- 5.4 Commit to open and accountable governance to ensure community confidence and trust in council and our democratic vales
- 5.7 Compliant with relevant legislation

Definitions

Internal audit is an independent, objective, assurance and consultancy activity that strives to add value and improve the operations of the Council.

Policy Objective

The objective of this policy is to establish an effective and efficient internal audit function that will provide independent, objective assurance and appropriate services designed to add value and improve Council's operations.

Policy Statement

Council maintains an internal audit function as required by the *Local Government Act 2009* and *Local Government Regulation 2012*.

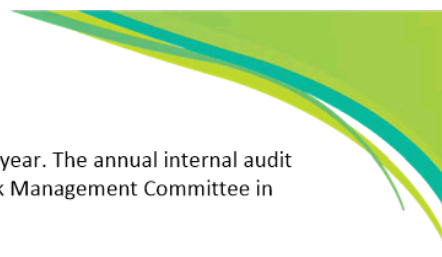
An efficient and effective internal audit function will seek to achieve the following outcomes:

- Assess and evaluate Council's processes, procedures and internal control environment to assist with the management of risks
- Appraise the relevance, reliability and integrity of management, business systems, financial and operating records and reports
- Assist the Chief Executive Officer and Council in the effective discharge of their responsibilities by providing them with analyses, appraisals, recommendations and information concerning the activities reviewed
- Review compliance with Council policies and procedures, legislative requirements and regulations
- Provide outcomes that will generally improve practices across Council.

Group: Executive Office
Unit: Governance and Strategy
Approved: Ordinary Council Meeting
(Resolution Number:16-20/xxxx)
Date Approved: xx/xx/2019
ECM: XXXXX

Effective Date: xx/xx/2019
Version: 2.0
Review Date: 30/06/2021
Superseded/Revoked: Internal Audit Policy 1.0 ECM: 3161218

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A risk based internal audit approach shall be implemented each financial year. The annual internal audit plan will be endorsed via the Chief Executive Officer by the Audit and Risk Management Committee in consideration of the most significant risks facing Council.

The internal audit function must be independent, and objectivity must be exercised in the conduct of internal audit work. Internal audit engagements shall be performed with an unbiased and impartial attitude.

Internal audit shall not be involved in the day to day operations of Council. Internal audit shall have direct and unrestricted access to Council and management. Internal Audit is authorised to review all areas of Council with full, free and unrestricted access to Council's operations, data and records, assets and personnel.

Related Documents

Internal Audit Charter.

Group: Executive Office
Unit: Governance and Strategy
Approved: Ordinary Council Meeting
(Resolution Number:16-20/xxxx)
Date Approved: xx/xx/2019
ECM: XXXXX

Effective Date: xx/xx/2019
Version: 2.0
Review Date: 30/06/2021
Superseded/Revoked: Internal Audit Policy 1.0 ECM: 3161218

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10.3 Application of Section 236 Local Government Regulation 2012 Exception for Renewal of Lease - Part of Lot 2 on SP288143

Date: 21 August 2019
Author: Caitlan Natalier, Solicitor & Legal Services Coordinator
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The existing Lessee wishes to renew its lease over part of the land described as Lot 2 on SP 288143 for the purpose of a dog rescue facility. The purpose of this report is to consider this request and meet Council's statutory obligations to enable a new lease to be offered.

Officer's Recommendation:

THAT with respect to the request for the renewal of the lease over part of Lot 2 on SP 288143 to the Brave Companion Dog Rescue, Council resolve to:-

- a) apply the exception contained in Section 236(1)(c)(iii) of the *Local Government Regulation 2012* for the purpose of renewing the lease of the land to the existing tenant; and**
- b) authorise the Chief Executive Officer to negotiate a new lease with the Brave Companion Dog Rescue as existing Lessee, on terms satisfactory to Council.**

RESOLUTION

THAT with respect to the request for the renewal of the lease over part of Lot 2 on SP 288143 to the Brave Companion Dog Rescue, Council resolve to:

- a) apply the exception contained in Section 236(1)(c)(iii) of the *Local Government Regulation 2012* for the purpose of renewing the lease of the land to the existing tenant; and**
- b) authorise the Chief Executive Officer to negotiate a new lease with the Brave Companion Dog Rescue as existing Lessee, on terms satisfactory to Council.**

Moved By: Cr McLean **Seconded By:** Cr Vela
Resolution Number: 16-20/1482

CARRIED
6/0

Report

1. Introduction

The purpose of this report is to take all necessary steps to enable Council to meet its statutory obligations and consider whether the lease to the existing Lessee of part of the land situated at 2109 Rosewood Laidley Road, Laidley should be renewed.

2. Background

The existing Lessee (**Lessee**) currently leases part of the land comprising the former Laidley Depot site described as Lot 2 on SP288143. The leased area is shown on the aerial plan in **Attachment 1** and comprises approximately 217m².

The Lessee has operated a dog rescue and rehoming program from this location since 1 August 2010. It is the Lessee's intention to accept dogs for re-homing until approximately March 2020 and then she will not be accepting any more dogs but concentrate on re-homing the remaining dogs. Once all dogs are re-homed the Lessee will no longer require the Lease.

In accordance with the lease terms, the Lessee has requested a renewal of the lease to enable sufficient time for all dogs to be rehomed.

3. Report

The Lessee has requested the lease be renewed for a further term of 1 year, with an additional 1 year option. The Lessee intends to wind down operations and accept only dogs considered at risk for rehoming up to March 2020. It is considered the proposed lease term will provide sufficient time for all dogs to be re-homed.

Under the existing lease, the Lessee pays a nominal rent of \$1.00 per annum and covers insurance costs. The electricity and water the Lessee uses comes from the main supply at the adjacent saleyards and is currently paid by Council. This is also the case with the adjoining Veterans Support Centre.

Since the start of 2018, Council has also incurred the following costs for works requested by the Lessee:

• Feb 2018 – Chainwire Fencing to compound within the carport (to be able to lock dogs up while cleaning out pens etc)	\$2,570.00
• 2018/2019 FY – Rodent Control	500.00
• 2018/2019 FY – Repairs to door locks	140.00
TOTAL	\$3,210.00

To provide equity with other leases issued to community groups by Council and reduce the cost burden on Council, it is proposed that a new lease will be offered at an annual rental of \$127.00 which shall be increased in line with changes to the Consumer Price Index for the option term. Separate power and water meters are also proposed to be installed by Council's Building and Facilities team for each separately used area at the depot at a cost of \$2,374.00, so that the power and water consumption used by each Lessee can be measured and these costs passed on to them.

The Lessee will be responsible for cleaning the premises but otherwise does not use, or incur cost for, any other services or outgoings. Rates are not levied in respect of the leased premises.

The Lessee has been informed of these proposed lease terms.

Council's Local Laws Coordinator has no concerns with the proposed renewal of the lease. Although Council does receive noise nuisance complaints each year from residents in the area, the complainants have failed to supply any evidence to support their complaint. It is possible for the lease to include powers for Council to better address noise complaints, including if necessary by requiring acoustic

testing by an accredited agency to be undertaken to identify if relevant noise standards have been exceeded.

The Manager Building and Facilities and Manager Planning and Development have no concerns with the recommendation made in this report.

It is therefore recommended that Council apply the relevant statutory exception to enable the lease to be renewed to the existing Lessee on the terms outlined in the body of this report.

4. Policy and Legal Implications

Section 236(1)(c)(iii) provides an exception from the requirement to go to tender if the disposal of land is for the purpose of renewing a lease to the existing tenant. It is appropriate for this exception to be applied.

As the lease is proposed to be for a period of less than 3 years, the Lessee is not required to register the lease with the Titles Registry in order to secure its option term. This means that the Lessee will not incur any survey or titles registration costs.

The Lessee has advised that if all of the dogs are rehomed before the new lease term expires, the Lessee intends to surrender the lease early.

5. Financial and Resource Implications

The financial obligations proposed on the Lessee under the new lease are consistent with the terms of other leases granted by Council to community organisations and clubs in the last few years. The rental amount has been determined by reference to the appropriate state lease rental category.

Except for the installation of separate water and power meters for the premises, no further financial implications are anticipated for Council.

6. Delegations/Authorisations

The Chief Executive Officer, through the Legal Services & Property Team, shall be authorised to do all things necessary to give effect to Council's resolution and enter into a new lease with the Lessee.

7. Communication and Engagement

Council's Local Laws Coordinator, Manager Building and Facilities and Manager Planning and Development have been consulted in the preparation of this report and their comments are included in the body of this report.

The Property Officer shall be responsible for engaging with the Lessee to finalise the new lease. The Chief Executive Officer and the Legal Services and Property Coordinator will provide support as necessary.

8. Conclusion

The recommendation made in this report will enable Council to meet its statutory obligations before offering a new lease to the Lessee that aligns with lease terms offered to other community organisations in Council's local government area.

9. Action/s

1. Advise the Lessee of Council's resolution.
2. Prepare and issue the new lease.

Attachments

1 [!\[\]\(74d4806277d7e73349d8e8c0897931e9_img.jpg\)](#) Aerial Plan 1 Page

Brave Companion Dog Rescue — Lease Area



11.1 Adopted Infrastructure Charges Resolution (No.4) 2019

Date: 30 July 2019
Author: Mark Westaway, Contract - Senior Planner
Responsible Officer: Ian Church, Chief Executive Officer

The report presents Council with Lockyer Valley Adopted Infrastructure Charges Resolution (No. 4) 2019, which incorporates amendments to Schedule 3 of the Adopted Infrastructure Charges Resolution (No. 3) 2019 for consideration.

THAT Council adopt the Adopted Infrastructure Charges Resolution (No.4) 2019, as identified in Attachment 2 to this report.

THAT Council adopt the “Adopted Infrastructure Charges Resolution (No.4) 2019”, as attached.

Moved By: Cr McLean **Seconded By:** Cr Hagan
Resolution Number: 16-20/1483

CARRIED
6/0

Report

1. Introduction

This report provides a new Adopted Infrastructure Charges Resolution to resolve an inconsistency between the charge categories and the definitions of the Laidley Planning Scheme and Gatton Planning Scheme in Schedule 3 of Adopted Infrastructure Charges Resolution (No.3) 2019 (AICR2019).

The change reflects Council's organisational commitment to continuous improvement.

2. Background

In applying AICR2019(No.3) it has been identified that there are inconsistencies in the way the use definitions in the Laidley Planning Scheme and the Gatton Planning Scheme are categorised in the Charge Categories in Column 2 of Schedule 3. A review of AICR2019, AICR2018, AICR2015 and the earlier 2011 Adopted Infrastructure Charges Resolution indicates that the inconsistency has been carried forward from July 2011.

3. Report

Schedule 3 of the Lockyer Valley AICR (No.3) 2019 sets out the charge rates for applicable uses under the Gatton Shire planning scheme and the Laidley Shire planning scheme. Schedule 3 sets out a table that groups uses that are defined under the relevant planning schemes into applicable charge categories. These uses are grouped to ensure similar use types are contained within similar charge categories.

Schedule 3 is a standard requirement for any Infrastructure Charges resolution, however where a council area contains several planning schemes, there may be inconsistencies in the respective planning schemes, and use definitions may overlap into other definitions, or where a definition is not specifically identified it may be addressed by a broad definition that captures a variety of uses by default.

It has been identified that there is an inconsistency in relation to the charge category for Medical / Paramedical type uses.

Under the Laidley Planning Scheme, Medical/Paramedical Centre, Hospital, Veterinary Hospital, Emergency Services Depot are contained within the Essential Services charge category. By comparison, under the Gatton Planning Scheme, Health Care Services is contained within the Commercial (office) charge category. Further it should be noted that under the Gatton Planning Scheme, Veterinary Hospital is not defined as a Medical / Paramedical Centre. Currently, Council is considering an application for a Veterinary establishment within the Gatton area. As a result, the applicable definition for this application is Commercial Premises as an all-encompassing definition.

Under the AICR(No.3) 2019, the charge rate for Essential Services is \$111/m² of GFA. The charge rate for Commercial (office) is \$69/m² of GFA. The charge rate for stormwater remains unchanged for all charge categories.

The consequence of this anomaly is that a medical centre or veterinary hospital in Laidley is currently subject to a higher infrastructure contribution than a medical centre or veterinary establishment in Gatton by a factor of \$42/m² of GFA.

Similarly, there are inconsistencies in relation to the charge rate for Indoor Entertainment uses. Under the Gatton Planning Scheme, Indoor Entertainment is defined as follows:

means any premises used for any of the following purposes or any like purpose:

Amusement hall

Bazaar

Billiard saloon

Bowling centre

Cinema

Circus (indoor)

Club (non-residential)

Concert hall

Court (covered)

Covered swimming pool

Entertainment machines (more than two)

Exhibition

Gymnasium

Meeting hall (including places of worship)

Music hall

Premises specified in a Cabaret License issued under the Liquor Act

*School of art
Side show (indoor)
Skating rink (indoor)
Squash court
Stadium (indoor)
Theatre (indoor);*

Under the Laidley Planning Scheme, Place of Assembly is defined as follows:

means the use of premises;

(a) as a public hall, theatre or concert hall;

(b) as a place of public assembly, being a building whether or not used for purposes of gain;

(c) as a meeting place of lodges, associations, and the like.

The term does not include an Educational Establishment, Indoor Entertainment, or a Place of Worship.

Under the Laidley Planning Scheme, Place of Worship is defined as follows:

means the use of premises for a church, chapel or other place of public worship, or religious instruction, or place used for the purpose of religious training.

As demonstrated above, the definition of Indoor Entertainment under the Gatton Planning Scheme is very broad. Several of the uses are equivalent to the definition of Place of Assembly or Place of Worship under the Laidley Planning Scheme.

Indoor Entertainment is contained within the Indoor sport and recreation (excluding court areas) charge category under Schedule 3 of the AICR(No.3)2019. By comparison, under the Laidley Planning Scheme, Places of Worship and Places of Assembly are contained within the Places of Assembly charge category.

Under the AICR(No.3)2019, the charge rate for Indoor sport and recreation is \$100/m² of GFA. The charge rate for Places of Assembly is \$41/m² of GFA. The charge rate for stormwater remains unchanged for all charge categories.

The consequence of this anomaly is that a church or other place of assembly (as currently contained in the Indoor Entertainment definition) in Gatton is currently subject to a higher infrastructure contribution than a church or place of assembly in Laidley by a factor of \$59/m² of GFA.

To address the above issues and to ensure there is parity amongst charge rates across the region, Council will need to adopt a new Adopted Infrastructure Charges Resolution that will replace the current AICR(No.3)2019.

The new Adopted Infrastructure Charges Resolution (No.4) 2019 is proposed to

(a) remove the words "Medical/Paramedical Centre" and "Veterinary Hospital" in Column 3 of Schedule 3 from the charge category of "Essential services" and include the words "Medical/Paramedical Centre" and "Veterinary Hospital" in Column 3 of Schedule 3 for the charge category of Commercial (office);

(b) add the words "... (where not otherwise identified in the Places of Assembly charge category)" in the charge category of "Indoor Entertainment" of Column 2 of Schedule 3; and

- (a) add the words “Indoor Entertainment (Concert hall, Exhibition, Meeting hall Including places of worship), Music hall, Theatre (indoor))” in the charge category of “Places of Assembly” of Column 2 of Schedule 3.

A copy of Adopted Infrastructure Charges Resolution (No.4) 2019 which will replace AICR2019 is provided as an attachment to this report.

4. Policy and Legal Implications

A new Adopted Infrastructure Charges Resolution is required to remove the anomalies relating to “Medical / Paramedical Centre” and “Health Care Services” and “Indoor Entertainment” and “Place of Worship” and “Place of Assembly” in Schedule 3 of AICR2019. The removal of these anomalies in Schedule 3 of AICR(No.4) 2019 will ensure an equitable infrastructure charge for a Medical / Paramedical Centre or Health Care Services and Indoor Entertainment (where relating to a Place of Assembly or Place of Worship) across the Council area.

5. Financial and Resource Implications

The inclusion of Medical / Paramedical Centre and Veterinary Hospital in the Commercial (office) charge category in Schedule 3 of AICR(No.4) 2019 will result in a reduced infrastructure charge for a use of this type in the former Laidley Shire area but will provide an equitable outcome across the entire Council area.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from this report.

7. Communication and Engagement

The change reflects Council’s organisational commitment to continuous improvement.

8. Conclusion

A new Adopted Infrastructure Charges Resolution (No.4) 2019 is provided which corrects anomalies in Schedule 3 of AICR2019.

9. Action/s

1. AICR(No.4) 2019 is uploaded to Council’s website.
2. A copy of AICR(No.4) 2019 is provided to the Chief Executive of the Department of State Development, Manufacturing, Infrastructure and Planning and to Queensland Urban Utilities.

Attachments

- 1 [↓](#) AICR Version 4 31 Pages

Lockyer Valley Regional Council

Lockyer Valley Adopted Infrastructure Charges Resolution (No. 4) 2019

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Lockyer Valley Regional Council

Lockyer Valley Adopted Infrastructure Charges Resolution

(No.4) 2019

Part 1 Introduction

1. Short title

This resolution may be cited as *Lockyer Valley Adopted Infrastructure Charges Resolution (No. 4) 2019*.

2. Commencement

This resolution has effect on and from the day the making of this resolution by the local government is first notified in a newspaper circulating generally in the local government's area.

3. Planning Act 2016

- (1) This resolution is made under the Planning Act 2016.
- (2) This resolution is to be read in conjunction with the following:
 - (a) the Planning Regulation 2017;
 - (b) the Ministers Guidelines and Rules;
 - (c) the Gatton Shire planning scheme;
 - (d) the Laidley Shire planning scheme
- (3) This resolution is attached to, but does not form part of the Gatton Shire planning scheme or the Laidley Shire planning scheme.

4. Purpose

The purpose of this resolution is to state the following:

- (a) the adopted charges for providing the local government trunk infrastructure networks and distributor-retailer trunk infrastructure networks for development;
- (b) the levied charges to be levied by the local government for development for the demand placed on the local government trunk infrastructure networks;
- (c) matters relevant to the working out of an offset and refund for a trunk infrastructure contribution for the local government trunk infrastructure networks for development.

5. Interpretation

- (1) The dictionary in schedule 1 defines words used in this resolution
- (2) A word not defined in this resolution which is defined in the Planning Act has the meaning given in the Planning Act
- (3) A word not defined in this resolution or the Planning Act has the meaning given to it by the edition of the Macquarie Dictionary that is current at the date this resolution takes effect, subject to section 14A (Interpretation best achieving Act's purpose) of the Acts Interpretation Act 1954 and section 14 (Applicable provisions) of the Statutory Instruments Act 1992.

Part 2 Adopted charges

6. Purpose of part 2

Part 2 states the following:

- (a) the adopted infrastructure charges for providing trunk infrastructure networks for development (**adopted charge**);
- (b) the **trunk infrastructure networks**, which are the following:
 - (i) for the local government—the trunk infrastructure for the local government's transport, stormwater, and public parks and community facilities infrastructure networks (**local government trunk infrastructure networks**);
 - (ii) for the distributor-retailer—the trunk infrastructure for the distributor-retailer's water service and wastewater service (**distributor-retailer trunk infrastructure networks**).
- (c) the date the adopted charges take effect (**applicable date**);
- (d) the part of the local government area to which the adopted charges apply (**applicable area**);
- (e) the uses to which the adopted charges apply (**applicable use**).

7. Adopted charges

- (1) The local government has for the purpose of working out the adopted charges for the local government trunk infrastructure networks under this resolution determined the following:
 - (a) a charge for each trunk infrastructure network (including indexation) for development which is included in schedule 2 (**trunk infrastructure network charges**) that comprise the following:
 - (i) a charge for each local government trunk infrastructure network (**local government trunk infrastructure network charge or LNC**);
 - (ii) a charge for each distributor-retailer trunk infrastructure network (**distributor-retailer trunk infrastructure network charge or DNC**);
 - (b) a total charge for all trunk infrastructure networks worked out by adding the LNC and the DNC (**total trunk infrastructure network charges or Total NC**);

8. Trunk infrastructure networks for adopted charges

- (1) The local government trunk infrastructure networks are specified in the Local Government Infrastructure Plan.
- (2) The distributor-retailer trunk infrastructure networks are specified in the **distributor-retailer infrastructure planning instrument** which means the following:
 - (a) the distributor-retailer's water netserv plan under the SEQ Water Act;
 - (b) the interim connections policy and schedule of works under the SEQ Water Act

adopted by the distributor-retailer if paragraph (a) is not applicable;

- (c) the local government's Local Government Infrastructure Plan, if paragraphs (a) and (b) are not applicable.

9. Applicable date for the adopted charges

The applicable date for the adopted charges is the day this resolution has effect.

10. Applicable area for the adopted charges

The applicable area for the adopted charges is all of the local government area.

11. Applicable uses or activity for the adopted charges

- (1) The applicable uses or activity under the Gatton Shire planning scheme and the Laidley Shire planning scheme to which the adopted charges apply are stated in schedule 3.

Part 3 Levied charges

12. Purpose of part 3

Part 3 states the following:

- (a) the applicable development for which adopted charges may be levied by the local government for development for the demand placed upon the local government trunk infrastructure networks (**levied charge**);
- (b) the method to be applied by the local government for working out the levied charge including the following:
 - (i) the adopted charge to be applied (**applied adopted charge**);
 - (ii) the additional demand placed upon the local government trunk infrastructure networks which will be generated by the development (**additional demand**);
 - (iii) the discount to be applied for a financial contribution (**prescribed financial contribution**):
 - (A) provided for in relation to a local government trunk infrastructure network under an infrastructure charging instrument for a previous development approval;
 - (B) which has been paid to the local government or otherwise satisfied under an infrastructure agreement between the applicant for the previous development approval and the local government for the provision of land, work or money for the local government trunk infrastructure networks; and
 - (C) which has not been reimbursed or otherwise previously applied against another financial contribution;
- (c) the method to be applied by the local government for working out the increase in the levied charge from the day the levied charge is levied to the day the levied charge is paid (**automatic increase**).

13. Applicable development for the levied charge

- (1) The levied charge may be levied for the following development:
 - (a) reconfiguring a lot;
 - (b) material change of use of premises.
- (2) The levied charge is not to be levied for the following:
 - (a) development in a priority development area under the Economic Development Act 2012;
 - (b) work or use of land authorised under the Mineral Resources Act 1989, the Petroleum Act 1923, the Petroleum and Gas (Production and Safety) Act 2004 or the Greenhouse Gas Storage Act 2009.

14. Working out the levied charge

The levied charge for the development is to be worked out by the local government as follows:

$$LC = ((AC \times AD) - D)$$

Where:

LC is the levied charge for the development, which cannot be less than zero.

AC is the applied adopted charge for the development.

AD is the additional demand for the development.

D is the discount for the prescribed financial contribution.

15. Working out the applied adopted charge

The applied adopted charge for the development is to be worked out by the local government by applying the following:

- (a) the adopted charge worked out under section 7 (Adopted charges).

16. Working out the additional demand

- (1) The additional demand for the development is to be worked out by the local government as follows:

$$AD = DD - DC$$

Where:

AD is the additional demand.

DD is the demand placed upon the local government trunk infrastructure networks which will be generated by the development (**development demand**).

DC is the demand placed upon the local government trunk infrastructure networks generated by existing or previous development if applicable (**demand credit**).

- (2) The development demand is worked out using the relevant unit of calculation for an adopted charge for the development in schedule 2 (**demand unit**).

- (3) The demand credit is to be worked out using the greater of the following:

- (a) if the premises is subject to an existing use which is lawful and already taking place on the premises (**existing lawful use**) that places demand upon the local government trunk infrastructure networks, the demand generated for the existing lawful use using the applicable demand units for the use;
- (b) if the premises is subject to a previous use which was lawful at the time it was carried out and is no longer taking place on the premises (**previous lawful use**) that placed demand upon the local government trunk infrastructure networks, the demand generated for the previous lawful use using the applicable demand units for the use;
- (c) if the premises is a vacant lot, the demand for one dwelling house (3 bedroom dwelling) in schedule 2.

-
- (4) The demand credit for an existing lawful use or previous lawful use under subsections 3(a) and 3(b) is to be worked out by the local government prior to the time for the giving of the relevant approval to which the levied charge applies as follows:
- (a) an applicant which is seeking the demand credit for an existing lawful use or previous lawful use is to:
 - (i) give a notice in the prescribed form to the local government which provides evidence of the existing lawful use or the previous lawful use and the calculation of the demand credit; and
 - (ii) pay the prescribed fee;
 - (b) the local government is to:
 - (i) determine if a demand credit for the existing lawful use or the previous lawful use is applicable to the development;
 - (ii) work out the demand credit for the previous lawful use if applicable; and
 - (iii) give a notice to the applicant stating the outcome of the local government's determination.
- (5) A demand credit is only to be provided to a maximum amount equal to the development demand.

17. Working out the discount for the prescribed financial contribution

- (1) The amount of the discount for the prescribed financial contribution is to be worked out by the local government as follows:
- $$D = PFC - (AC - DC)$$
- Where:
- D* is the discount which cannot be less than zero.
- PFC* is the amount of the prescribed financial contribution.
- AC* is the applied adopted charge for the proposed development worked out under section 15 (Working out the applied adopted charge).
- DC* is the demand credit if applicable worked out under section 16 (Working out the additional demand).
- (2) The discount for the prescribed financial contribution is to be worked out by the local government prior to the time for the giving of the relevant approval to which the levied charge applies as follows:
- (a) an applicant which is seeking the discount for the prescribed financial contribution is to:
 - (i) give a notice in the prescribed form to the local government which provides evidence of the prescribed financial contribution and the calculation of the discount; and
 - (ii) pay the prescribed fee;
 - (b) The local government is to:
 - (i) determine if the discount for a prescribed financial contribution is

applicable to the development;

- (ii) work out the discount for the prescribed financial contribution if applicable; and
- (iii) give notice to the applicant stating the outcome of the local government's determination.

Editor's note—The notice may be given in an infrastructure charges notice.

18. Working out the automatic increase

- (1) The automatic increase of the levied charge is to be worked out by the local government as the amount which is equal to the increase calculated by using the index stated in section 114 of the Planning Act.
- (2) However, the amount of the automatic increase of the levied charge must not be more than the amount of the increase prescribed by section 114 the Planning Act.

Part 4 Offset and refund for trunk infrastructure**19. Purpose of part 4**

Part 4 states the following matters relevant to the working out of an offset or refund for the provision of trunk infrastructure for the local government trunk infrastructure networks for development:

- (a) the criteria for trunk infrastructure to be applied by the local government in deciding if development infrastructure is trunk infrastructure (***identified trunk infrastructure criteria***);
- (b) the method to be applied by the local government for working out the establishment cost of trunk infrastructure for an offset or refund where an applicant is required under a condition of a relevant approval to provide land or work for the following trunk infrastructure for local government trunk infrastructure networks (***trunk infrastructure contribution***):
 - (i) ***identified trunk infrastructure***—development infrastructure which is identified in the Local Government Infrastructure Plan;
 - (ii) ***different trunk infrastructure***—development infrastructure which:
 - (A) is an alternative to the identified trunk infrastructure; and
 - (B) delivers the same desired standards of service for the network of development infrastructure stated in the Local Government Infrastructure Plan;
 - (iii) ***necessary trunk infrastructure***—development infrastructure which is not identified trunk infrastructure or different trunk infrastructure that satisfies the identified trunk infrastructure criteria and is necessary to service development;
 - (iv) ***prescribed trunk infrastructure***—development infrastructure which is not identified trunk infrastructure, different trunk infrastructure or necessary trunk infrastructure that becomes trunk infrastructure under the Planning Act;
- (c) whether an offset or refund applies and if so the details of the offset and refund and the timing of the offset and refund.

20. Identified trunk infrastructure criteria (conversion criteria)

The identified trunk infrastructure criteria (conversion criteria) for deciding that development infrastructure is trunk infrastructure are the following:

- (a) that the development infrastructure is necessary to service development:
 - (i) consistent with the assumptions about the type, scale, location or timing of future development stated in the Local Government Infrastructure Plan;
 - (ii) for premises completely inside the priority infrastructure area in the Local Government Infrastructure Plan;
 - (iii) facilitates development of other premises by enabling increased development or overcoming deficiencies in service through its provision; and

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- (iv) reduces or eliminates unnecessary and interim staged infrastructure; and
 - (v) provides a critical shared link between multiple development sites and the defined and mapped trunk network; and
 - (vi) would have been identified as 'trunk' infrastructure had the ultimate demand and development pattern been known in more detail at the time of developing the Local Government Infrastructure Plan; and
 - (vii) the type, size and location of the infrastructure is the most cost effective option for servicing multiple users in the area. The most effective option means the least cost option based upon the life cycle cost of the infrastructure required to service existing and future development in the area at the desired standards of service.
- (b) that the development infrastructure complies with the criteria in schedule 4

21. Working out the establishment cost

The establishment cost for a trunk infrastructure contribution is to be worked out by the local government using the following:

- (a) for the calculation of the establishment cost—the method in section 22 (Calculation of the establishment cost);
- (b) for the recalculation of the establishment cost for work calculated under paragraph (a)—the method in section 23 (Recalculation of the establishment cost for work);
- (c) for the recalculation of the establishment cost for land calculated under paragraph (a)—the method in section 24 (Recalculation of the establishment cost for land).

22. Calculation of the establishment cost

- (1) The establishment cost for a trunk infrastructure contribution is to be worked out by the local government using any of the following:
 - (a) the planned estimate of the trunk infrastructure contribution;
 - (b) a cost-based estimate of the establishment cost for the trunk infrastructure contribution determined by the local government using first principles estimating;
 - (c) an estimate of the establishment cost for the trunk infrastructure contribution reasonably determined by the local government.
- (2) The **planned estimate** of the trunk infrastructure contribution if:
 - (a) the whole of an item of identified trunk infrastructure—is the **planned cost** being the amount of the value of the item stated in schedule 8;
 - (b) part of an item of identified trunk infrastructure—is the estimate of the proportion of the planned cost of the item of identified trunk infrastructure applicable to the trunk infrastructure contribution having regard to the method used by the local government to work out the planned cost of the item of identified trunk infrastructure stated in the extrinsic material to the Local Government Infrastructure Plan; and

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- (c) different trunk infrastructure, necessary trunk infrastructure or prescribed trunk infrastructure—is the estimate of the planned cost of the infrastructure having regard to the method used by the local government to work out the planned cost of the identified trunk infrastructure for the network of development infrastructure stated in the extrinsic material to the Local Government Infrastructure Plan.

23. Recalculation of the establishment cost for work***Market cost***

- (1) The establishment cost for a trunk infrastructure contribution for work may be recalculated by the local government at the request of the applicant by using the market cost for the work.
- (2) The market cost for the work is the estimate of the cost of the design and construction of the work:
- (a) including the following:
- (i) the construction cost for the work;
 - (ii) construction on costs for the work which do not exceed the maximum construction on costs stated in schedule 9 for the following:
 - (A) the cost of survey for the work;
 - (B) the cost of geotechnical investigations for the work;
 - (C) the cost of only detailed design for the work;
 - (D) the cost of project management and contract administration;
 - (E) the cost of environmental investigations for the work;
 - (F) a portable long service leave payment for a construction contract for the work;
 - (iii) risk and contingencies which do not exceed 10% for the cost of that part of the of the work in a construction contract which is subject to a contingency.
- Example—*
- A construction contract for a trunk road infrastructure network item may state a contingency for pavement design and service relocation.*
- (b) excluding the following:
- (i) the planning of the work;
 - (ii) a cost of carrying out temporary infrastructure;
 - (iii) a cost of carrying out other infrastructure which is not part of the trunk infrastructure contribution;
 - (iv) a cost of the decommissioning, removal and rehabilitation of infrastructure identified in paragraphs (ii) and (iii);
 - (v) a part of the trunk infrastructure contribution provided by:
 - (A) the local government; or
 - (B) a person, other than the applicant or a person engaged by the

applicant;

- (vi) a cost to the extent that GST is payable and an input tax credit can be claimed for the work;
- (vii) a cost attributable directly or indirectly to the failure of an applicant or a person engaged by the applicant to perform and fulfil a relevant approval for the work;
- (viii) a cost caused or contributed to by a negligent or wilful act or omission by the applicant or a person engaged by the applicant;
- (ix) a cost of carrying out development infrastructure which is only made necessary by the development and does not contribute to the function of the trunk infrastructure item;
- (x) a cost of carrying out trunk infrastructure which relates to another development infrastructure network;
- (xi) a cost of carrying out development infrastructure which is replacing existing infrastructure with different infrastructure in another development infrastructure network;
- (xii) a cost of existing development infrastructure which services or is planned to service existing or future demand that is replaced by the trunk infrastructure contribution.

Determining the market cost

- (3) The local government is to, prior to the applicant starting the construction of the work, determine the market cost for the work as follows:
 - (a) the applicant is to undertake an open tender process for the work;
 - (b) the applicant is to:
 - (i) give to the local government a notice in the prescribed form which states the following:
 - (A) an open tender process has been conducted;
 - (B) the tenders received;
 - (C) the applicant's preferred tenderer;
 - (D) the applicant's reason for the preferred tenderer;
 - (E) the terms of the construction contract for the work;
 - (F) a plan for each development infrastructure network clearly showing the extent of the work for which an offset is sought;
 - (G) the applicant's calculation of the market cost for the work; and
 - (ii) pay the prescribed fee;
 - (c) the local government may, within 15 business days of the date the notice under paragraph (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government a document to enable the local government to determine the market cost including without limitation the following:
 - (i) details in respect of a construction contract for the work;

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- (ii) a plan for each development infrastructure network clearly showing the scope of the work for which an offset is sought;
 - (d) the applicant is to comply with a notice given by the local government to the applicant under paragraph (c);
 - (e) the local government is to as soon as reasonably practicable determine the market cost acting reasonably having regard to the matters in paragraphs (a) to (d);
 - (f) the local government after determining the market cost is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - (A) the local government's calculation of the market cost for the work and the reason for any difference from the applicant's calculation;
 - (B) the establishment cost for the work; and
 - (ii) issue an amended infrastructure charges notice.

Adjustment of the establishment cost

- (4) The local government is to, after the completion of the construction of the work and prior to the date for the payment of a levied charge, determine an adjustment to the establishment cost as follows:
 - (a) this subsection only applies to a cost of work (***prescribed cost***) if the cost:
 - (i) would have formed part of the market cost used to work out the establishment cost for the work; and
 - (ii) was not included in the market cost used to work out the establishment cost or was included in the market cost used to work out the establishment cost but was for an amount less than the prescribed cost; and
 - (iii) was included in the market cost used to work out the establishment cost but was subject to a contingency stated in subsection (2)(a)(iii);
 - (b) the applicant may, prior to 15 business days after the applicant has completed the work:
 - (i) give to the local government a single notice which is to state the following:
 - (A) that the applicant requests that the local government adjust the establishment cost to take account of the prescribed cost;
 - (B) all information reasonably necessary to establish the calculation of the prescribed cost and that the cost is a prescribed cost;
 - (C) the applicant's calculation of the prescribed cost; and
 - (ii) pay the prescribed fee if paragraph (i) applies.
 - (c) the local government may, within 15 business days of the date the notice under paragraph (b) is received by the local government, give a notice to the applicant which states that the applicant is to provide to the local government

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- a document to enable the local government to determine the value of an adjusted establishment cost;
 - (d) the applicant is to comply with a notice given by the local government to the applicant under paragraph (c);
 - (e) the local government is to as soon as reasonably practicable determine whether the establishment cost is to be adjusted acting reasonably having regard to the matters in paragraphs (a) to (d);
 - (f) the local government after determining whether the establishment cost is to be adjusted, is to as soon as reasonably practicable:
 - (i) give to the applicant a notice which states the following:
 - (A) the local government's calculation of the adjusted establishment cost for the work and the reason for any difference from the applicant's calculation;
 - (B) the establishment cost for the work; and
 - (ii) issue an amended infrastructure charges notice.

24. Recalculation of the establishment cost for land

- (1) The establishment cost for a trunk infrastructure contribution for land may be recalculated by the local government at the request of the applicant using the current market value of the land.
- (2) The **current market value** of the land is the difference, determined by using the before and after method of valuation of the whole of the subject premises, between the value of the subject premises including the land and the value of the subject premises excluding the land.
- (3) The local government is to, prior to the date of payment of the levied charge, determine the market value of the land as follows:
 - (a) the applicant is to provide to the local government the following:
 - (i) a notice in the prescribed form requesting the recalculation of the establishment cost for the land;
 - (ii) a valuation of the land undertaken by a certified practicing valuer;
 - (iii) the prescribed fee;
 - (b) the local government may, if the matters in paragraph (a) are satisfied, refer the valuation to a registered valuer to assess whether the valuation is consistent with the current market value;
 - (c) the local government is to decide whether to:
 - (i) accept the valuation; or
 - (ii) reject the valuation;
 - (d) the local government is to, if it accepts the valuation:
 - (i) give to the applicant a notice stating the establishment cost for the land; and
 - (ii) index the establishment cost for the land using the CPI from the date of

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- the accepted valuation to the date stated in the amended infrastructure charges notice;
- (e) the local government is to, if it rejects the valuation, refer the valuation to an independent certified practicing valuer to:
 - (i) assess whether the valuation is consistent with the current market value; and
 - (ii) undertake a valuation of the land if the valuation is assessed as not consistent with the current market value;
 - (f) the local government is to, upon the determination of the independent certified practicing valuer's valuation:
 - (i) give to the applicant a notice stating the establishment cost for the land;
 - (ii) index the establishment cost for the land using the CPI from the date of the independent certified practicing valuer's valuation to the date stated in the amended infrastructure charges notice; and
 - (iii) issue an amended infrastructure charges notice;
 - (g) the local government however is not required to refer the valuation to the registered valuer or the independent certified practising valuer if the applicant has not paid to the Council the prescribed fee including the costs of the registered valuer under paragraph (b) and the independent certified practicing valuer under paragraph (e).

25. Application of an offset and refund

The following apply if a trunk infrastructure contribution services or is planned to service premises other than premises the subject of the relevant approval and an adopted charge applies to the development the subject of the relevant approval:

- (a) an **offset**—where the establishment cost for the trunk infrastructure contribution is equal to or less than the levied charge; and
- (b) a **refund**—where the establishment cost for the trunk infrastructure contribution is more than the levied charge.

26. Details of an offset and refund

- (1) If an offset applies, the establishment cost for the trunk infrastructure contribution is to be worked out by the local government in accordance with section 21 (Working out the establishment cost).
- (2) If a refund applies, the proportion of the establishment cost for the trunk infrastructure contribution that may be apportioned reasonably to users of premises other than the premises the subject of the relevant approval (**prescribed proportion**) is to be worked out by the local government using an estimate of the prescribed proportion reasonably determined by the local government.

27. Timing of an offset and refund

- (1) An applicant entitled to seek an offset or refund for the trunk infrastructure

contribution is to:

- (a) give to the local government a notice in the prescribed form which states the following:
 - (i) the date the trunk infrastructure contribution the subject of an offset or refund was lawfully completed;
 - (ii) that the trunk infrastructure contribution has been provided in accordance with the relevant approval for the trunk infrastructure contribution; and
 - (b) pay the prescribed fee.
- (2) The local government is to as soon as reasonably practicable after receiving a notice under subsection (1):
- (a) determine whether the trunk infrastructure contribution has satisfied the matters in subsection (1)(a); and
 - (b) give to the applicant a notice stating the outcome of the local government's determination.
- (3) The local government if satisfied of the matters in subsection (1)(a) is to, unless otherwise provided for in an infrastructure agreement:
- (a) for an offset—set off the establishment cost for the trunk infrastructure contribution against the levied charge when the levied charge stated in the infrastructure charges notice is payable under the Planning Act;
 - (b) for a refund—give the refund when stated in the infrastructure charges notice.
- (4) The local government has adopted a policy position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government to achieve the following policy objectives:
- (a) to seek to integrate the local government's land use and infrastructure plans;
 - (b) to implement the Local Government Infrastructure Plan as the basis for the local government's trunk infrastructure funding;
 - (c) to implement infrastructure funding which is equitable, accountable and financially sustainable for the local government.
- (5) The local government's policy position in relation to the determination in an infrastructure charges notice of when a refund is to be given by the local government and related matters is as follows:
- (a) for a trunk infrastructure contribution for identified trunk infrastructure which is identified in the local government's capital works program at the date of the relevant approval with a planned date that is consistent with the Local Government Infrastructure Plan:
 - (i) the refund may be given in accordance with the payment triggers in paragraph (ii) until the planned date, at which time the balance of the refund is to be given by 31 December of the financial year following the planned date;
 - (ii) the following payment triggers achieve the local government's policy objectives:

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- (A) for a refund which is an amount that is less than \$100,000—the refund may be given by 31 December of the financial year following the completion of the trunk infrastructure contribution;
 - (B) for a refund which is an amount that is \$100,000 or more but not more than \$500,000—the refund may be given annually over 3 financial years in equal payments by 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution;
 - (C) for a refund which is an amount that is \$500,000 or more but not more than \$1 million—the refund may be given annually over 5 financial years in equal payments by 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution;
 - (D) for a refund which is an amount that is \$1 million or more—the refund may be given annually in equal payments of \$250,000 by 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution until the amount is paid;
 - (iii) each amount to be paid under paragraph (ii) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid;
 - (b) for a trunk infrastructure contribution for identified trunk infrastructure (for which subsection 28(5)(a) does not apply) or different trunk infrastructure which is provided before or in the planned date or period for the trunk infrastructure contribution stated in the Local Government Infrastructure Plan:
 - (i) the following payment triggers achieve the local government's policy objectives:
 - (A) for a refund which is an amount that is less than \$100,000—the refund may be given by 31 December of the financial year following the end of the relevant planned date or period for the trunk infrastructure contribution;
 - (B) for a refund which is an amount that is \$100,000 or more but not more than \$500,000—the refund may be given annually over 3 financial years in equal payments by 31 December in each financial year commencing in the financial year following the end of the relevant planned date or period for the trunk infrastructure contribution;
 - (C) for a refund which is an amount that is \$500,000 or more but not more than \$1 million—the refund may be given annually over 5 financial years in equal payments by 31 December in each financial year commencing in the financial year following the end of the relevant planned date or period for the trunk infrastructure contribution;
 - (D) for a refund which is an amount that is \$1 million or more—the

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- refund may be given annually in equal payments of \$250,000 by 31 December in each financial year commencing in the financial year following the end of the relevant planned date or period for the trunk infrastructure contribution until the amount is paid;
- (ii) each amount to be paid under paragraph (i) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid;
 - (c) for a trunk infrastructure contribution for identified trunk infrastructure or different trunk infrastructure which is provided after the planned date or period for the trunk infrastructure contribution stated in the Local Government Infrastructure Plan:
 - (i) the following payment triggers achieve the local government's policy objectives:
 - (A) for a refund which is an amount that is less than \$100,000—the refund may be given by 31 December of the financial year following the completion of the trunk infrastructure contribution;
 - (B) for a refund which is an amount that is \$100,000 or more but not more than \$500,000—the refund may be given annually over 3 financial years in equal payments by 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution;
 - (C) for a refund which is an amount that is \$500,000 or more but not more than \$1 million—the refund may be given annually over 5 financial years in equal payments by 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution;
 - (D) for a refund which is an amount that is \$1 million or more—the refund may be given annually in equal payments of \$250,000 by 31 December in each financial year commencing in the financial year following the completion of the trunk infrastructure contribution until the amount is paid;
 - (ii) each amount to be paid under paragraph (i) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid;
 - (d) for a trunk infrastructure contribution for necessary trunk infrastructure:
 - (i) the local government is to estimate the period in which the trunk infrastructure contribution would have been planned to be provided had it been included in the Local Government Infrastructure Plan having regard to the method used by the local government to work out the relevant planned date or period of items of identified trunk infrastructure for the network of development infrastructure stated in the extrinsic material to the Local Government Infrastructure Plan (specified date or period);
 - (ii) the local government is to upon the completion of the trunk

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- infrastructure contribution include the trunk infrastructure as existing trunk infrastructure in the Local Government Infrastructure Plan;
- (iii) the following payment triggers achieve the local government's policy objectives:
 - (A) for a refund which is an amount that is less than \$100,000—the refund may be given by 31 December of the financial year following the end of the specified date or period for the trunk infrastructure contribution;
 - (B) for a refund which is an amount that is \$100,000 or more but not more than \$500,000—the refund may be given annually over 3 financial years in equal payments by 31 December in each financial year commencing in the financial year following the end of the specified date or period for the trunk infrastructure contribution;
 - (C) for a refund which is an amount that is \$500,000 or more but not more than \$1 million—the refund may be given annually over 5 financial years in equal payments by 31 December in each financial year commencing in the financial year following the end of the specified date or period for the trunk infrastructure contribution;
 - (D) for a refund which is an amount that is \$1 million or more—the refund may be given annually in equal payments of \$250,000 by 31 December in each financial year commencing in the financial year following the end of the specified date or period for the trunk infrastructure contribution until the amount is paid;
 - (iv) each amount to be paid under paragraph (iii) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid;
 - (e) for a trunk infrastructure contribution for prescribed trunk infrastructure:
 - (i) the local government is to upon the completion of the trunk infrastructure contribution include the trunk infrastructure as existing trunk infrastructure in the Local Government Infrastructure Plan;
 - (ii) the following payment triggers achieve the local government's policy objectives:
 - (A) for a refund which is an amount that is less than \$100,000—the refund may be given by 31 December 2036;
 - (B) for a refund which is an amount that is \$100,000 or more but not more than \$500,000—the refund may be given annually over 3 financial years in equal payments between 31 December 2036 and 31 December 2038;
 - (C) for a refund which is an amount that is \$500,000 or more but not more than \$1 million—the refund may be given annually over 5 financial years in equal payments between 31 December 2036 and 31 December 2040;

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- (D) for a refund which is an amount that is \$1 million or more—the refund may be given annually in equal payments of \$250,000 from 31 December 2036 until the amount is paid;
 - (iii) each amount to be paid under paragraph (ii) is to be increased by the CPI from the date of the infrastructure charges notice for the refund to the date that the amount is paid.

Schedule 1 Dictionary

additional demand see section 12(b)(ii) (Purpose of part 3).

adopted charge see section 6(a) (Purpose of part 2).

applicable area see section 6(d) (Purpose of part 2).

applicable date see section 6(c) (Purpose of part 2).

applicable use see section 6(e) (Purpose of part 2).

applied adopted charge see section 12(b)(i) (Purpose of part 3).

automatic increase see section 12(c) (Purpose of part 3).

bedroom means an area of a building or structure which:

- (a) is used, designed or intended for use for sleeping but excludes a lounge room, dining room, living room, kitchen, water closet, bathroom, laundry, garage or plant room; or
- (b) can be used for sleeping such as a den, study, loft, media or home entertainment room, library, family or rumpus room or other similar space.

completion means the stage in the provision of a trunk infrastructure contribution by an applicant when the local government is satisfied that the trunk infrastructure contribution is complete other than for a minor omission and a minor defect which:

- (a) is not essential;
- (b) does not prevent the matter from being reasonably capable of being used for its intended purpose;
- (c) the local government determines the applicant has a reasonable basis for not promptly rectifying; and
- (d) the rectification of which will not prejudice the convenient use of the matter.

CPI (an acronym for consumer price index) means the following:

the consumer price index 6401.0 All Groups Brisbane published by the Australian Bureau of Statistics;

- (a) if an index described in paragraph (a) ceases to be published—another similar index prescribed by the local government.

Editor's note—Where the CPI has not been published for a calculation date the change in the CPI is to be determined by having regard to the index prior to the base date and the index prior to the calculation date.

current market value see section 24(2) (Recalculation of the establishment cost for land).

deemed demand see section 16(3)(d) (Working out the additional demand).

deemed demand area means the deemed demand area in schedule 12.

demand credit see section 16(1) (Working out the additional demand).

demand unit see section 16(2) (Working out the additional demand).

development demand see section 16(1) (Working out the additional demand).

different trunk infrastructure see section 19(b)(ii) (Purpose of part 4).

distributor-retailer means the Central SEQ Distributor-Retailer Authority (trading as Queensland Urban Utilities) under the SEQ Water Act.

distributor-retailer's adopted charge or DAC see section 7(2)(e) (Adopted charges).

distributor-retailer infrastructure planning instrument see section 8(2) (Trunk infrastructure networks for adopted charges).

distributor-retailer trunk infrastructure network charge or DNC see section 7(2)(a)(ii) (Adopted charges).

distributor-retailer trunk infrastructure networks see section 6(b)(ii) (Purpose of part 2).

dwelling has the meaning in the Planning Regulation 2017.

establishment cost see section 21 (Working out the establishment cost).

existing lawful use see section 16(3)(a) (Working out the additional demand).

financial year means a period of 1 year beginning on 1 July.

Gatton Shire planning scheme means the Gatton Shire Planning Scheme 2007.

GFA (an acronym for gross floor area) has the meaning in the Planning Regulation 2017.

identified trunk infrastructure criteria see section 19(a) (Purpose of part 4).

identified trunk infrastructure see section 19(b)(i) (Purpose of part 4).

infrastructure charging instrument means any of the following:

- (a) a condition imposed under a planning scheme policy about infrastructure;
- (b) an adopted infrastructure charge levied under an adopted infrastructure charges notice;
- (c) a levied charge under an infrastructure charges notice.

Laidley Shire planning scheme means the Laidley Shire Planning Scheme 2003.

levied charge see section 12(a) (Purpose of part 3).

levied charge relief see section 12(b)(iii) (Purpose of part 3).

Local Government Infrastructure Plan means the Gatton Shire and the Lockyer Shire Local Government Infrastructure Plans.

local government trunk infrastructure networks see section 6(b)(i) (Purpose of part 2).

local government trunk infrastructure network charge or LNC see section 7(2)(a)(i) (Adopted charges).

market cost see section 23(2) (Recalculation of the establishment cost for work).

maximum adopted charge or MAC see section 7(2)(d) (Adopted charges).

necessary trunk infrastructure see section 19(b)(iii) (Purpose of part 4).

offset see section 25(a) (Application of an offset and refund).

planned cost see section 22(2)(a) (Calculation of the establishment cost).

planned estimate see section 22(2) (Calculation of the establishment cost).

Planning Act means the Planning Act 2016.

Planning Regulation means the Planning Regulation 2017

PPI (an acronym for producer price index) means the following:

- (a) the producer price index for construction 6427.0 (ABS PPI) index number 3101—Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics;
- (b) if an index described in paragraph (a) ceases to be published—another similar index prescribed by the local government.

prescribed cost see section 23(4)(a) (Recalculation of the establishment cost for work).

prescribed financial contribution see section 12(b)(iv) (Purpose of part 3).

prescribed fee means a cost recovery fee prescribed by the local government.

prescribed form means a form prescribed by the local government.

prescribed proportion see section 26(2) (Details of an offset and refund).

prescribed trunk infrastructure see section 19(b)(iv) (Purpose of part 4).

previous lawful use see section 16(3)(b) (Working out the additional demand).

PSP 5 see section 7 (1)(a) (Adopted charges).

refund see section 25(b) (Application of an offset and refund).

relevant proportion or RP see section 7(2)(c) (Adopted charges).

SEQ Water Act means the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009.

specified date or period see section 27(5)(c)(i) (Timing of an offset and refund).

total trunk infrastructure network charges or Total NC see section 7(2)(b) (Adopted charges).

trunk infrastructure contribution see section 19(b) (Purpose of part 4).

trunk infrastructure networks see section 6(b) (Purpose of part 2).

trunk infrastructure network charges see section 7(2) (Adopted charges).

Schedule 2 Trunk infrastructure network charges**Table A Material Change of Use – Residential and Long-Term Non-Permanent Accommodation**

DEMAND UNIT	LVRC	QUU	QUU	QUU
	All Networks	Water	Wastewater	All Networks
Dwelling or unit with 1 or 2 bedrooms	\$10,119.97	\$3,425.80	\$6,694.17	\$10,119.97
Dwelling or unit with 3 or more bedrooms	\$12,500.00	\$4,250.00	\$8,250.00	\$12,500.00

Table B Material Change of Use – Short-Term Non-Permanent Accommodation

DEMAND UNIT	LVRC	QUU	QUU	QUU
	All Networks	Water	Wastewater	All Networks
Suite with 1 or 2 bedrooms	\$5,059.97	\$1,712.89	\$3,347.08	\$5,059.97
Suite with 3 or more bedrooms	\$6,250.00	\$2,116.00	\$4,134.00	\$6,250.00
Each bedroom that is not part of a suite	\$5,059.97	\$1,712.89	\$3,347.08	\$5,059.97
Group of 1 or 2 Camping or caravan site/s	\$5,059.97	\$1,712.89	\$3,347.08	\$5,059.97
Group of 3 Camping or caravan site/s	\$6,250.00	\$2,116.00	\$4,134.00	\$6,250.00

Table C Reconfiguring a Lot – All Lots

DEMAND UNIT	LVRC	QUU	QUU	QUU
	All Networks	Water	Wastewater	All Networks
Lot	\$12,500.00	\$4,250.00	\$8,250.00	\$12,500.00

Table D Material Change of Use – Non-Residential

DEMAND UNIT	LVRC	LVRC	QUU	QUU	QUU
	Stormwater	Other	Water	Wastewater	All Networks
	Per m ² Impervious	Per m ² GFA	Per m ² GFA	Per m ² GFA	Per m ² GFA
Places of assembly	\$10.00	\$41.00	\$10.00	\$19.00	\$29.00
Commercial (bulk goods)	\$10.00	\$69.00	\$24.00	\$47.00	\$71.00
Commercial (retail)	\$10.00	\$109.00	\$24.00	\$47.00	\$71.00
Commercial (office)	\$10.00	\$69.00	\$24.00	\$47.00	\$71.00
Educational facility	\$10.00	\$69.00	\$24.00	\$47.00	\$71.00
Entertainment	\$10.00	\$100.00	\$34.00	\$66.00	\$100.00
Indoor sport and recreation (excluding court areas)	\$10.00	\$100.00	\$34.00	\$66.00	\$100.00
Indoor sport and recreation (court areas)	\$10.00	\$15.00	\$2.00	\$3.00	\$5.00
High impact industry or special industry	\$10.00	\$27.00	\$15.00	\$28.00	\$43.00
Other industry	\$10.00	\$21.00	\$10.00	\$19.00	\$29.00
Low impact rural	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
High impact rural	\$0.00	\$10.00	\$3.00	\$7.00	\$10.00
Essential services	\$10.00	\$111.00	\$10.00	\$19.00	\$29.00
Minor uses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other uses	Individual	Individual	Individual	Individual	Individual

Schedule 3 Applicable uses under the Gatton Shire planning scheme and the Laidley Shire planning scheme

Column 1 Charge category under the Planning Regulations 2017	Column 2 Use under the Gatton Shire Planning Scheme 2007	Column 3 Use under the Laidley Shire Planning Scheme 2003
Refer to schedule 16, column 1 of the Planning Regulation 2017	Refer to Gatton Shire Planning Scheme 2007.	Refer to Laidley Shire Planning Scheme 2003.
Residential uses and Accommodation (long term)	Dwelling House, Accommodation Unit, Caretaker's Residence, Dual Occupancy	Accommodation Units, Caretaker Housing, Dwelling House, Multiple Dwelling, Secondary Rural Dwelling
Accommodation (short term)	Caravan Park, Motel	Caravan Park, Motel
Places of Assembly	Indoor Entertainment (Concert hall, Exhibition, Meeting hall including places of worship), Music hall, Theatre (indoor))	Place of Assembly Place of Worship
Commercial (bulk goods)	Showroom	Bulk Retail
Commercial (retail)	Arts, Crafts and Antiques, Catering Shop, Service Station, Shop	Catering Room, General Store, Refreshment Service, Service Station, Shop
Commercial (office)	Commercial Premises, Health Care Premises	Commercial Premises, Funeral Parlour, Medical/Paramedical Centre, Veterinary Hospital
Educational facility	Educational Establishment	Child Care Facility, Educational Establishment
Entertainment	Hotel	Hotel
Indoor sport and recreation	Indoor Entertainment (where not otherwise identified in the Places of Assembly charge category)	Indoor Entertainment
High impact industry or special industry	Industry – High Impact Industry	Noxious, Offensive and Hazardous Industry
Other industry	Warehouse, Industry – Low Impact Industry, Industry – Medium Impact Industry, Service Trade, Transport Depot	Warehouse, Car Repair Station, Light Industry, Medium Industry, Junk Yard, Liquid Fuel Depot, Road Freight Depot, Transport Depot, Truck Stop
Low impact rural	Agriculture, Animal Husbandry, Natural Timber Harvesting, Roadside Stall	Agriculture, Animal Husbandry, Forestry, Roadside Stall
High impact rural	Animal Product Processing Industry, Intensive Animal Industries, Rural Service Industry	Rural Processing, Feedlot, Kennels, Intensive Animal Industry
Essential services		Hospital, Emergency Services Depot

29

Lockyer Valley Regional Council
Lockyer Valley Adopted Infrastructure Charges Resolution (No.4) 2019

Minor uses	Annexed Unit, Eco Tourism Facility, Bed and Breakfast Accommodation, Home Based Business	Home Based Business, Home Occupation, Estate Sales Office, Tourist Accommodation
Other uses	Off-street Car Park, Transport Terminal, Extractive Industry, Outdoor Entertainment, Local Utility, Special Purpose	Aviation, Passenger Terminal, Sport and Recreation, Public Facility, Public Infrastructure

Schedule 4 Identified trunk infrastructure criteria

Column 1 Local government trunk infrastructure networks	Column 2 Identified trunk infrastructure criteria
Transport trunk infrastructure network	<p>Transport trunk infrastructure network comprises the following:</p> <ul style="list-style-type: none"> (a) arterial roads; (b) sub-arterial roads; (c) within an arterial or a sub-arterial road land and works for, an associated interchange, intersection, road drainage, kerb and channel, culverts, bridges, pedestrian and cyclist pathways, lighting and landscaping. <p>Transport trunk infrastructure network does not comprise the following:</p> <ul style="list-style-type: none"> (a) major collector, collector and access streets linking a development area with an arterial or sub-arterial road; (b) land and works for an arterial road or a sub-arterial road that is primarily related to providing access to and from a development area such as an acceleration or deceleration lane, turn lanes, traffic signals and roundabouts. <p>Trunk infrastructure for existing and future transport infrastructure is restricted to the standard as set out below.</p>
Public parks trunk infrastructure network	<p>Public parks trunk infrastructure network comprises the following: land, works and embellishments for recreation parks, linear parks and sport ground and courts;</p> <p>Trunk infrastructure for existing and future parks is restricted to the standard as set out below.</p>
Community facilities trunk infrastructure network	<p>Community facilities trunk infrastructure network comprises the following: land and basic works associated with the clearing of land and connection to services for community facilities.</p> <p>Trunk infrastructure for existing and future community facilities land is restricted to the standard as set out below.</p>

Transport network desired standards of service

The desired standard of service for the Transport network is located within Councils Local Government Infrastructure Plan:

Stormwater network desired standards of service

The desired standard of service for the Stormwater network is located within Councils Local Government Infrastructure Plan:

Public parks and land for community facilities network desired standards of service

The desired standard of service for the Park and Community land network is located within Councils Local Government Infrastructure Plan:

Date: 09 July 2019
Author: Mark Westaway, Contract - Senior Planner
Responsible Officer: Ian Church, Chief Executive Officer

The report addresses a request to reduce the Infrastructure Charges applicable for an approved development at 7 Maroske Road, Plainland. The request does not comply with Council's Development Incentives Policy and therefore should not be accepted.

THAT Council do not accept the applicant's request to reduce the Infrastructure Charges applicable due to the request not complying with Council's Development Incentives Policy;
Further;
THAT officers review the infrastructure Charges applicable for this development against Adopted Infrastructure Charges Resolution (No.4) 2019 and issue an amended Infrastructure Charges Notice for payment.

THAT Council do not accept the applicant's request to reduce the Infrastructure Charges applicable due to the request not complying with Council's Development Incentives Policy;
Further;
THAT Officers review the infrastructure Charges applicable for this development against Adopted Infrastructure Charges Resolution (No.4) 2019 and issue an amended Infrastructure Charges Notice for payment.

Moved By: Cr Hagan **Seconded By:** Cr Vela
Resolution Number: 16-20/1484

CARRIED
6/0

1. Introduction

This report addresses the history of the approved development, considers the applicant's arguments, and provides a recommendation considering the recent changes to the Council's Amended Infrastructure Charges Resolution, AICR (No.4) 2019.

2. Background

On 5 March 2013, Council issued a Decision Notice (reference DA2012/0055) for a Development Permit for a Material Change of Use for a Medical/Paramedical Centre (Chiropractor Clinic) on the subject site at 7 Maroske Road, Plainland. The application had a currency period of four years.

On 4 June 2013, Council issued a Negotiated Decision (reference DA2012/0055) as representations were made in respect to several conditions that were imposed on the development.

The development included a Caretakers Residence in the existing house at the front of the site, and a separate building for the Chiropractor Clinic.

At the time, Infrastructure Charges were listed on the Decision Notice. The LVRC Infrastructure Charge was calculated at \$40,085.00 and the QUU Infrastructure Charge was calculated at \$2,850.00.

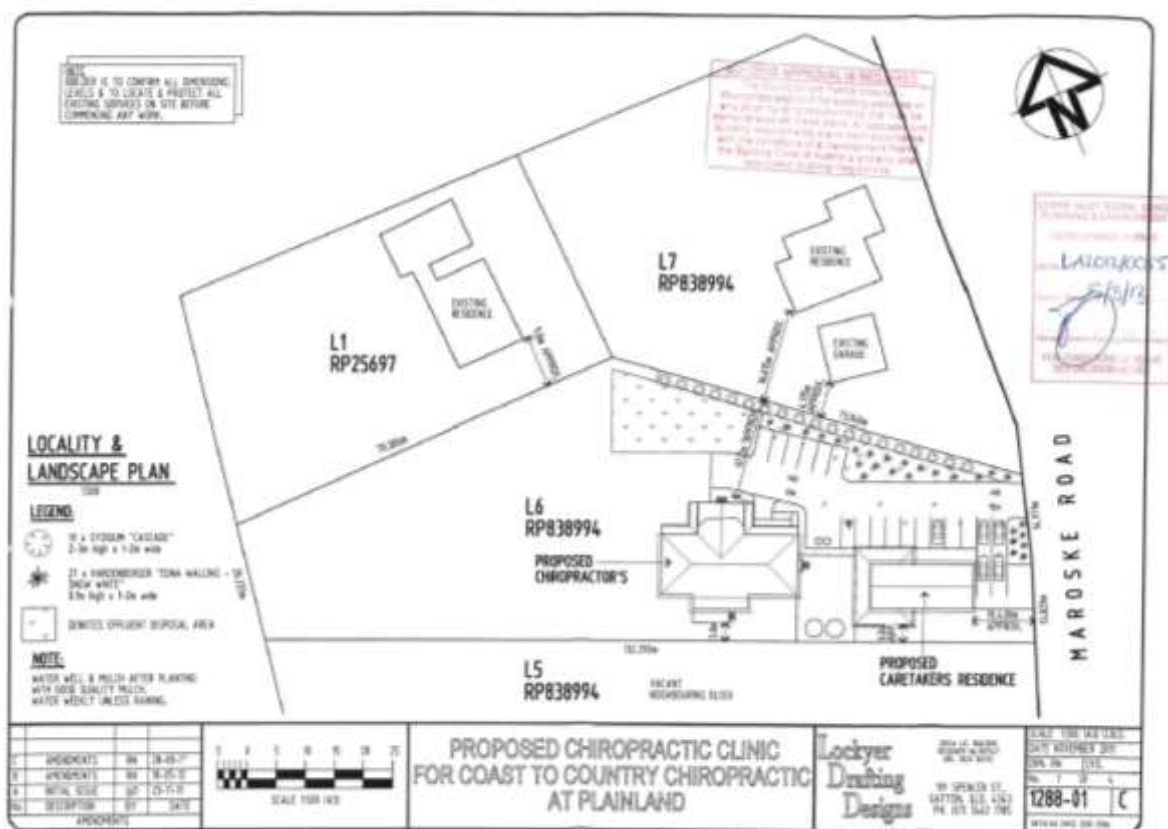


Figure 1 – Approved plan of Development dated 5 March 2013.



Figure 2 – Approved floor plan of proposed Chiropractic Clinic dated 5 March 2013.

On 24 November 2016, Council issued an Extension of Relevant Period (CAP2016/0040) for a period of 1 year, until 5 March 2018.

On 3 November 2017, Council issued an Extension of Currency Period (MC2017/0040) for a period of 1 year, until 5 March 2019.

On 10 May 2018, the applicant lodged correspondence requesting a 50% discount to the Essential Services. The applicant was advised via email dated 13 June 2018, *"the Infrastructure Charges Incentives Policy cannot be retrospectively applied as one of the criteria to qualify requires the policy to be in effect when your development permit is issued. The discount offered to those that qualify is not for an early payment of fees, but rather the policy requires the commencement of use to happen within 2 years of approval in order to qualify thereby incentivising development to commence in the region. The infrastructure charges payment is due to be paid at commencement of use for your approval."*

On 30 November 2018, Council approved a minor change to the existing approval (MC2018/0091). The gross floor area of the chiropractic centre increased in size from 285m² to 300.4m², and the impervious surface also increased, which consequently resulted in an alteration to the Infrastructure Charges, increasing from \$40,085.00 to \$44,074.40.

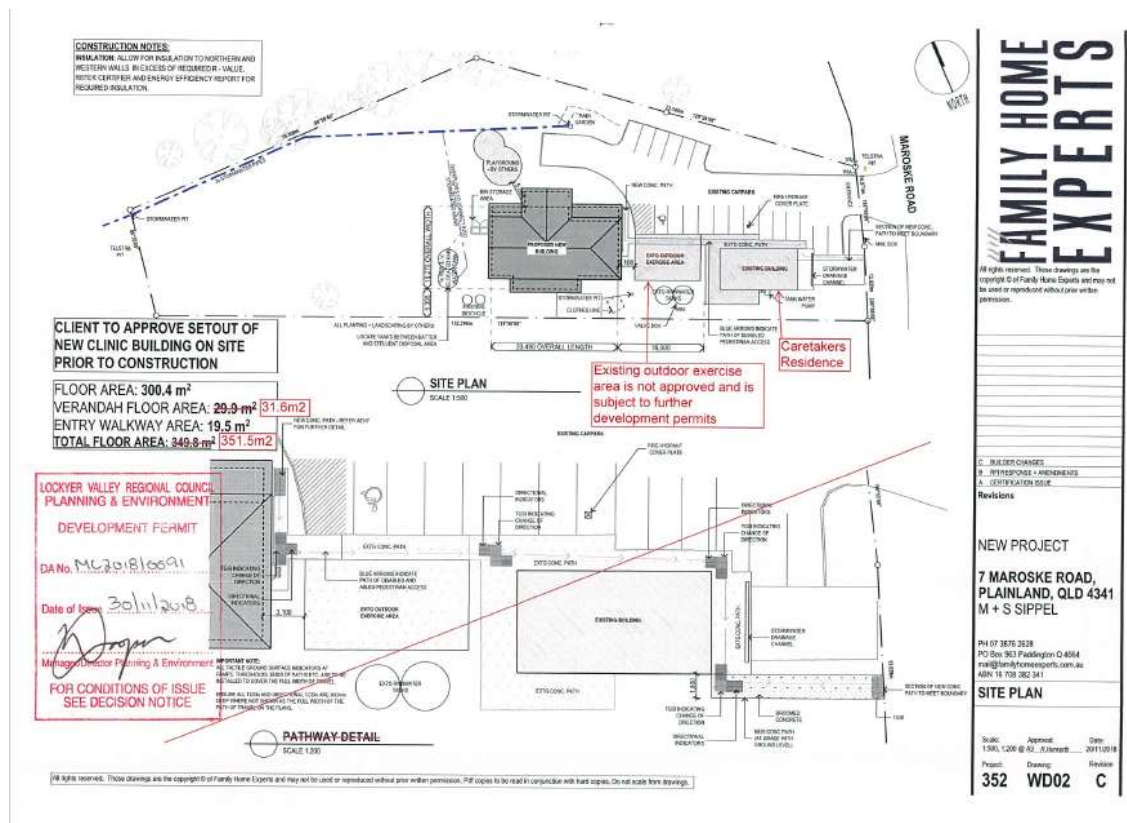


Figure 3 – Approved amended site plan of proposed Chiropractic Clinic dated 30 November 2018.

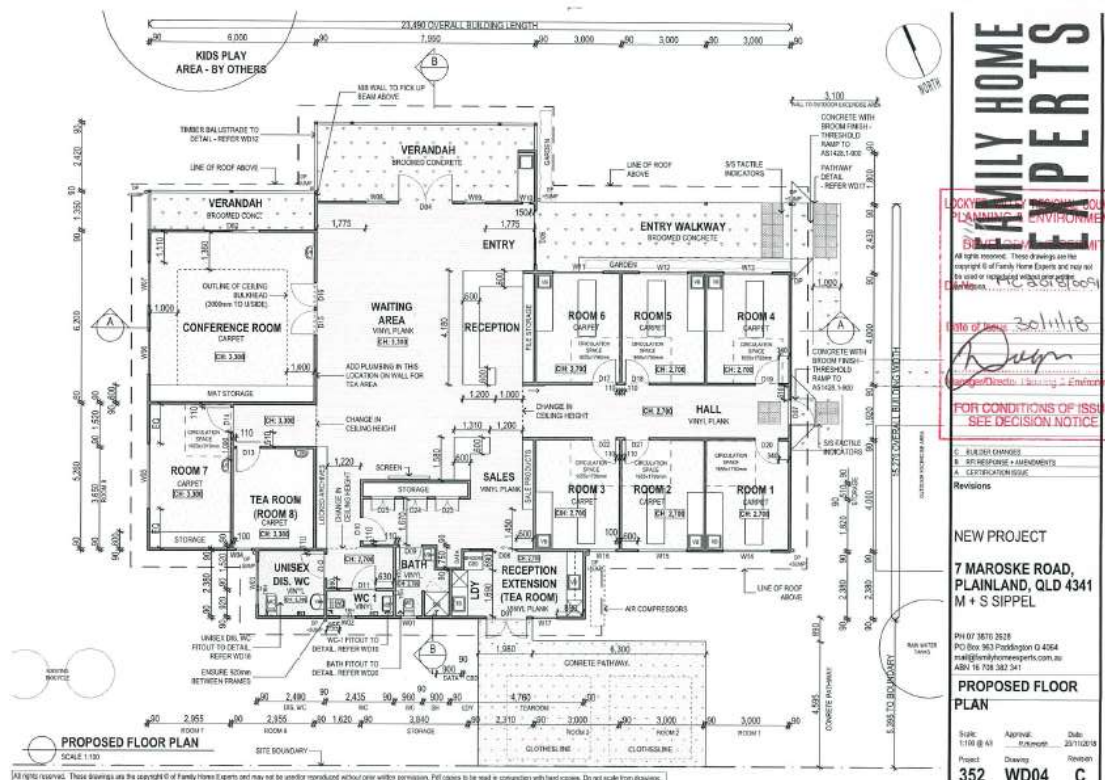


Figure 4 – Approved amended floor plan of proposed Chiropractic Clinic dated 30 November 2018.

On 4 March 2019, Council issued an Extension of Currency Period (MC2018/0091.01) for a period of 1 year, until 5 March 2020. A fee waiver of \$1,400.00 was granted for this request.

3. Report

The owners of the property, who operate Coast to Country Chiropractic on the subject site, submitted correspondence on 29 June 2019, requesting a reduction in infrastructure charges.

"We are writing in regards to the LVRC Adopted Infrastructure Charges Notice Number 2012/0055 dated 5 March 2013, which formed part of the Development Decision Notice dated 5 March 2013 in which Council approved a Development Permit for a Material Change of Use (Impact Assessment) for Medical/Paramedical Centre (Chiropractor Clinic) at 7 Maroske Road, Plainland on land described as Lot 6 RP838994.

We note the above development application has an extended currency period until 5 March 2020.

The purpose of this correspondence is to seek support of the Chief Executive Officer, Mayor and Elected Representatives in reviewing the LVRC Adopted Infrastructure Charges Notice (identified above) by resolving to agree to apply at least a 12.5% discount to the 'Essential Services' Charge currently payable in the Notice as \$33,344.40. As small-scale investors, we are of the perception that the additional demand placed upon the local government trunk infrastructure networks for 'Essential Services' as described in the ICN, will not be generated by the proposed development. We are a 'small-scale business in the private sector' trying to provide a diversified business in the Region and also provide regular employment to local members of the community. It is our understanding that the maximum amount charged by the State for Essential Services is currently \$28,000.

We also seek further clarification of the break down of these infrastructure charges for transparency of both the fee distribution and the fairness of the charges for a business of our size and impact.

We understand that we have missed the opportunity to discuss this matter in a formal sense as part of a Request for a Negotiated Decision during the applicant's Appeal Period as we were unaware that these charges could be part of our discussion. We understand that the 12.5% discount in accordance with the Policy Document 'Development Incentives – Infrastructure Charges', was implemented after our initial application. However, we respectfully request due consideration be given to reducing the Infrastructure Charges for Essential Services for the above approved development.

Furthermore, we query if the Charge given for Impervious Areas of \$10,730.00 is also fair and reasonable and ask that these charges be reviewed and reduced if possible.

Should the Council not support our request, perhaps the Council would give consideration in entering into an agreement by paying the levied charges by instalments over a 6 month period, in accordance with Chapter 4 Infrastructure, section 123 of the Planning Act 2016. We would propose that half the total amount be paid up front and the remainder, including interest, be paid over a 5 month period.

We would sincerely appreciate the opportunity to discuss the contents of this correspondence at a meeting with the Chief Executive Officer, Mayor and Elected Representatives and relevant Planning Officer, so that a full understanding of our request is appreciated."

A review of Council's Development Incentives – Infrastructure Charges policy has been undertaken. The policy clearly states that:

- *This policy only applies to contributions payable for development permits for material change of use that are approved during the period within which this policy is in effect and where the development has commenced within two years of the date of the development approval.*
- *This policy only applies to contributions payable for development for which all conditions of the relevant development permit have been satisfied prior to the commencement of the use and the payment of infrastructure charges has been made prior the commencement of the use.*
- *This policy does not apply to infrastructure charges payable for development which has been or is subject to compliance or enforcement action for a development offence under Chapter 5 of the Planning Act 2016 and for which the relevant development approval to which the charge relates remedies the development offence.*
- *This policy does not apply to development for which an infrastructure agreement has been entered into regarding the supply of infrastructure or the payment of infrastructure contributions.*

The development is not consistent with the following requirements of Council's Development Incentives Policy:

- The approval predated Council's policy. The development was approved on 3 March 2013. Council's Policy originally came into effect on 10 February 2016.
- If Council was to consider the proposal retrospectively against the Development Incentives Policy (which is not a legitimate course of action), the development was not commenced within two years of the date of the development approval. The applicants have been operating the business out of the existing building without approval since prior to lodgement of the original application. If the Policy had been in place when the application was originally approved, the development would have needed to commence use by 4 June 2015.
- Under the Development Incentives Policy, payment of infrastructure charges is required prior to commencement of the use. The building is under construction, but the infrastructure charges have not been paid. As an alternative, the applicants are proposing a payment plan which would require an infrastructure agreement.

The infrastructure charges for the development was calculated under the *Lockyer Valley Adopted Infrastructure Charges Resolution (No.1) 2015* in the following manner:

The Caretaker's Residence generates a demand unit of \$12,500. This is equivalent to the amount of infrastructure charge credit available for the site. As a result, the Medical / Paramedical Centre is not subject to any credit under the Charges Resolution.

Medical / Paramedical Centre is defined as Essential Services. The charge rate for Essential Services under the Charges Resolution is \$111.00/m² of GFA.

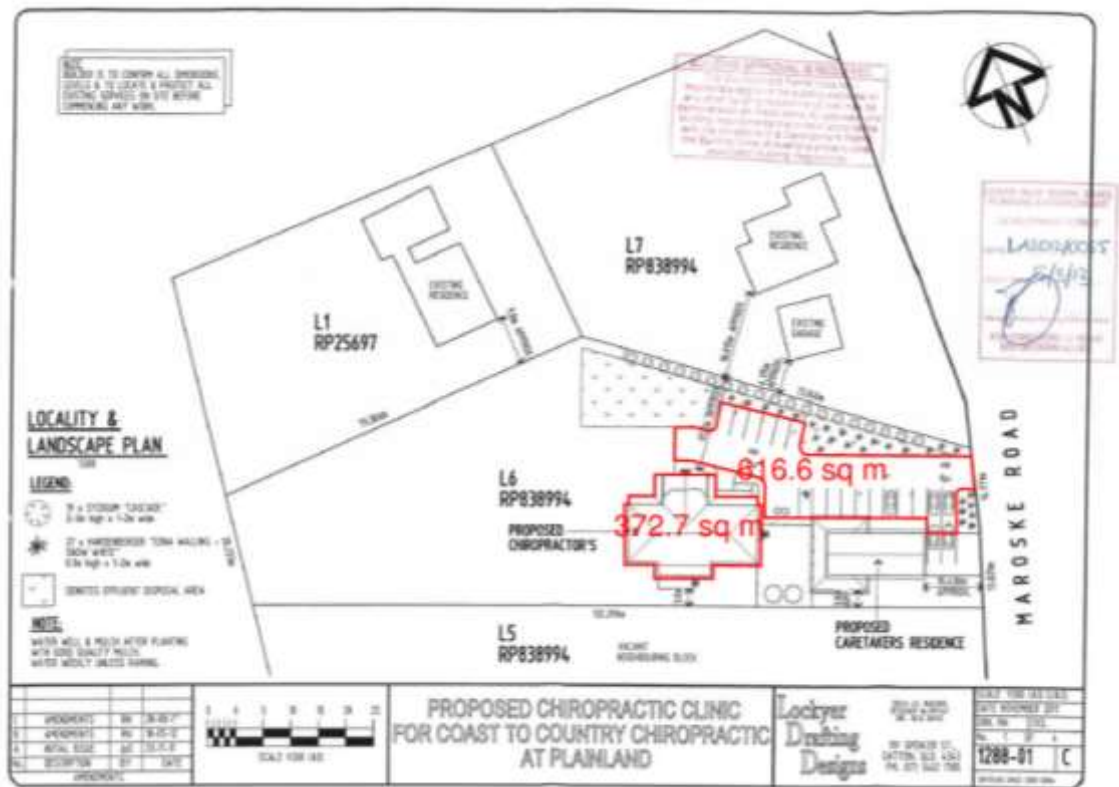
The applicant has queried the methodology used to calculate the impervious surface for the development. The current amount of impervious surface associated with the development has been calculated and compared with the infrastructure charges notices from 2013 and 2018. With respect to impervious surface, the building and driveway that were located on site when the application was lodged is excluded from the calculations, as it was classified as a Caretakers' Residence, and is subject to an existing credit. It is also noted the calculation of the original infrastructure charges were not subject to a Negotiated Decision.

Infrastructure Charges for the original development and the development were calculated as follows:

	2013 original approval	2018 amended plan	Recalculation for request
Gross Floor Area	285m ²	300.4m ²	300.4m ²
Impervious Area	560m ² (a)	1073m ² (b)	Total 1149m ² (c) (Building 424m ²) (Carpark 725m ²) (d) <i>Exercise area 93m²</i>
Infrastructure Charge Amount	\$40,085.00	\$44,074.40	\$44,834.40

Notes

- (a) Recalculation of the car park indicated an impervious area of approximately 616m². The Essential services area is calculated at a rate of \$121/m² of GFA, however this figure includes the \$10/m² applicable for the impervious component. If impervious surface was calculated the same way as in 2018, the amount of impervious surface would be approximately 989m², but the essential services rate would decrease to \$111/m².



- (b) The area listed as impervious on the 2018 infrastructure charges notice is smaller than the actual amount of impervious surface. The indicative area of impervious surface was calculated using nearmap. The area did not include pathways adjacent to the original building or area underneath the outermost projection of the original building.



- (c) A roofed exercise area was constructed in 2014, and is described on the plans as “existing outdoor exercise area”. This has not been considered in the application, nor has it been included in the calculation of the total impervious surfaces.

The calculation of the Infrastructure Charges has been carried out in a method consistent with Council’s Charges Resolution. The applicant’s request to reduce the amount of the Infrastructure Charges is not consistent with Council’s Development Incentives Policy.

The recent change to the Adopted Infrastructure Charges Resolution, that created Adopted Infrastructure Charges Resolution (No.4) 2019, enables a recalculation of the Infrastructure Charges applicable for the development. This can be carried out under delegation.

As a result of the adoption of Adopted Infrastructure Charges Resolution (No.4) 2019, based upon the existing Infrastructure Charges Notice for MC2018/0091 referencing a gross floor area of 300.4m², this development would be subject to a reduction in infrastructure charges of \$12,616.80, from \$44,074.40 to \$31,457.60.

	2018 amended plan	Recalculation based on AICN (No.3) 2019	Recalculation based on AICN (No.4) 2019
Gross Floor Area	300.4m ²	300.4m ²	300.4m ²
Impervious Area	1073m ² (b)	Total 1149m ² (c) (Building 424m ²) (Carpark 725m ²) (d) <i>Exercise area 93m²</i>	Total 1149m ² (c) (Building 424m ²) (Carpark 725m ²) (d) <i>Exercise area 93m²</i>
Infrastructure Charge Amount	\$44,074.40	\$44,834.40	\$31,457.60

Payment Plan

The applicants have requested the opportunity for a payment plan. This would trigger a requirement for an Infrastructure Agreement, however preparation of an Infrastructure Agreement would cost in the vicinity of \$3,000-\$5,000. It is proposed to advise the owners that the costs of preparing the Infrastructure Agreement would be at their expense should they wish to pursue that option.

4. Policy and Legal Implications

At the time the Infrastructure Charges were calculated, Medical / Paramedical Centre was defined as Essential Services. The charge rate for Essential Services under the Charges Resolution is \$111.00/m² of GFA.

On 28 August 2019, Council considered and accepted a change to the Adopted Infrastructure Charges Resolution with respect to the calculation of infrastructure charges for Medical / Paramedical Centre. The outcome of this change was that Medical / Paramedical Centre was moved into the Commercial (office) charges category to provide a consistent method of charging infrastructure charges for both the Laidley and Gatton Planning Schemes.

The charge rate for Commercial (office) under the Charges Resolution is \$69.00/m² of GFA.

5. Financial and Resource Implications

The proposed request is not consistent with Council's Development Incentives Policy. The proposed request is not consistent with Council's Charges Resolution that was applicable at the time the request was lodged.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from this report.

7. Communication and Engagement

There are no communication or engagement implications arising from this report.

8. Conclusion

The requested change to the Infrastructure Charges is not consistent with Council's Development Incentive Policy, however, the proposed change to the calculated infrastructure charges is consistent with the recent changes to the Adopted Infrastructure Charges Resolution (No. 3) 2019.

9. Action/s

That officers review the Infrastructure Charges applicable for this development against Adopted Infrastructure Charges Resolution (No. 4) 2019.

Date: 05 August 2019
Author: Prudence Earle, Planning Officer
Responsible Officer: Ian Church, Chief Executive Officer

Queensland Urban Utilities (QUU) is undertaking a review of the current Water Netserv Plan(WNP). Changes to the WNP by QUU require endorsement by Council or recommendation of amendments. Council's statutory endorsement of the WNP Part A is limited to the planning assumptions about the extent and type of growth outlined. The planning assumptions in the WNP have been reviewed by Council officer for consistency with Council's current Local Government Infrastructure Plan and have been found to be largely consistent.

THAT Council endorse the Draft Water Netserv Plan (Part A) planning assumptions prepared by Queensland Urban Utilities and provided to Council via email dated 28 June 2019.

THAT Council endorse the Draft Water Netserv Plan (Part A) planning assumptions prepared by Queensland Urban Utilities and provided to Council via email dated 28 June 2019.

Moved By: Cr Hagan **Seconded By:** Cr Wilson
Resolution Number: 16-20/1485

CARRIED
6/0

1. Introduction

The purpose of this report is to inform Council of the proposed amendments to Queensland Urban Utilities (QUU) Water Netserv Plan (WNP) and to ensure an informed decision is made regarding endorsement of the amendment.

2. Background

Under the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009*, Queensland Urban Utilities as a distributor-retailer is required to have a Water Netserv Plan. Council has previously endorsed the current WNP at its Council meeting 24 September 2014. QUU is obligated to update its WNP in line with any amendments that Council makes to its Local Government Infrastructure Plan (LGIP). This current amendment is consistent with QUU legislative requirements where Council adopted an LGIP on the 27 June 2018.

3. Report

In order for QUU to adopt its WNP by 1 October 2019, it is a legislative requirement for the five local governments that are located within the QUU service area to formally endorse the planning assumptions of the WNP before it is adopted by QUU. The legislation provides that a local government must either endorse the planning assumptions or advise QUU that it requires amendments.

The purpose of securing Council's endorsement is to ensure that the WNP is consistent with Council's current planning assumptions and current land use plans.

Council officers have reviewed the planning assumptions between the proposed WNP and the current LGIP. These are the same for residential growth assumption. However, there is a difference between the WNP and the LGIP for non-residential growth assumptions. The WNP uses 'floor space in m²/ ha' for the 'Non-residential density' instead of LGIP assumption of 'floor space per employee'. Further verbal advice from QUU about this difference was obtained on the 5 August 2019 where 'a consistent format needed to be provided across the five regions that QUU provide services to'. This is a reasonable approach to the development of the WNP and it is suggested that future amendments to Council's LGIP should consider using 'floor space in m²/ ha' to improve accuracy in the future.

It is considered that the WNP is largely consistent with the LGIP and therefore there are no matters to prevent Council endorsing the document and planning assumptions.

4. Policy and Legal Implications

There are no policy or legal implications for Council.

5. Financial and Resource Implications

There are no financial or resource implications for Council.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from Council's endorsement of the WNP.

7. Communication and Engagement

Council officers have had internal discussions with internal stakeholders and no concerns regarding the assumption have been raised. There is no requirement for further community engagement.

8. Conclusion

The Draft Water Netserv Plan (Part A) planning assumptions prepared by Queensland Urban Utilities for Council endorsement have been reviewed and considered consistent with the current Local Government Infrastructure Plan.

9. Action/s

1. Written advice is provided to Queensland Urban Utilities notifying the distributor-retailer of Council's decision.

11.4 Amendment to the Register of Cost Recovery and Commercial Fees and Charges 2019-20 in relation to signs

Date: 15 August 2019
Author: Fiona Tallon, Business Support Coordinator
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to amend the wording in Council's 2019-20 Register of Cost Recovery and Commercial Fees and Charges effective from 28 August 2019 to resolve a discrepancy and to provide clarity in relation to the applicable fee.

Officer's Recommendation:

THAT Council adopt the following amendment to the Register of Cost Recovery and Commercial Fees and Charges 2019-20 to take effect from 28 August 2019:

1.8.2 Operational Work – Advertising Device/Sign:

Advertising device/signage that is not associated with a Material Change of Use application. The fee must be paid with lodgement of application for application to be 'properly made'.

Description	Amount (inc. GST)	GST Applies
Advertising Device/Sign <5m2 per sign	\$400.00	N
Advertising Device/Sign >5m2 per sign	\$805.00	N
Billboard >6mx3m or 18m2 per billboard	\$2,125.00	N

RESOLUTION

THAT Council adopt the following amendments, (noted in italics), to the Register of Cost Recovery and Commercial Fees and Charges 2019-20 to take effect from 28 August 2019:

1.8.2 Operational Work – Advertising Device/Sign:

Advertising device/signage that is not associated with a Material Change of Use application. The fee must be paid with lodgement of application for application to be 'properly made'.

Description	Amount (inc. GST)	GST Applies
Advertising Device/Sign <5m2 <i>per sign</i>	\$400.00	N
Advertising Device/Sign >5m2 <i>per sign</i>	\$805.00	N
Billboard >6mx3m or 18m2 <i>per billboard</i>	\$2,125.00	N

Moved By: Cr Vela **Seconded By:** Cr McLean
Resolution Number: 16-20/1486

CARRIED
6/0

Report

1. Introduction

The purpose of this report is to seek an amendment of Council's register of fees and charges to be effective from 28 August 2019.

2. Background

Council's 2019-20 Fees and Charges state the following under the applicable fee for Advertising Device/Sign:

Advertising Device/Sign		
Advertising device/signage that is not associated with a Material Change of Use application. The fee must be paid with lodgement of application for application to be 'properly made'.		
Advertising Device/Sign <5m2	\$400.00	N
Advertising Device/Sign > 5m2	\$805.00	N
Billboards >6mx3m or 18m2	\$2,125.00	N

Council received contact from an applicant stating that their interpretation of Council's Advertising Device/Sign wording was it was per site and not per Device/Billboard.

Council's intention is that it should be per Device/Billboard to cover application assessment costs.

3. Report

Since the adoption of 2019-20 Fees and Charges, it has become apparent that the Advertising Device/Sign wording requires amendment. The wording needs to be amended to clarify that the charge is per Advertising Device/Billboard and not per site. In addition, the current description for Billboards in the fees and charges schedule is plural. It is recommended that the 's' be removed from Billboards to identify that the fee is per billboard.

Therefore, it is recommended that the wording of the description be amended to:

Advertising Device/Sign:

Advertising device/signage that is not associated with a Material Change of Use application. The fee must be paid with lodgement of application for application to be 'properly made'.

Description	Amount (inc. GST)	GST Applies
Advertising Device/Sign <5m2 per sign	\$400.00	N
Advertising Device/Sign >5m2 per sign	\$805.00	N
Billboard >6mx3m or 18m2 per billboard	\$2,125.00	N

4. Policy and Legal Implications

It is considered that there are no legal implications arising from the recommendation provided in this report.

Council may amend its fees and charges by resolution at any time during the year.

5. Financial and Resource Implications

The amended wording to Council's 2019-20 Fees and Charges will ensure that the intended fee is charged for each application based on cost recovery.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from the recommendation provided in this report.

7. Communication and Engagement

Once amended by Council, the revised fees and charges will be updated on the Council's website and within internal systems.

8. Conclusion

It is recommended that the amended wording is approved and updated in Council's fees and charges and internal systems to ensure cost recovery fees and charges reflect the true cost of providing the associated service.

9. Action/s

1. Publication of the updated Register on Council's website.
2. Update of the fees and charges within Council's systems.

- 11.5** Request for Negotiated Decision Notice for MC2017/0055 & RL2017/0027 for Preliminary Approval including Variation Request for Material Change of Use to vary the effect of the Laidley Planning Scheme 2003 and Development Permit for Reconfiguring of a Lot for Subdivision (1 lot into 113 lots and drainage reserve) in five stages on Lot 850 SP297470 at Evans Road, Kensington Grove

Date: 13 August 2019
Author: Tanya O'Brien, Planning Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to seek Council's consideration of the negotiated decision request for MC2017/0055 & RL2017/0027 at Evans Road, Kensington Grove.

Officer's Recommendation:

THAT Council agree in part to the representations submitted in relation to Application No. MC2017/0055 & RL2017/0027 situated on Lot 850 SP297470 at Evans Road, Kensington Grove, and issue a Negotiated Decision Notice in accordance with the following:

- A. No change to currency period of approval for Preliminary Approval for Material Change to vary the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*),**
- B. Change Condition 1 of Preliminary Approval for Material Change of Use to vary the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*) to read as follows:**

No.	Condition	Timing
GENERAL		
1.	The Rural Residential Zone and the associated assessment tables and assessment criteria under the <i>Laidley Shire Planning Scheme 2003</i> shall apply to Lot 850 SP297470, as shown on the Fairways East (South) Concept Plan, drawing number BRRM7289-000-006A, unless varied by the conditions of approval.	At all times.

- C. Include new Conditions 2 and 3 Preliminary Approval for Material Change of Use to vary the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*) to read as follows:**

2.	The 'Areas of Natural and Environmental Significance Overlay' of the <i>Laidley Shire Council Planning Scheme 2003</i> is not applicable to development on the premises.		At all times.
3.	Section 6.20.3, Table 5 of the Specific Outcomes and Acceptable Solutions for the On-Site Effluent Disposal Code of the Laidley Shire Council Planning Scheme 2003 is varied as follows-		At all times
	Column 1 Specific Outcomes	Column 2 Acceptable Solutions	

	<p>1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and</p>	<p>1.1 On site Waste Water Systems must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and</p>	
	<p>2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way that:</p> <ul style="list-style-type: none"> any adverse impacts on nearby sensitive receiving environments are minimised; and any health risks are limited during a system failure; and the existing water quality and/or proposed water supplies remain unaffected; and sustainable disposal of domestic effluent is ensured. 	<p>2.1 The lot has a minimum size of 3000m²; and</p> <p>2.2 The proposed on-site effluent disposal system is located on land above the Q20 flood levels; and</p>	

D. Change Conditions 6, 28, 35, 69 of the Development Permit for Reconfiguration of a Lot for Subdivision (1 lot into 113 lots and drainage reserve) in five stages to read as follows:

6.	<p>The property is to be remediated and removed from the Environmental Management Register prior to the lodgement of a request for sealing of the survey plan for Stage 1. Correspondence from the Department of Environment and Science (DES) that the property has been removed from the Register and suitable for residential purposes is to be provided to Council.</p>	<p>Prior to the lodgement of a request for sealing of the survey plan for stage 1.</p>
28.	<p>Scott Place is to be upgraded to a Collector Street standard for the full frontage of the development. This is to include:</p> <ol style="list-style-type: none"> Widening to 7.5m pavement width for full frontage of development, excluding the area fronting Lot 612 and further east; Any additional works required to upgrade the existing Scott Place pavement (excluding the area fronting Lot 612 and further east) from Fairway Drive intersection to collector standard in accordance with test results from "SGS Pavement Investigation Report SGS/19/E001 4 March 2019" and resultant pavement design. Note this is expected to raise the level of the existing road, particularly in the vicinity of the roundabout which should be considered when addressing emergency access provisions; Kerb and channel to full frontage of development; and Concrete Footpath, 1.5m wide on either the northern or 	<p>In conjunction with the development permit for operational works for stage 1.</p>

	southern side of Scott Place for the full frontage, excluding the area fronting Lot 612 and further east and connecting to the end of existing footpath on western side of Fairway Drive near roundabout.	
35.	Access for Lots 500 & 501, 517 & 518, 519 & 520 and 521 & 522 are to be provided generally in accordance with the Proposed Driveway Locations Plan (Drawing No. BRRM7289-001-2-1). Access for Lot 503, 516, 523 and 612 are to be provided from Road 1.	In conjunction with the development permit for operational works for stage 1.
69.	The applicant is to provide a series of vegetation clumps at a minimum of 20m x 10m each along the southern edge of the drainage reserve generally in accordance with Plan No. 1 of 1 Revision C - Site Plan identifying vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council. A suitable species must be used within the drainage reserve ecosystem as per the <i>Vegetation Management Act 1999</i> , which is compatible with 12.3.3 regional ecosystem at 2 – 5 plants/m ² of trees, shrubs and lomandras. Note: for a list of preferred species contact Council.	In conjunction with an application for a development permit for operational works for Stage 3.

E. Delete Conditions 8 and 14 of the Development Permit for the Reconfiguration of a Lot for subdivision (1 lot into 113 lots and drainage reserve) in five stages,

F. No change to Condition 36 of Development Permit for the Reconfiguration of a Lot for subdivision (1 lot into 113 lots and drainage reserve) in five stages,

G. Approved Plans - Amend and include the following plans in the approved plan list:

Plan No.	Rev.	Plan Name	Date
Plan No. 1 of 1	C	Site Plan identifying general location of vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council	19/06/2019
BRRM7289.000-006	A	Fairways East (South) Concept Plan (Lot 850 SP297470), prepared by Landpartners	07/12/2017
BRRM7289-001-2-1	-	Proposed Driveway Locations Plan, prepared by Landpartners	18/07/2019

H. Referenced Documents - Amend the document number as follows:

Document No.	Rev.	Document Name	Date
18-343	-	Fairways Estate Hatton Vale RFI Response, prepared by Pekol Traffic & Transport	8 June 2018

I. Advice Conditions – include the following advice condition:

- (vi) The applicant is to advise potential purchasers of lots within Stage 1 of the developer's covenant in relation to the existing vegetation within the Scott Place road reserve.

RESOLUTION

THAT Council agree in part to the representations submitted in relation to Application No. MC2017/0055 & RL2017/0027 situated on Lot 850 SP297470 at Evans Road, Kensington Grove, and issue a Negotiated Decision Notice in accordance with the following:

- A. No change to currency period of approval for Preliminary Approval for Material Change to vary the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*),
- B. Change Condition 1 of Preliminary Approval for Material Change of Use to vary the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*) to read as follows:

No.	Condition	Timing
GENERAL		
1.	The Rural Residential Zone and the associated assessment tables and assessment criteria under the <i>Laidley Shire Planning Scheme 2003</i> shall apply to Lot 850 SP297470, as shown on the Fairways East (South) Concept Plan, drawing number BRRM7289-000-006A, unless varied by the conditions of approval.	At all times.

- C. Include new Conditions 2 and 3 Preliminary Approval for Material Change of Use to vary the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*) to read as follows:

2.	The 'Areas of Natural and Environmental Significance Overlay' of the <i>Laidley Shire Council Planning Scheme 2003</i> is not applicable to development on the premises.	At all times.						
3.	Section 6.20.3, Table 5 of the Specific Outcomes and Acceptable Solutions for the On-Site Effluent Disposal Code of the Laidley Shire Council Planning Scheme 2003 is varied as follows-	At all times						
	<table><tr><th>Column 1 Specific Outcomes</th><th>Column 2 Acceptable Solutions</th></tr><tr><td>1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and</td><td>1.1 On site Waste Water System must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and</td></tr><tr><td>2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way</td><td>2.1 The lot has a minimum size of 3000m²; and 2.2 The proposed on-site effluent disposal system is located on land</td></tr></table>	Column 1 Specific Outcomes	Column 2 Acceptable Solutions	1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and	1.1 On site Waste Water System must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and	2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way	2.1 The lot has a minimum size of 3000m ² ; and 2.2 The proposed on-site effluent disposal system is located on land	
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	<p>that:</p> <ul style="list-style-type: none"> any adverse impacts on nearby sensitive receiving environments are minimised; and any health risks are limited during a system failure; and the existing water quality and/or proposed water supplies remain unaffected; and sustainable disposal of domestic effluent is ensured. 	above the Q20 flood levels; and	
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D. Change Conditions 6, 28, 35, 69 of the Development Permit for Reconfiguration of a Lot for Subdivision (1 lot into 113 lots and drainage reserve) in five stages to read as follows:

6.	The property is to be remediated and removed from the Environmental Management Register prior to the lodgement of a request for sealing of the survey plan for Stage 1. Correspondence from the Department of Environment and Science (DES) that the property has been removed from the Register and suitable for residential purposes is to be provided to Council.	Prior to the lodgement of a request for sealing of the survey plan for stage 1.
28.	<p>Scott Place is to be upgraded to a Collector Street standard for the full frontage of the development. This is to include:</p> <ol style="list-style-type: none"> Widening to 7.5m pavement width for full frontage of development, excluding the area fronting Lot 612 and further east; Any additional works required to upgrade the existing Scott Place pavement (excluding the area fronting Lot 612 and further east) from Fairway Drive intersection to collector standard in accordance with test results from "SGS Pavement Investigation Report SGS/19/E001 4 March 2019" and resultant pavement design. Note this is expected to raise the level of the existing road, particularly in the vicinity of the roundabout which should be considered when addressing emergency access provisions; Kerb and channel to full frontage of development; and Concrete Footpath, 1.5m wide on either the northern or southern side of Scott Place for the full frontage, excluding the area fronting Lot 612 and further east and connecting to the end of existing footpath on western side of Fairway Drive near roundabout. 	In conjunction with the development permit for operational works for stage 1.
35.	Access for Lots 500 & 501, 517 & 518, 519 & 520 and 521 & 522 are to be provided generally in accordance with the Proposed Driveway Locations Plan (Drawing No. BRRM7289-001-2-1). Access for Lot 503, 516, 523 and 612 are to be provided from Road 1.	In conjunction with the development permit for

		operational works for stage 1.
69.	The applicant is to provide a series of vegetation clumps at a minimum of 20m x 10m each along the southern edge of the drainage reserve generally in accordance with Plan No. 1 of 1 Revision C - Site Plan identifying vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council. A suitable species must be used within the drainage reserve ecosystem as per the <i>Vegetation Management Act 1999</i> , which is compatible with 12.3.3 regional ecosystem at 2 – 5 plants/m ² of trees, shrubs and lomandras. Note: for a list of preferred species contact Council.	In conjunction with an application for a development permit for operational works for Stage 3.

E. Delete Conditions 8 and 14 of the Development Permit for the Reconfiguration of a Lot for subdivision (1 lot into 113 lots and drainage reserve) in five stages,

F. No change to Condition 36 of Development Permit for the Reconfiguration of a Lot for subdivision (1 lot into 113 lots and drainage reserve) in five stages,

G. Approved Plans - Amend and include the following plans in the approved plan list:

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Plan No. 1 of 1	C	Site Plan identifying general location of vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council	19/06/2019
BRRM7289.000-006	A	Fairways East (South) Concept Plan (Lot 850 SP297470), prepared by Landpartners	07/12/2017
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H. Referenced Documents - Amend the document number as follows:

Document No.	Rev.	Document Name	Date
18-343	-	<i>Fairways Estate Hatton Vale RFI Response</i> , prepared by Pekol Traffic & Transport	8 June 2018

I. Advice Conditions – include the following advice condition:

- (vi) The applicant is to advise potential purchasers of lots within Stage 1 of the developer's covenant in relation to the existing vegetation within the Scott Place road reserve.

Moved By: Cr Wilson

Seconded By:

Cr Hagan

Resolution Number: 16-20/1487

CARRIED
6/0

Report

1. Introduction

The applicant seeks to negotiate conditions of approval for MC2017/0055 & RL2017/0027 on Lot 850 SP297470 at Evans Road, Kensington Grove in accordance with Section 75 of the *Planning Act 2016*.

2. Background

A Preliminary Approval including Variation Request for Material Change of Use to vary the effect of the *Laidley Planning Scheme 2003* and Development Permit for Reconfiguring of a Lot (1 lot into 113 lots and drainage reserve) in five stages was issued on 8 May 2019. The applicant suspended the appeal period on 5 June 2019 and made representations on 5 June 2019 to the preliminary and development approval conditions.

The representations are detailed below but primarily relate to the currency period for the variation approval, how the provisions of the *Laidley Planning Scheme 2003* are applied to the approval, administrative process to remove the land from the Environmental Management Register, development and delivery of stages, existing electricity connections, location and requirement for footpaths, dual accesses for properties fronting Scott Place, vegetation clumps being provided within the proposed drainage easement, inclusion of updated plans and document reference number for the Traffic and Transport report.

3. Report

ASSESSMENT:

An assessment in relation to each of the submitted representations is provided below:

Representations in relation to the Preliminary Approval for Material Change of Use to vary the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*).

CURRENCY PERIOD OF APPROVAL

The currency period for the Preliminary Approval for Material Change of Use for varying the effect of a Planning Scheme (*Laidley Shire Council Planning Scheme 2003*) is five (5) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

Applicant's Representation

"It is noted the primary purpose of the variation request was to provide the higher order justification for designating the land as Rural Residential Area and to ensure that the subsequent development (specifically, dwelling houses) could be progressed as accepted development, by varying the effect of the Laidley Shire Council Planning Scheme 2003. This was detailed in the development application and articulated in the submitted Fairways East (South) Plan of Development, document reference

BRRM7289.000, dated 13 December 2017 – this matter also relates to and is discussed in greater detail in the representations to Condition 1.

Having regard to the above and the time and operational work associated with registering the new lots, it is considered that a five (5) year currency period is insufficient time to realise the ultimate rural residential development, being dwelling houses. As allowed for under section 88(2)(a) of the Planning Act 2016, and as requested as part of the application, we seek a currency period of ten (10) years for the variation approval, allowing sufficient time to construct future houses and negating a foreseeable need for any further extensions.

Therefore, we request the currency period for the variation approval prescribed in the Currency Period of Approval section be amended as follows:

The currency period for the Preliminary Approval for Material Change of Use for varying the effect of the Planning Scheme (Laidley Shire Council Planning Scheme 2003) is ~~five (5)~~ ten (10) years starting the day that this development approval takes effect. (Refer to ~~Section 85 “Lapsing of approval at end of currency period”~~ Section 88 “Lapsing of approval for failing to complete development” of the Planning Act 2016).

Assessment of Representations

Disagree

The currency period for the Preliminary Approval to vary the effect of the *Laidley Planning Scheme 2003* is consistent with the currency period identified under the *Planning Act 2016* (the Act) and previous Preliminary approvals issued by Council which have been conditioned in accordance with the Act.

Recommendation

That the currency period remains unchanged.

Condition 1

No.	Condition	Timing
GENERAL		
1.	The Rural Residential Zone, assessment tables and assessment criteria under the <i>Laidley Shire Planning Scheme 2003</i> shall apply to Lot 850 SP297470 also known as Proposed Lot 1 - 113. The allotments are to be considered as zoned Rural Residential under the <i>Laidley Shire Planning Scheme 2003</i>	At all times.

Applicant's Representation

“As mentioned, the primary purpose of the variation request was to ensure that subsequent development (specifically, dwelling houses) could be progressed as accepted development, as detailed in the development application and as articulated in the submitted Fairways East (South) Plan of Development, document reference BRRM7289.000, dated 13 December 2017.

It is noted that under the current Condition 1, all future development reverts to the Laidley Shire Planning Scheme 2003 and the provisions relating to the Rural Residential Area. This would result in future dwelling houses requiring Code Assessment (an additional and unnecessary assessment in this instance) under the following prescribed assessment categories:

- Under section 4.2, table 1 of the planning scheme (Assessment categories and applicable codes for the Rural Residential Area), a Dwelling House is self-assessable if complying with the prescribed acceptable solutions, including the On-Site Effluent Disposal Code. At present, given the On-Site Effluent Disposal Code states that “the lot has a minimum size of 2,000m² or has the ‘minimum lot size’ specified for the relevant area in table 7 of the Reconfiguring a Lot Code, whichever is the greater”, all future houses on the premises would be Code Assessable; and
- Under section 5.2, table 23A of the planning scheme (Assessment categories and applicable codes for areas of natural and environmental significance overlay), all uses within 200m of a high ecological significance area, as shown on the Ecological Significance Native Vegetation Areas (Overlay Map E1) are Code Assessable. Therefore, approximately a third of future dwelling houses on the premises would be Code Assessable.

The proposed variation request specifically addressed the abovementioned matters, as detailed in the submitted Fairways East (South) Plan of Development and the supporting specialist reports. In particular, the proposed variation modified the On-Site Effluent Disposal Code, and removed any further assessment requirements under the ‘Areas of Natural and Environmental Significance Overlay’, the ‘Places/Areas of Cultural Heritage Significance Overlay’ and the ‘Development Constraints Overlay’ for future development. It is considered that ongoing assessment against the planning scheme overlays is unnecessary.

The abovementioned variations were publicly notified during the assessment and addressed in detail in the planning report and the supporting documents, noting that the effect of the proposed variations does not impact on the submission rights for future development applications, given the category of assessment being varied is from code assessment to accepted development, satisfying the provisions prescribed under section 61(2) of the Planning Act 2016.

Having regard for the above, it is requested the key aspects and functions of the proposed variation request be reflected and explicitly stated in the conditions of approval, in order to provide certainty for any future landowners, building certifiers etc in developing the approved lots.

Therefore, we request that Condition 1 be amended, and two new conditions be added as follows:

No.	Condition	Timing
1	The Rural Residential Zone Area and the associated assessment tables and assessment criteria under the Laidley Shire Planning Scheme 2003 shall apply to Lot 850 on SP297470 also known as Proposed Lot 1-113. The allotments are to be considered as zoned Rural Residential under the Laidley Shire Planning Scheme 2003. the premises, as shown on the Fairways East (South) Concept Plan, drawing number BRRM7289-000-006A, unless varied by the conditions of approval.	At all times.
2	The ‘Areas of Natural and Environmental Significance Overlay’, the ‘Places/Areas of Cultural Heritage Significance Overlay’ and the ‘Development Constraints Overlay’ of the Laidley Shire Council Planning Scheme 2003 are not applicable to development on the premises.	At all times.
3	Section 6.20.3 of the Specific Outcomes and Acceptable Solutions for the On-Site Effluent Disposal Code of the Laidley Shire Council Planning Scheme 2003 is varied as follows: a) Table 5, Acceptable Solution 1.1 is deleted; and b) Table 5, Acceptable Solution 2.1 only prescribes – the lot has a minimum size of 2,000m ² .	At all times.

Amended Applicant Representations

A meeting was held with the applicant in response to the representations on 8 July 2019. Subsequently, the applicant made further representations.

Preliminary Approval – Condition 2

Subsequent to the meeting, and to address Council's concerns regarding protecting the vegetation strip within the Scott Place road reserve, QM Properties representative met with Council's technical officers (Coordinator Environment & Pest and Catchment Project Officer) on-site on 18 July 2019, to determine driveway locations for the lots gaining access onto Scott Place. The nominated driveways represent the paths of least disturbance for construction, in particular positioning the driveways to avoid any mature trees. To reiterate the matters discussed at the meeting, the proposal has been designed to protect as much of the vegetation within the Scott Place road reserve as practicable.

*Following on, please find attached the **Proposed Driveway Locations Plan** (Drawing no. BRRM7289-001-2-1) included as **Attachment A**. As discussed at the meeting, we request that this plan be included as part of the development application material for approval, as detailed further below. It is considered that this plan ensures that the proposal sufficiently protects any mature trees within the Scott Place road reserve, and note that matters relating to the associated environmental overlay were also addressed within the Ecological Assessment Report submitted as part of the application.*

Having regard for the above, in terms of the associated conditions of approval relating to the environmental overlay, we reiterate and request the following addendum to the previous Change Representations (submitted 5 June 2019) in relation to the Decision Notice MC2017/0055 & RL2017/0027, for consideration by Council:

- Add a new **Condition 2** for the Preliminary Approval component, as follows-

No.	Condition	Timing
2	The 'Areas of Natural and Environmental Significance Overlay' of the Laidley Shire Council Planning Scheme 2003 is not applicable to development on the premises.	At all times

Preliminary Approval – Condition 3

*We accept Council's updated standards for the onsite waste water systems, as per your email below. However, the second aspect of that condition (as per our original representations) still needs to be addressed, so that **Dwelling Houses be self-assessable**, specifically in relation to the self-assessable provisions of the On-site effluent disposal code.*

As previously noted, at present under section 4.2, table 1 of the planning scheme (Assessment categories for the Rural Residential Area), a Dwelling House is self-assessable if complying with the acceptable solutions, which include the On-Site effluent disposal code. Given that AS2.1 of the code states that "the lot has a minimum size of 2,000m² or has the 'minimum lot size' specified for the relevant area in table 7 of the Reconfiguring a Lot Code, whichever is the greater", all houses (being on lots less than 4,000sqm as prescribed in the ROL code for the Rural residential area) would be Code Assessable.

Therefore, having regard for the above and incorporating Council's updated standards wording, we request that **Condition 3** be worded to the effect of:

3	Section 6.20.3, Table 5 of the Specific Outcomes and Acceptable Solutions for the On-Site Effluent Disposal Code of the Laidley Shire Council Planning Scheme 2003 is varied as follows-	At all times						
	<table><tr><th>Column 1 Specific Outcomes</th><th>Column 2 Acceptable Solutions</th></tr><tr><td>1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and</td><td>1.1 The proposed disposal system complies with the requirements of Section 33 of the Environmental Protection Policy (Water) 1997, and AS 1547:2000; On site Waste Water Systems must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and</td></tr><tr><td>2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way that:<ul style="list-style-type: none">any adverse impacts on nearby sensitive receiving environments are minimised; andany health risks are limited during a system failure; andthe existing water quality and/or proposed water supplies remain unaffected; andsustainable disposal of domestic effluent is ensured.</td><td>2.1 The lot has a minimum size of 2000m² or has the 'minimum lot size' specified for the relevant area in Table 7 of the Reconfiguring a Lot Code, whichever is the greater; and 2.2 The proposed on-site effluent disposal system is located on land above the Q20 flood levels; and".</td></tr></table>	Column 1 Specific Outcomes	Column 2 Acceptable Solutions	1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and	1.1 The proposed disposal system complies with the requirements of Section 33 of the Environmental Protection Policy (Water) 1997, and AS 1547:2000; On site Waste Water Systems must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and	2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way that: <ul style="list-style-type: none">any adverse impacts on nearby sensitive receiving environments are minimised; andany health risks are limited during a system failure; andthe existing water quality and/or proposed water supplies remain unaffected; andsustainable disposal of domestic effluent is ensured.	2.1 The lot has a minimum size of 2000m ² or has the 'minimum lot size' specified for the relevant area in Table 7 of the Reconfiguring a Lot Code, whichever is the greater; and 2.2 The proposed on-site effluent disposal system is located on land above the Q20 flood levels; and".	
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Assessment of Representation

Agree in part

Officers are satisfied that the amendment of the condition to reference Fairways East (South) Concept Plan, drawing number BRRM7289-000-006A still achieves the same outcome as the previous reference in the condition that the lots are to be considered Rural Residential in accordance with the *Laidley Planning Scheme 2003*.

Council's Coordinator Environment and Pest has indicated that the *Laidley Planning Scheme 2003* Areas of Natural and Environmental Significance overlay will not be relevant to the subdivided lots in development as the high value vegetation is in the road reserve of Scott Place. Therefore, it would not be reasonable to require the owners of properties within 200m of the high value vegetation to lodge a planning application for development triggered by an overlay to build a house, particularly those which do not share a boundary with the vegetation.

The applicant's original representations also included two additional overlays from the Laidley Planning Scheme 2003. These were removed a result of the meeting on 8 July 2019 as these overlays are not currently applicable to the subject site and therefore do not need to be referenced as part of Condition 2.

Council's Plumbing Inspector has provided comment that the On Site Waste Water Systems must comply with the current Queensland Plumbing and Wastewater Code and AS/NZS 1547:2012. In addition, officers are requiring the minimum lot size to be 3000m² to be consistent with the lot size approved as part of the development application.

Recommendation

Therefore, amend Condition 1 in apart as follows and include new proposed Conditions 2 and 3 as follows:

No.	Condition	Timing						
GENERAL								
1.	The Rural Residential Zone and the associated assessment tables and assessment criteria under the <i>Laidley Shire Planning Scheme 2003</i> shall apply to Lot 850 SP297470, as shown on the Fairways East (South) Concept Plan, drawing number BRRM7289-000-006A, unless varied by the conditions of approval.	At all times.						
2.	The ‘Areas of Natural and Environmental Significance Overlay’ of the <i>Laidley Shire Council Planning Scheme 2003</i> is not applicable to development on the premises.	At all times.						
3.	<div>Section 6.20.3, Table 5 of the Specific Outcomes and Acceptable Solutions for the On-Site Effluent Disposal Code of the Laidley Shire Council Planning Scheme 2003 is varied as follows-</div> <table><tr><th>Column 1 Specific Outcomes</th><th>Column 2 Acceptable Solutions</th></tr><tr><td>1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and</td><td>1.1 On site Waste Water Systems must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and</td></tr><tr><td>2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way that:<ul style="list-style-type: none">any adverse impacts on nearby sensitive receiving environments are minimised; andany health risks are limited during a system failure; andthe existing water quality</td><td>2.1 The lot has a minimum size of 3000m²; and 2.2 The proposed on-site effluent disposal system is located on land above the Q20 flood levels; and</td></tr></table>	Column 1 Specific Outcomes	Column 2 Acceptable Solutions	1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and	1.1 On site Waste Water Systems must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and	2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way that: <ul style="list-style-type: none">any adverse impacts on nearby sensitive receiving environments are minimised; andany health risks are limited during a system failure; andthe existing water quality	2.1 The lot has a minimum size of 3000m ² ; and 2.2 The proposed on-site effluent disposal system is located on land above the Q20 flood levels; and	At all times
Column 1 Specific Outcomes	Column 2 Acceptable Solutions							
1. The intensity and scale of the use of premises does not increase any adverse ecological impacts, particularly on nearby sensitive receiving environments; and	1.1 On site Waste Water Systems must comply with Queensland Plumbing and Wastewater Code and AS/NZS1547:2012; and							
2. The lot size, configuration and location of the system or systems allow for the efficient disposal of domestic effluent in such a way that: <ul style="list-style-type: none">any adverse impacts on nearby sensitive receiving environments are minimised; andany health risks are limited during a system failure; andthe existing water quality	2.1 The lot has a minimum size of 3000m ² ; and 2.2 The proposed on-site effluent disposal system is located on land above the Q20 flood levels; and							

	<p>and/or proposed water supplies remain unaffected; and</p> <ul style="list-style-type: none"> sustainable disposal of domestic effluent is ensured. 	
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Representations in relation to Reconfiguring of a Lot for Subdivision (1 lot into 113 lots and drainage reserve) in five stages.

Development Permit - Condition 6

6.	The property is to be remediated and removed from the Environmental Management Register prior to the lodgement of the first associated Operational Works application. Correspondence from the Department of Environment and Science (DES) that the property has been removed from the Register and suitable for residential purposes is to be provided to Council.	Prior to an Operational Works application being lodged with Council for stage 1.
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Applicant's Representations

"It is noted the remediation works for the contaminated area and the subsequent administrative process in removing the land from the Environmental Management Register is anticipated to take longer than the preparation of the operational works design for Stage 1. Therefore, it is requested the timing for Condition 6 be linked to the plan sealing stage, in order to reflect the anticipated timeframe in this instance and to avoid an unnecessary delay in progressing the operational work stage.

Therefore, we request that the prescribed timing for Condition 6 be amended as follows:

No.	Condition	Timing
6	<i>The property is to be remediated and removed from the Environmental Management Register prior to the lodgement of the first associated Operational Works application. Correspondence from the Department of Environment and Science (DES) that the property has been removed from the Register and suitable for residential purposes is to be provided to Council.</i>	<i>Prior to an Operational Works application being lodged with Council the lodgement of a request for sealing of the survey plan for stage 1".</i>

Assessment of Representation

Agree

Based on the timeframe identified by the applicant to arrange for the subject site to be removed from the Environmental Management Register and potential delays to an Operational Works application, it is agreed that the timing of this requirement be amended to reflect this.

Recommendation

Therefore, the condition is amended as follows:

6.	The property is to be remediated and removed from the Environmental Management Register prior to the lodgement of a request for sealing of the survey plan for Stage 1 . Correspondence from the Department of Environment and Science (DES) that the property has been removed from the Register and suitable for residential purposes is to be provided to Council.	Prior to the lodgement of a request for sealing of the survey plan for stage 1.
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Development Permit – Condition 8

8.	Staging must be completed in sequential order or may be combined and constructed at one time in accordance with the conditions as applicable to each stage.	At all times
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Applicant's Representations

"It is noted that in practice, the development and delivery of stages are intrinsically linked to the demand for and marketing of land sales, as well as the financial considerations relating to the specific operational works, the combination of which supports the feasibility of such projects. Therefore, given the proposed stages can be delivered in any number of suitable combinations, it is considered that limiting their delivery to a sequential order represents an unnecessary and unwarranted imposition and restriction on the overall feasibility of the project.

Therefore, we request that Condition 8 be deleted".

Assessment of Representation

Agree

Officers have agreed that the condition can be removed to allow the developer to construct the development in accordance with market demand for land sales and the financial considerations associated with this.

Recommendation

The condition is recommended for removal.

8.	Delete	
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Development Permit – Condition 14

14.	Submit certification from a Licensed Surveyor or suitably qualified person that: <ul style="list-style-type: none"> a. any electricity supply connection to an existing building or a private property pole is wholly contained in the lot it serves; and b. any electricity connections and infrastructure made redundant by the development is removed with the land reinstated. 	Upon lodgement of a request for sealing of survey plan for each stage.
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Applicant's Representation

"It is noted that Lot 850 on SP297470 does not have any existing electricity connections or infrastructure. As such, this condition represents an unnecessary compliance statement / step at the plan sealing stage.

Therefore, we request that Condition 14 be deleted".

Assessment of Representation

Agree

Officers have agreed that as there is no existing electricity supply to the subject site, the condition is able to be removed.

Recommendation

The condition is recommended for removal.

14.	Delete	
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Development Permit – Condition 28

28.	Scott Place is to be upgraded to a Collector Street standard for the full frontage of the development. This is to include: <ul style="list-style-type: none">a. Widening to 7.5m pavement width for full frontage of development;b. Any additional works required to upgrade the existing Scott Place pavement from Fairway Drive intersection to collector standard in accordance with test results from "SGS Pavement Investigation Report SGS/19/E001 4 March 2019" and resultant pavement design. Note this is expected to raise the level of the existing road, particularly in the vicinity of the roundabout which should be considered when addressing emergency access provisions;c. Kerb and channel to full frontage of development; andd. Concrete Footpath, 1.5m wide on the northern side of Scott Place for full frontage and connecting to end of existing footpath on western side of Fairway Drive near roundabout.	In conjunction with the development permit for operational works for stage 1.
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Applicant's Representation

Subsequent to the meeting with the applicant on 8 July 2019, further representations were received as follows:

"Based on the works currently prescribed in Condition 28, the northern side of the pavement of Scott Place is to be widened by approximately 1-1.5m (to achieve the 7.5m width), with a 1.5m wide grassed area plus a 1.5m wide footpath. Based on a preliminary review, these works would appear to encroach into the existing tree line / vegetated area on the northern side of Scott Place. Therefore, it is suggested that a more pragmatic approach would be to allow for the option of constructing the new footpath on the southern side of Scott Place, subject to the detailed operational work design, thereby minimising

any clearing of existing trees and noting that the existing ground levels on the southern side are also more conducive to a footpath.

Notwithstanding, given the approval is for rural residential lots, the appropriate and anticipated mode of transportation would be motor vehicles. Furthermore, given the immediate locality of the site is characterised as rural residential and does not include any designated public recreation areas or local shopping centres within a proximity that would realistically attract pedestrian movement, there is no particular need for pedestrian connectivity in this instance.

Following the review of the established rural residential areas in the immediate surrounding locality and broader region, it is noted that footpaths are not characteristic of the established rural residential development (other than a footpath along part of Fairway Drive), therefore the proposal to remove footpaths as a requirement is consistent with the general operational work design for such development.

Having regard for the above, it is considered the provision of a footpath would be an ad hoc design aspect in this instance, creating potential issues in terms of unnecessary clearing of trees within the road reserve and unnecessary works along frontages of lots other than the subject premises. Therefore, it is considered the requirement for a footpath represents an unnecessary and unwarranted imposition on the development.

Furthermore, we ask that the timing for the remaining conditioned works be prescribed as prior to the plan sealing stage of Stage 1, as opposed to linking the works to the operational work stage.

Therefore, we request that Condition 28 be amended as follows:

No.	Condition	Timing
28	<p>Scott Place is to be upgraded to a Collector Street standard for the full frontage of the development. This is to include:</p> <ul style="list-style-type: none"> a) Widening to 7.5m pavement width for full frontage of development; b) Any additional works required to upgrade the existing Scott Place pavement from Fairway Drive intersection to collector standard in accordance with test results from "SGS Pavement Investigation Report SGS/19/E001 4 March 2019" and resultant pavement design. Note this is expected to raise the level of the existing road, particularly in the vicinity of the roundabout which should be considered when addressing emergency access provisions; c) Kerb and channel to full frontage of development; and d) Concrete Footpath, 1.5m wide on the northern side of Scott Place for full frontage and connecting to end of existing footpath on western side of Fairway Drive near roundabout. 	<p>In conjunction with the development permit for operational works for stage 1. Prior to the lodgement of a request for sealing of the survey plan for stage 1.</p>

Amended Applicant Representations

We request that Council allow for the option to construct the footpath on either the northern or the southern side of Scott Place (with the best path to be determined as part of the detailed OPW design).

Furthermore, based on engineering review, it was noted that the existing pavement within Scott Place fronting Lot 612 and further east does not warrant any widening or upgrading (in particular given than

Lot 612 will gain access from Road 1). Therefore, we request that the conditions be refined to specify the extent of the road widening/ upgrades.

Having regard for the above, we request that Condition 28 be amended as follows:

28	<p>Scott Place is to be upgraded to a Collector Street standard for the full frontage of the development. This is to include:</p> <ul style="list-style-type: none"> a) Widening to 7.5m pavement width for full frontage of development, excluding the area fronting Lot 612 and further east; b) Any additional works required to upgrade the existing Scott Place pavement (excluding the area fronting Lot 612 and further east) from Fairway Drive intersection to collector standard in accordance with test results from "SGS Pavement Investigation Report SGS/19/E001 4 March 2019" and resultant pavement design. Note this is expected to raise the level of the existing road, particularly in the vicinity of the roundabout which should be considered when addressing emergency access provisions; c) Kerb and channel to full frontage of development; and d) Concrete Footpath, 1.5m wide on either the northern or southern side of Scott Place for full frontage and connecting to end of existing footpath on western side of Fairway Drive near roundabout. 	In conjunction with the development permit for operational works for stage 1".
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Assessment of Representations

Agree

Council's Consulting Engineer has identified that the footpath condition is of a lower standard than required by Council's Road Hierarchy table for this class of road as Council has only conditioned it on one side of Scott Place rather than on both sides of a Collector Road as per the table.

In addition, the purpose of the footpath is to provide connectivity between the existing footpath on Fairway Drive linking the commercial and recreational areas.

Officers have undertaken a site inspection on 15 August 2019 and determined that there is sufficient area for a footpath to be constructed on either the northern or southern side of Scott Place to comply with the footpath requirement. This determination has taken into consideration the existing vegetation on the northern side and existing infrastructure (ie power poles and Telstra pits) on the southern side of Scott Place. Further justification will be required to be submitted as part of an Operational Works application regarding the location of the footpath.

Officers have agreed that the Collector Road is not required to be constructed in front of proposed Lot 612 as this lot has been conditioned to gain access from the constructed internal road to ensure as much of the existing vegetation within the Scott Place road reserve is retained as possible.

Recommendations

Therefore, amend Condition 28 as follows:

28.	Scott Place is to be upgraded to a Collector Street standard for the full frontage of the development. This is to include:	In conjunction
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	<ul style="list-style-type: none"> a. Widening to 7.5m pavement width for full frontage of development, excluding the area fronting Lot 612 and further east; b. Any additional works required to upgrade the existing Scott Place pavement (excluding the area fronting Lot 612 and further east) from Fairway Drive intersection to collector standard in accordance with test results from “SGS Pavement Investigation Report SGS/19/E001 4 March 2019” and resultant pavement design. Note this is expected to raise the level of the existing road, particularly in the vicinity of the roundabout which should be considered when addressing emergency access provisions; c. Kerb and channel to full frontage of development; and d. Concrete Footpath, 1.5m wide on either the northern or southern side of Scott Place for full frontage and connecting to end of existing footpath on western side of Fairway Drive near roundabout. 	with the development permit for operational works for stage 1.
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Development Permit – Condition 35

35.	Dual accesses are to be provided for Lots 500 & 501, 517 & 518, 519 & 520 and 521 & 522. Access for Lot 503, 516, 523 and 612 are to be provided from Road 1.	In conjunction with the development permit for operational works for stage 1.
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Applicant’s Representation

“It is acknowledged that in some cases, dual accesses represent a pragmatic and sound design option. However, in this instance, the requirement to provide dual accesses for the lots fronting Scott Place would in effect set the location of the driveways. As previously discussed with Council (as part of the responses to the information requests), the intent of the developer is to survey and thread the driveways through the existing tree line, thereby positioning and constructing the driveways with the least amount of disturbance and clearing required, noting that the 35m lot frontages allow for such a scope.

Having regard for the above, the requirement for dual accesses would prevent the ability to employ the more considered design approach, with negligible improvement in terms of function and aesthetics.

Furthermore, we ask that the timing for the remaining conditioned works be prescribed as prior to the plan sealing stage of Stage 1, as opposed to linking the works to the operational work stage.

Therefore, we request that Condition 35 be amended as follows:

No.	Condition	Timing
35	Dual accesses are to be provided for Lots 500 & 501, 517 & 518, 519 & 520 and 521 & 522. Access for Lot 503, 516, 523 and 612 are to be provided from Road 1.	In conjunction with the development permit for

		<i>operational works for stage 1. Prior to the lodgement of a request for sealing of the survey plan for stage 1.</i>
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Amended Applicant Representations

Subsequent to the meeting with the applicant on 8 July 2019, further representations were received as follows:

The above condition [Condition 2] acknowledges that the environmental overlay has been addressed, and that any clearing within the road reserve is limited (as per the Proposed Driveway Locations Plan), allowing for one of the key variations to the planning scheme originally proposed. Specifically, to allow for future houses to be built as accepted development, which at present would be code assessable given they are within 200m of the 'high ecological significance area' on the Ecological Significance Native Vegetation Areas Overlay Map E1 – under section 5.2, table 23A of the planning scheme. We are open to any alternative suggestions from Council to address this planning scheme drafting matter.

- Amend the wording of Condition 35 for the Reconfiguring a Lot component as follows:

No.	Condition	Timing
35	<i>Dual accesses are to be provided Access for Lots 500 & 501, 517 & 518, 519 & 520 and 521 & 522 are to be provided generally in accordance with the Proposed Driveway Locations Plan (Drawing Number BRRM7289-001-2-1). Access for Lot 503, 516, 523 and 612 are to be provided from Road 1.</i>	<i>In conjunction with the development permit for operational works for stage 1. Prior to the lodgement of a request for sealing of the survey plan for stage 1".</i>

Assessment of Representation

Agree in Part

Based on a site inspection undertaken with Officers from Council's Environment and Pest Department on 18 July 2019, the proposed driveway locations for Lots 500 – 501 and 517 – 522 have been determined by minimal vegetation clearing and avoiding high value habitat. Therefore, the condition can be amended to reflect the driveway locations plan. The timing for this condition has remained the same.

Recommendation

Therefore, amend Condition 35 as follows:

35.	Access for Lots 500 & 501, 517 & 518, 519 & 520 and 521 & 522 are to be provided generally in accordance with the Proposed Driveway Locations Plan (Drawing No. BRRM7289-001-2-1). Access for Lot 503, 516, 523 and 612 are to be provided from Road 1.	In conjunction with the development permit for operational works for stage 1.
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Development Permit – Condition 36

36.	A footpath, 1.5 metres wide, is to be constructed along one side of the entire length of Road 1.	In conjunction with an application for a development permit for operational works.
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Applicant's Representations

"As per the detailed representations provided in relation to Condition 28, it is considered that footpaths are in most instances unnecessary within rural residential areas - unless there is an specific need, such as a public recreation area or local shopping centre within a proximity that would realistically attract pedestrian movement - and therefore represent an unnecessary and unwarranted imposition on the development in this instance.

Therefore, we request that Condition 36 be deleted".

Assessment of Representations

Disagree

Council's Consulting Engineer has indicated that the footpath condition is in accordance with Council's road hierarchy requirements for the class of road. In addition, the footpath will provide connectivity to the external footpaths within Fairway Drive and Scott Place.

Recommendation

Therefore, the condition remains unchanged.

Development Permit - Condition 69

69.	The applicant is to provide a series of vegetation clumps at a minimum of 20m x 10m each along the southern and eastern edge of the drainage reserve generally in accordance with Plan No. 1 of 1 Revision A - Site Plan identifying vegetation clumps in proposed drainage reserve on Lot 850	In conjunction with an application
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	<p>SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council. A suitable species must be used within the drainage reserve ecosystem as per the <i>Vegetation Management Act 1999</i>, which is compatible with 12.3.3 regional ecosystem at 2 – 5 plants/m² of trees, shrubs and lomandras.</p> <p>Note: for a list of preferred species contact Council.</p>	<p>for a development permit for operational works for Stage 1.</p>
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Applicant's Representation

"Whilst the provision of large raised planter beds was a design element proposed by the applicant, it is considered the number of such planter beds as required by Council (as shown on the Site Plan prepared by Council) is excessive, in that the planter beds would dominate and impede the views into the open space areas, and represent an unwarranted imposition on the development. Therefore, we ask that the number of planter beds be reduced by removing every second planting area as shown on the amended Site Plan.

Furthermore, it is noted the pragmatic timing for construction and reasonable delivery of the planter beds would be as part of Stage 3, being the stage in which the Drainage Reserve is formally created and dedicated to Council, as opposed to Stage 1 in which the area would still only be part of a larger balance lot.

Therefore, we request that Condition 69 be amended as follows:

No.	Condition	Timing
69	<p><i>The applicant is to provide a series of vegetation clumps at a minimum of 20m x 10m each along the southern and eastern edge of the drainage reserve generally in accordance with Plan No. 1 of 1 Revision A B – Site Plan identifying vegetation clumps in proposed drainage reserve on Lot 850 on SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council (as amended in red by LandPartners Pty Ltd). A suitable species must be used within the drainage reserve ecosystem as per the <i>Vegetation Management Act 1999</i>, which is compatible with 12.3.3 regional ecosystem at 2-5 plans/m² of trees, shrubs and lomandras.</i></p> <p><i>Note: for a list of preferred species contact Council.</i></p>	<p><i>In conjunction with an application for a development permit for operational works for Stage 1 Stage 3".</i></p>

Assessment of Representation

Agree in Part

Council's Environment and Pest Department has prepared and provided to the applicant an updated vegetation clump plan which provides further clarification of the planting requirements within the proposed drainage reserve. The applicant accepted the updated vegetation planting plan on 21 June 2019 and the condition has been amended to reflect this plan. The timing of the condition has been amended to reflect the timing of when the drainage reserve will be transferred into Council's ownership.

Recommendation

Therefore, Condition 69 is amended as follows:

69.	<p>The applicant is to provide a series of vegetation clumps at a minimum of 20m x 10m each along the southern and eastern edge of the drainage reserve generally in accordance with Plan No. 1 of 1 Revision C - Site Plan identifying vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council. A suitable species must be used within the drainage reserve ecosystem as per the <i>Vegetation Management Act 1999</i>, which is compatible with 12.3.3 regional ecosystem at 2 – 5 plants/m² of trees, shrubs and lomandras.</p> <p>Note: for a list of preferred species contact Council.</p>	In conjunction with an application for a development permit for operational works for Stage 3.
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Approved Plans and Referenced Documents

Approved Plans

Plan No.	Rev.	Plan Name	Date
BRRM7289.000-008	B	Proposed Reconfiguration of Lot 850 on SP297470 (Evans Road, Kensington Grove) (Fairways East Stage 1-5) prepared by Landpartners	21/02/2018
Plan No. 1 of 1	A	Site Plan identifying general location of vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council	23/04/2019

Applicant's Representations

"As per the representations provided in relation to Condition 1 (relating to the variation approval), we ask that the proposed Fairways East (South) Concept Plan, drawing number BRRM7289.000-006A, be referenced within the approved plans section of the approval.

Furthermore, as per the representations provided in relation to Condition 69 (relating to the vegetation clumps), we have amended the site plan prepared by Council, in order to reduce the number of planter boxes required.

Therefore, we request that the Approved Plans section be amended as follows:

Document No.	Rev.	Document Name	Date
Plan No. 1 of 1	A B	Site Plan identifying general location of vegetation clumps in proposed drainage reserve on Lot 850 on SP297470, Evans Road, Kensington Grove, prepared by Lockyer Valley Regional Council (as amended in red by LandPartners Pty Ltd)	23/04/2019 28/05/2019
BRRM7289.000-006	A	Fairways East (South) Concept Plan (Lot 850 on SP297470), prepared by LandPartners	07/12/2017 "

Assessment of Representations

Agree in Part

Officers have agreed to the changes in the conditions above which reflect the changes to plans referenced in earlier conditions. These changes are to the vegetation clump plan and the inclusion of

the Fairway East (South) Concept Plan and Proposed Driveway Location Plan therefore the approved plans need to be amended to reflect those changes.

Recommendation

Therefore, amend and include the following plans to the approved plan list.

Plan No.	Rev.	Plan Name	Date
Plan No. 1 of 1	C	Site Plan identifying general location of vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council	19/06/2019
BRRM7289.000-006	A	Fairways East (South) Concept Plan (Lot 850 SP297470), prepared by Landpartners	07/12/2017
BRRM7289-001-2-1	-	Proposed Driveway Locations Plan, prepared by Landpartners	18/07/2019

Approved Plans and Referenced Documents

Referenced Documents

Document No.	Rev.	Document Name	Date
18-032	B	Fairways Estate Hatton Vale Traffic Impact Assessment, prepared by Pekol Traffic & Transport	18 October 2017

Applicant's Representations

"Furthermore, it is noted there were two (2) separate traffic assessment technical notes prepared by Pekol Traffic and Transport submitted in response to Council's Information Request, specifically Document No. 18-343 being a response to the matters raised by the Lockyer Valley Regional Council (addressing the traffic matters directly relating to the proposed development); and Document No. 18-377 being a response to the matters raised by the Somerset Regional Council (relating to the McLaughlands Lane and Brightview Road intersection being within their local government area).

Following on, it is noted that Document No. 18-343 is the document relating to the assessment manager conditions, and Document No. 18-377 relates to the advisory notes of the decision notice.

Therefore, we request that the Referenced Documents section be amended as follows:

Document No.	Rev.	Document Name	Date
18-377 18-343	-	Fairways Estate Hatton Vale RFI Response, prepared by Pekol Traffic & Transport	8 June 2018"

Assessment of Representations

Agree

Council's Consulting Engineer has indicated that referencing of the incorrect document number is an error and is able to be amended to reflect the correct document number.

Recommendation

Therefore, amend document number as follows:

Document No.	Rev.	Document Name	Date
18-343	-	Fairways Estate Hatton Vale RFI Response, prepared by Pekol Traffic & Transport	8 June 2018

Advice conditions

Applicant's Representations

Based on the discussions with Council Officers on 31 July 2019, the applicant has provided correspondence identifying that information regarding the requirement to retain the existing vegetation within Scott Place road reserve will be included in a developer's covenant (which is between the developer and purchaser).

Assessment of Representations

Agree

Officers have reviewed the proposed wording provided by the developer and are satisfied that this will achieve the intended outcome of retaining as much vegetation along the Scott Place road reserve as possible. The inclusion of the advice condition ensures that this information is provided to all potential purchasers.

Recommendation

Include the following advice condition:

- (vi) The applicant is to advise potential purchasers of lots within Stage 1 of the developer's covenant in relation to the existing vegetation within the Scott Place road reserve.

4. Policy and Legal Implications

There are no policy or legal implications arising from the recommendation provided in this report.

5. Financial and Resource Implications

There are no financial or resource implications arising from the recommendation provided in this report.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from the recommendation provided in this report.

7. Communication and Engagement

Council's decision on the negotiated decision notice request will be given to the applicant, State Assessment and Referral Agency (SARA) and submitters in accordance with Section 83 of the *Planning Act 2016*.

8. Conclusion

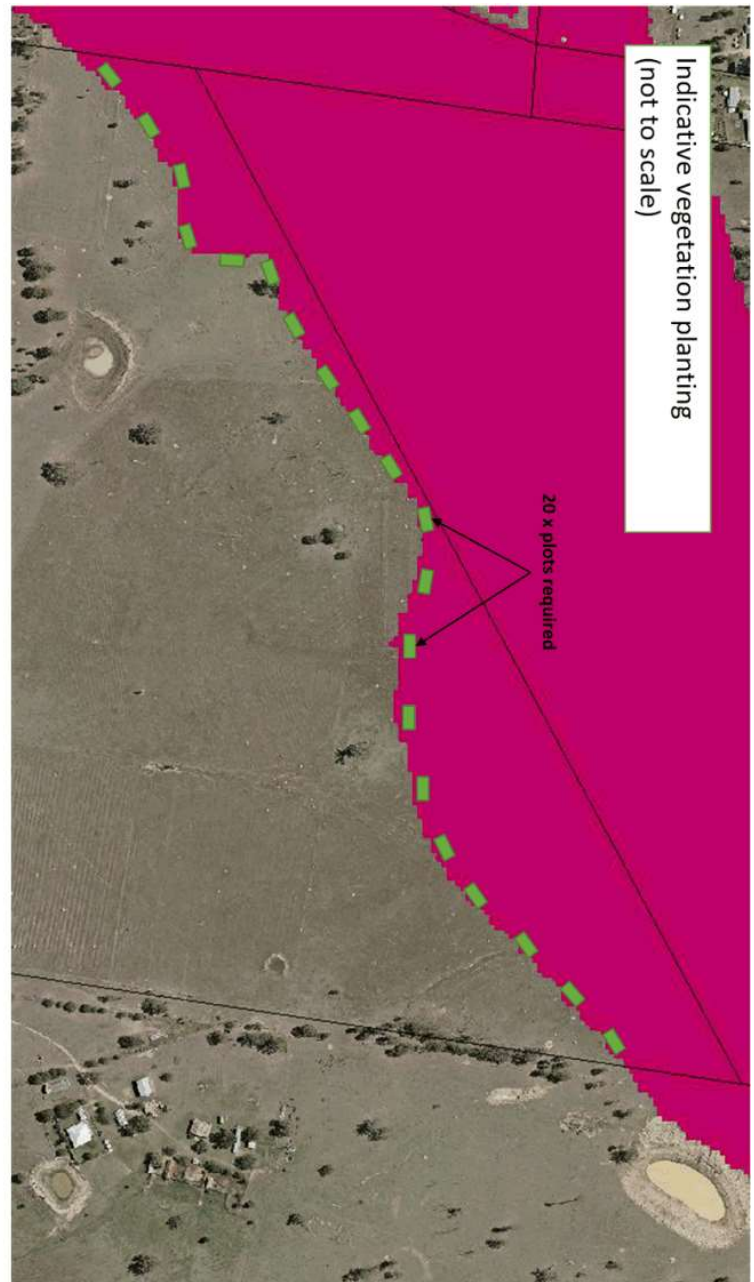
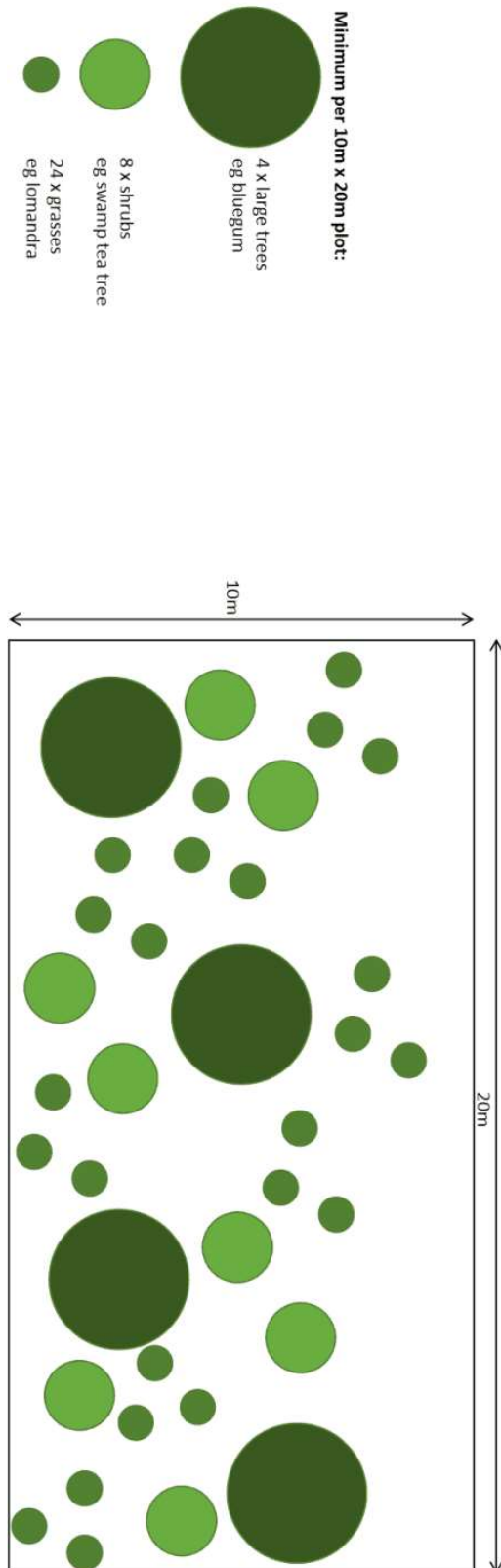
The proposed changes to the conditions allow the development to comply with *the Laidley Planning Scheme 2003* provisions and be developed as intended even where Officers are recommending conditions not be amended in accordance with the applicant's representations.

9. Action/s

Communicate Council's decision to the applicant, State Assessment Referral Agency (SARA) and submitters in accordance with the requirements of the *Planning Act 2016*.

Attachments

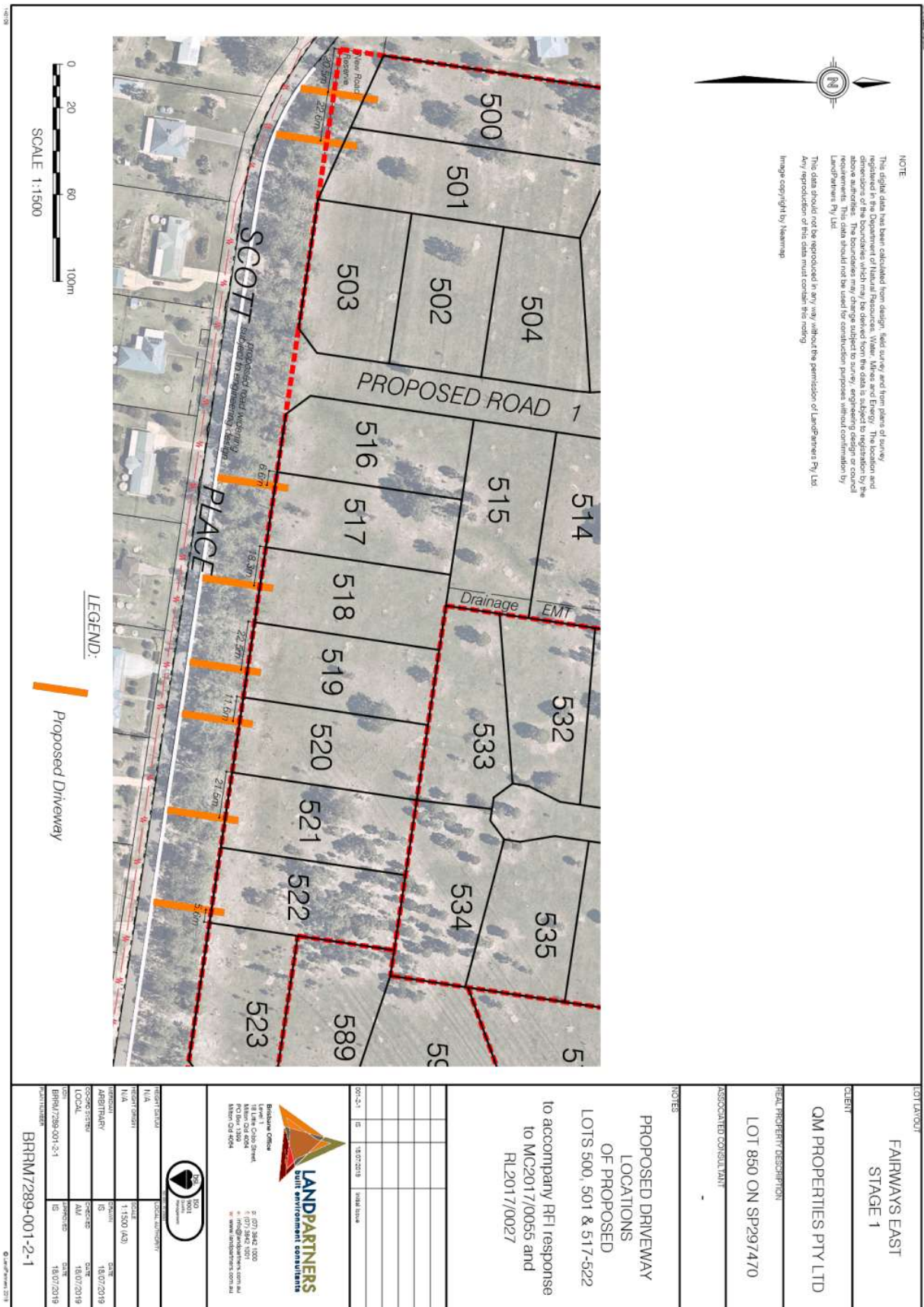
1 [!\[\]\(17acf1afa8cdf0b67c53d4865a5ed469_img.jpg\)](#) MC2017/0055 & RL2017/0027 Proposal Plans 3 Pages



Plan 1 of 1 Revision C - Site Plan identifying general location of vegetation clumps in proposed drainage reserve on Lot 850 SP297470, Evans Road, Kensington Grove prepared by Lockyer Valley Regional Council dated 19 June 2019

Plot spacing:
20m 30m 20m





Date: 15 August 2019
Author: Renee Sternberg, Senior Environmental Planner
Responsible Officer: Ian Church, Chief Executive Officer

Council has received correspondence from a Veradilla resident requesting that Council engage a contractor to desilt the Government Dam on Grantham Scrub Road for local stock and household use. The request has been raised as the resident is concerned that the dam is not available as a source of water for firefighting and in times of drought.

THAT Council do not take undertake action to desilt the Government Dam on Grantham Scrub Road.

That Council authorise the Chief Executive Officer to investigate further options available for the future use of the Government Dam on Grantham Scrub Road.

Moved By:	Cr Hagan	Seconded By:	Cr Holstein
Resolution Number: 16-20/1488			

CARRIED
6/0

1. Introduction

The Government Dam at Veradilla is a 1.03ha property located on the corner of Grantham Scrub Road and Poole Road Veradilla. Council received correspondence from a concerned resident suggesting Council use the current dry time to engage a suitably qualified and skilled local contractor to desilt the dam for community use.

The Government Dam was constructed around 1907 and used for stock water by local graziers for an indeterminate amount of time. Anecdotal evidence suggests the dam was constructed to water travelling stock and the water potentially used to fill the stock dip on the opposite side of Grantham Scrub Road. More recently the dam has been intermittently used by local graziers for emergency water and household use. The land parcel is owned by the Department of Natural Resources, Mines and Energy, with Lockyer Valley Regional Council as trustee responsible for its management. Investigations within Council and State entities have revealed no recent use and no future plan to utilise the dam water for road works or firefighting purposes.



A letter was received by Council from a resident on 18 February 2019 requesting that Council act to desilt the Government Dam at Veradilla. The dam was inspected by the resident correspondent, Councillor Vela and Council Officers from the Environment and Pest Team on 1 March 2019. A response was provided by the Mayor (dated 11 April 2019) informing the resident that Council will not be undertaking any action to desilt the dam. A subsequent letter has been received regarding the same request, signed by 13 residents.

3. Report

The 'Government Dam' holds local cultural significance with an element of nostalgia for the initial construction and purpose of the dam. While the dam has been significant in the past, recent history shows that the property has become overgrown, allowing native flora and fauna habitat to regenerate alongside some weed species.

Officers from the Infrastructure Works and Services Group have indicated that the dam is not a desirable source of water as a clean and consistent supply is sourced from the Helidon and Gatton standpipes. Using standpipes as opposed to dam water results in less maintenance issues as the standpipe water is free of any debris or sediment. Additionally, the speed in filling from standpipes improves productivity. There is anecdotal evidence that the Council has utilised the dam water less than six times in the last 20 years.

The Rural Fire Service were consulted and have indicated that the dam will not be relied upon as a source of water for firefighting purposes.

The correspondence from the residents suggests that the dam has lost capacity through silt over time and 'desilting' or scraping out by an earthworks contractor would increase the capacity and be a viable source of stock water for local landholders or for household use.

While the definition of household use is not clearly defined, under the *Public Health Act 2005*, water can be described as a public health risk if it is, or is likely to be, hazardous to human health or contributes to, or is likely to contribute to, disease in humans or the transmission of an infectious condition to humans. Untreated water from a Council controlled dam can be described as a public

health risk if intended to be ingested by drinking, using for personal hygiene purposes (cleaning teeth, showering and hand washing) or used to water crops that will later be ingested without further processing.

As Council will have little control over the use of the water from the dam and the proposed uses include the undefined 'household' use, Council would likely be creating a public health risk under the *Public Health Act 2005*.

Given the anecdotal evidence that the dam is not currently drawn on by Council, Rural Fire Services or residents for stock or household water, the land is better suited to environmental purposes. Further, the site inspection discovered several native flora and fauna species flourishing and regenerating. Impacts of some restricted matter weeds were present.

The Environment and Pest Team will manage the weeds and improve the environmental quality of the site through the Integrated Land Management project.

4. Policy and Legal Implications

There are no Policy or Legal Implications for the report.

5. Financial and Resource Implications

Without conducting a soil test for depth and contaminants, a preliminary quote to desilt the dam without moving the silt off site would cost between \$2,500 and \$4,000 by a local earthmover. Soil testing for contaminant is approximately \$1,200.

There are no financial or resource implications from this report.

6. Delegations/Authorisations

No additional delegations are required in relation to the matters raised in this report.

7. Communication and Engagement

Correspondence will be forwarded to the residents that have written to Council regarding this matter to advise them of Council's decision.

8. Conclusion

As the dam was used historically rather than in recent times and there is no intention to utilise any stored water in the dam for uses on infrastructure or for firefighting, the cost to desilt the dam outweighs the community benefit.

9. Action/s

It is proposed that following Council's approval of the report recommendation, the following action is taken:

- Correspondence will be forwarded to the residents that wrote to Council regarding this matter to advise them of Council's decision

Date: 23 August 2019
Author: Renee Sternberg, Senior Environmental Planner
Responsible Officer: Ian Church, Chief Executive Officer

The purpose of this report is to seek Council's support for relocating wildlife including turtles, eels and fish before the pools of water in Lake Apex dry out completely.

THAT Council approve Option 1: the engagement of suitably qualified and licenced fauna spotter-catchers to relocate the remaining wildlife from the drying pools of water in Lake Apex, Gatton to more permanent pools of water in the Lockyer Creek, Crowley Vale.

THAT Council approve Option 1: the engagement of suitably qualified and licenced fauna spotter-catchers to relocate the remaining wildlife from the drying pools of water in Lake Apex, Gatton to more permanent pools of water in the Lockyer Creek, Crowley Vale.

Moved By: Cr McLean **Seconded By:** Cr Wilson
Resolution Number: 16-20/1489

CARRIED
6/0

1. Introduction

Lake Apex precinct is a multi-use park area that includes barbeque areas, playgrounds, exercise equipment, a skatepark, a dog-off-leash area and the Lights on the Hill memorial. A key component of the Lake Apex precinct is Lake Apex and Lake Freeman which are considered referable wetlands and High Ecological Significant Wetlands by the State Government. These important wetlands are home to many waterbirds (including migratory species) and native aquatic species such as the longfin eel, Krefft's river turtle, Murray turtle, Common Saw shell turtle, Eastern Long necked turtle and the broad shelled turtle as well as fish species Boney bream, Glass fish, Spangled perch, Australia smelt, Western carp gudgeon, Fire tail gudgeon and potentially the federally protected Australian lungfish (*Neoceratodus forsteri*).

Since 12 February 2019, Lake Apex and Lake Freeman has been closely monitored as the water level reduced due to the lack of rainfall or drought conditions. The remaining water is now constrained to two small ponds. One in the south-west of Lake Apex which is approximately 55m long and 18m wide (at the widest point) and likely only 60cm deep and the other smaller pond in the south-east corner of Lake Apex which is only 10cm deep.

The purpose of this report is to seek Council's approval to engage suitably qualified and licenced fauna-spotter catchers to relocate the wildlife from these ponds to a location on the Lockyer Creek which is a more permanent source of water.

2. Background

In February 2019, Councillors received a briefing note and workshopped a Fauna Rescue Plan for wildlife in Lake Apex if required. This fauna rescue plan detailed how turtles could be assisted to relocate themselves from Lake Apex using sediment fences to guide them to the culvert under Western Drive and into the Lockyer Creek. It also stated that Council could engage suitably qualified and licenced fauna spotter-catchers to rescue the remaining fish and turtles should the lakes dry up. The aim of the Fauna Rescue Plan was to prevent a repeat of the 2003 mass turtle movement which resulted in hundreds of turtles killed on the road over a 48-hour period.

Over the past six months, turtles have been relocating themselves, however the water has now dried to two small ponds. Trenches around the perimeter of the Lake contain thick, sticky mud, which the turtles are struggling to escape. The ponds are now at the point that they are likely to completely dry up in the next few weeks which will result in fish dying and possible mass numbers of turtles leaving the Lake and crossing roads.

Suitably qualified and licenced fauna spotter-catchers have already rescued 17 turtles stuck in the mud and relocated them to a water hole near Davey's Bridge on the Lockyer Creek. The fauna spotter-catchers were also engaged to estimate the number of animals remaining in the two isolated ponds. A report submitted by the fauna spotter-catchers suggests more than 100 turtles as well as numerous fish species (including exotic carp) and possibly some eels remain in the larger pond.

3. Report

A number of options have been investigated to remediate the problem of the ponds drying as follows:

Option 1: Engage suitably qualified and licenced fauna spotter-catchers (with rehabilitation permits) to perform the relocation.

As Council Officers are not licenced to perform the relocation themselves, a quote has been obtained from a suitably qualified and licenced fauna spotter-catcher company to relocate all wildlife from the remaining ponds of water at their earliest availability. This quote came in at \$4,958.80 (incl. GST). Council officers from Environment and Pest Unit and Infrastructure Works and Services Group will be required to assist the contractors in transporting the animals in plastic tubs on a Council truck.

The earliest that the fauna spotter-catchers and Council staff are available to assist with relocating the remaining wildlife is Thursday evening 29 August and Friday 30 August 2019. It is the fauna spotters-catchers professional opinion that the wildlife will survive until then. Specially designed turtle traps can be set on Thursday afternoon and evening to catch the majority of the turtles. A drag net can then be used on Friday morning to collect any remaining fish, eels and turtles. In both cases all wildlife will be immediately relocated. If any federally protected Lung Fish are present, their capture and release will require careful planning.

Under the fauna spotter-catchers rehabilitation permit, the aquatic wildlife must be relocated to within the same catchment. A suitable release location has been located at a more permanent chain of ponds on the Lockyer Creek (Figure 5) and permission from the adjacent landholder sought for the use of their land to access the creek. A turtle count has been undertaken at the release location and it appears that it should be able to accommodate additional turtles. Anecdotal evidence from the adjacent landholder indicates that this chain of ponds has never gone dry.

Option 2: Engage suitably qualified and licenced fauna spotter-catchers (with rehabilitation permits) to only trap turtles over one evening.

An alternative option is to trap only turtles using specialised floating turtle traps over one evening and relocate them to the same location as option 1. However, this option will likely only capture 30 individuals and mean the remaining turtles will likely self-relocate across roads and remaining aquatic fauna would perish. The cost of this option is \$1,919.50 (incl. GST).

Option 3: RSPCA perform the relocation

RSPCA were contacted however they do not have rehabilitation permits and are only able to rescue sick or injured wildlife. RSPCA also noted that many wildlife carers do not possess the necessary permits and are also only permitted to rescue sick and injured wildlife.

Option 4: The University of Queensland perform the relocation

The University of Queensland Gatton Campus were contacted, however do not have rehabilitation permits or the necessary equipment available.

Option 5: The State Department of Environment and Science perform the relocation

The Wildlife and Threatened Species Operations Department within the State Department of Environment and Science (DES) in Toowoomba were contacted. They don't perform fauna relocations themselves, however recommended that Council engage a fauna spotter-catcher.

Option 5: Put water into the Lake

Water can be carted using Council water trucks and gently trickled into the remaining pools of water to "top them up". This procedure requires carefully management to ensure sediment in the water is not stirred up which may result in fish kills. The water from the bore standpipe at Smithfield Road may be utilised however the "topping up" will need to continue until it rains. As the water trucks are from the Infrastructure Delivery Unit they will need to be taken off current road works projects to cart the water.

As a medium-term solution, it is worth exploring the viability of reinstating the functionality of an historic bore near Lake Apex to top up the water levels in the future.

Option 6: Install sediment fencing to allow the turtles to self-relocate safely under the road

The Fauna Rescue Plan provided to Councillors in February 2019 outlined a method of installing sediment fencing to guide the turtles through the culverts under Western Drive to the Lockyer Creek. The aim was to prevent a repeat of the 2003 mass turtle movement which resulted in large quantities of turtles killed on the road, which Council were responsible for cleaning-up. This option (shown in Figure 6) would likely cost \$1830 - \$2000 to supply and install the sediment fencing, however it would still likely result in large quantities of other aquatic fauna such as fish dying as the pools dry up. In addition, the pools in the Lockyer Creek closest to the culvert are now dry and the nearest downhill pools are now 5.4km downstream.

Option 7: Do nothing

Another option is that Council do nothing, and let mother nature take its course, as has occurred around the region as dams and creeks have dried out. There is the possibility that once the pools dry out completely causing the fish to die, the odour produced by the decaying aquatic fauna (possibly including large carp) may be undesirable and the decaying matter requested to be removed by Council.



Fig 1: Latest Nearmap imagery showing extent of remaining water in Lake Apex and Lake Freeman (Sunday 4 August 2019). The pond of water on the south-eastern corner of Lake Apex is now approx. 10cm deep, and the pond of the south-western side of Lake Apex is now approximately 60cm deep.



Fig 2: Photo showing remaining muddy trenches around the perimeter of Lake Apex. Standing on the northern side of Lake Apex, looking south-west (14/8/2019).



Fig 3: Photo showing remaining muddy trenches around the perimeter of Lake Apex. Standing on the northern side of Lake Apex, looking east towards Lights on the Hill memorial (14/8/2019).



Fig 4: Photo showing remaining muddy trenches around the perimeter of Lake Apex. Red circles show turtles buried in the mud (14/8/2019).



Fig 5: Proposed relation release site. Lockyer Creek, Crowley Vale.



Fig 6: Proposed location of sediment fencing shown in blue

4. Policy and Legal Implications

The *Animal Care and Protection Act 2001* promotes the responsible care and use of animals. It places a legal duty of care on people in charge of animals to meet those animals' needs in an appropriate way. Council do not have a legal duty of care to the wildlife in the Lake Apex precinct as the fauna are wild.

Rehabilitation permits (spotter-catcher) under Section 12(e) - Nature Conservation (Administration) Regulation 2017 are required to relocate the wildlife under these circumstances.

5. Financial and Resource Implications

The costs for this action will be covered by the budget allocated to Environment and Pest for the care of wildlife.

6. Delegations/Authorisations

No additional delegations are required in relation to the matters raised in this report.

7. Communication and Engagement

Signs have been erected around the Lake to ensure public safety. Following is an example of signage:



8. Conclusion

Due to the ongoing drought, the wetlands at Lake Apex and Lake Freeman are close to dry. Aquatic wildlife remaining in the two shallow ponds are likely to perish in the next few weeks if no rain is received (as predicted). As Lake Apex and Lake Freeman are Council owned land, Council have investigated options for rescuing the aquatic wildlife. The recommended option (Option 1) is to engage a suitably qualified and licenced fauna spotter catcher, in conjunction with assistance from Council staff to relocate the aquatic wildlife from Lake Apex to a more permanent source of water in the Lockyer Creek at Crowley Vale.

9. Action/s

Staff from Environment and Pest and Parks, Gardens and Cemeteries will assist suitably qualified and licenced fauna-spotter catchers in the relocation of aquatic wildlife from the drying ponds of water in Lake Apex to a more permanent water source in the Lockyer Creek at Crowley Vale. The relocation can occur on Thursday 29 August and Friday 30 August 2019.

During the next budget review, the opportunity to reinstate the bore within the Lake Apex precinct will be investigated.

12.0 CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 Queensland Museums and Galleries Standards Review Program 2018

Date: 18 July 2019
Author: Sue Banff, Branch Coordinator, Gatton Library
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

The purpose of this report is to inform and seek Council endorsement on the recommendations of the Museums and Galleries Standards Review Program 2018.

Officer's Recommendation:

THAT Council endorse the accepted recommendations from the Museums and Galleries Standards Review Program 2018 and endorse the progressive implementation of the accepted recommendations during the 2019-20 financial year.

RESOLUTION

THAT Council endorse the following accepted recommendations from the Museums and Galleries Standards Review Program 2018 and endorse their progressive implementation during the 2019-20 financial year:

1. Extend exhibition lengths from 5-6 weeks to 8 weeks
2. Broader promotion of the gallery and collection of statistical data such as number of exhibition visitors
3. Networking with tertiary institutions and broadening relationships with other regional galleries
4. Conduct workshops including incorporating library programs into the gallery
5. Remain a non-collecting gallery

Moved By: Cr Holstein

Seconded By:

Cr Hagan

Resolution Number: 16-20/1490

CARRIED
6/0

Report

1. Introduction

During 2018, Museums and Galleries Queensland (M&G Qld) undertook a Standards Review Program of the Lockyer Valley Art Gallery (the Gallery).

M&G Qld made several recommendations with five of the recommendations fully supported by Gallery officers as they consolidate the future direction of the Gallery while providing ongoing benefits to the community and tourism in general.

2. Background

M&G Qld Standards Reviews facilitate the development of aspirational goals to help galleries and museums meet the needs of their communities.

3. Report

Reviewers for M&G Qld presented their review recommendations on the Lockyer Valley Regional Art Gallery to Council Officers in late 2018.

M&G Qld considered the Gallery to be well managed with exhibitions well-presented and easily accessible to visitors with the Gallery also well supported by Councils in the areas of policy documentation, forward planning, workplace health and safety and security.

Details of each of the recommendations of the review and the recommended Council position in relation to each are outlined below.

Recommendations

a) Establish an advisory group to assess expressions of interest for exhibitions

Not accepted

While M&G Qld consider that the establishment of an advisory group would assist with eliminating bias when selecting exhibitions while offering a more transparent selection process, this recommendation is not supported by Council officers.

b) Extend exhibition lengths from 5-6 weeks to 8 weeks

Accepted

Extended exhibition lengths will ease pressure on staff while also providing opportunities for public programming and diversified exhibitions which cater for travelling exhibitions. Through the acceptance of this recommendation, artists will also be encouraged to play a more active role in their exhibitions by presenting talks, workshops and demonstrations. Longer exhibitions will equate to 6-7 exhibitions per year compared to 8-9 at present.

c) Promotion and statistic collection

Accepted

M&G Qld recommend the creation of an Instagram account for and the installation of electronic door counters to the Gallery.

There is also very little signage in the community that suggests the location of the gallery. The signage at the Cultural Centre is limited and unless people have the intent to visit the Gallery, it is often missed. Locals and visitors often think that a fee is attached to entry and this also needs to be addressed.

d) Networking with tertiary institutions and broadening relationships with other regional galleries

Accepted

Potential partnerships with tertiary institutions offer many benefits including support for programming, mentor roles, further diversification of exhibitions and the attraction of a younger audience. The aim is to connect with an institution and for the Gallery to be used as a training ground for students who in return learn from the experience of working in a gallery and in the process help with day to day processes including the planning and development of exhibitions. As part of their professional development, lecturers are also required to exhibit their own works, this leads to further opportunities for and diversification of exhibitions.

e) Conduct workshops including incorporating library programs into gallery

Accepted

Children's activities and programs should be reviewed to see how and what can be incorporated into the Gallery space including:

- holiday programs – the use of exhibitions to present programs that encourage families into the Gallery. Workshops could include drawing, self-directed art activities and grant funded activities
- use of the space to hold various library events. This initiative will also bring more people into the gallery.

f) Engage a curator for special events

Not accepted

Current budget allocations inhibit the engagement of a curator for special events.

g) Remain a non-collecting gallery

Accepted

While Council owns a small group of artworks, most of the works are currently used to decorate Council officers. Permanent artwork storage was also never considered a necessary part of the Gallery's physical design. The Gallery should remain non-collection due to limited resourcing including staffing and storage.

h) Professional development

Not accepted

M&G Qld recommend that as the Gallery gains momentum, the availability and capability of staffing may be an issue in the future. If the Gallery continues to develop and expand its public programs as well as its collaborations with external institutions, more resourcing will be required. Existing staff would also benefit from more extensive professional development opportunities in relation to gallery best practice activities.

Council officers believe that additional staffing will be managed in collaboration with the Libraries Team with professional development requirements to be managed through existing budget allocation.

Further improvements now being considered by Council officers include exhibitions by invitation with this initiative involving invitations to two artists per year to exhibit in the Gallery without the payment of fees. The aim of this initiative is to provide a greater diversity of displays, encourage more artists and broaden awareness of the Gallery.

To date, the following improvements aligned to the M&G Qld Standards Reviews have been implemented by Gallery officers:

- Council officers are now working in collaboration with the Regional Art Support Network (Empire Theatre) to provide skills development to local artists
- the Gallery's first dual exhibition was held in April 2019
- the first artists workshops were held in the Gallery in March and June 2019
- two (2) travelling exhibitions have been secured for 2020-21
- expressions of interest documents have been updated

- applications are now accessible online and can also be submitted electronically
- invitations are now sent out electronically
- current and coming exhibition information is now displayed in the foyer
- artists now supply artist statements with their exhibitions.

4. Policy and Legal Implications

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

5. Financial and Resource Implications

Any addition financial requirements associated with the recommendation of this report will be included in the annual operating budget submission of the Gallery.

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 any further requirements in line with existing delegations.

7. Communication and Engagement

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

8. Conclusion

The accepted recommendations of the M&G Qld Standards Review will help the Gallery to continue to improve its practices and raise the profile of the Gallery within the wider community.

9. Action/s

1. Progressively implement the accepted recommendations from the Museums and Galleries Standards Review Program 2018 during 2019-20.

12.2 Summary of Council Actual Financial Performance vs. Budget - 31 July 2019

Date: 19 August 2019
Author: Tony Brett, Acting Executive Manager Corporate & Community 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 July 2019.

Officer's Recommendation:

THAT Council receive and note the Summary of Council Actual Financial Performance versus Budget to 31 July 2019.

And further;

THAT under Section 130(7) and (8) of the *Local Government Regulation 2012*, Council changes the discount date and the due date for payment for the current rating period to 9 September 2019.

RESOLUTION

THAT Council receive and note the Summary of Actual Financial Performance versus Budget to 31 July 2019.

And further;

THAT under Section 130(7) and (8) of the *Local Government Regulation 2012*, Council change the discount date and the due date for payment for the current rating period to 9 September 2019.

Moved By: Cr Vela

Seconded By:

Cr Wilson

Resolution Number: 16-20/1491

CARRIED

6/0

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 July 2019.

Operating Revenue - Target \$0.81 million Actual \$0.77 million or 94.92%

At 31 July 2019, overall operating revenue is slightly under target for the budgeted amount with the variances most likely related to the timing of the cash flows and are not of a concern at this time of the year. Adjustments to the budget for timing issues will commence from August.

The first levy of the 2019-20 rates is due for issue in August and the negative revenue showing in the report is a result of adjustments to rates assessments prior to the levy being prepared.

Operating Expenditure - Target \$5.18 million Actual \$5.07 million or 97.82%

At 31 July 2019, overall operating expenditure for the year to date is on target.

As with revenue, at this time of the year the variances are most likely timing differences in the phasing of budgeted expenditure. These phasings will be adjusted from August as spending patterns become clearer.

Capital Revenue - Target \$0.17 million Actual \$0.42 million or 248.82%

While capital grants and subsidies revenue is overbudget for the year to date, 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.

Capital Expenditure – Target \$17.40 million Actual \$1.25 million or 7.17%

To 31 July 2019, Council has expended \$1.25 million on its capital works program with a further \$1.71 million in committed costs for works currently in progress.

The main expenditures are \$0.77 million within Infrastructure, Works and Services and \$0.43 million within Corporate and Community Services. Final schedules for the completion of the 2019-20 works program are still being developed; as such, most of the capital expenditure to 31 July relates to projects in progress at the end of June 2019. Once the program has been finalised, the budget will be cash flowed accordingly.

Upon completion of the 2018-19 audit process, a report will be presented to Council to amend the 2019-20 Budget to include requested carry-forward balances for capital work in progress at 30 June. This will increase the capital budget for the year.

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 July, Council had \$22.36 million in current assets compared to \$12.58 million in current liabilities with a ratio of 1.78:1. This means that for every dollar of current liability, there is \$1.78 in assets to cover it.

The opening balances for the year will change as the 2018-19 audit is finalised in the middle of September.

Statement of Cash Flows

The Statement of Cash Flows provides information on the amount of cash coming in and going out. As at 31 July, there has been a net cash outflow of \$5.42 million with \$4.59 million expended on operating activities and a net cash outflow of \$0.83 million being spent on capital works.

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. To maintain adequate working capital, it is estimated that Council needs around \$11.00 million cash at any one time, at 31 July, Council's cash balance was \$17.68 million.

Other Financial Matters

The rate notices for the first levy of the 2019-20 financial year were issued on 7 August with a due date of 6 September. Payments received on 7 and 8 September will not automatically qualify for the discount and will need to be reviewed individually to assess the payment history of the property owner, and the reason why the rates were not paid by the due date. Most of payments received in this time are payments through BPay and Australia Post which while lodged at the bank prior to the due date have not yet cleared and payments made by cheque which have been delayed in the post.

To save on administrative costs in dealing with these payments, it is recommended that Council for the first rates levy of the 2019-20 financial year amend the discount date and due date to 9 September 2019. This will allow the rating system to automatically apply the discount to payments received over the weekend and into Council's bank on the subsequent Monday. The amended date will apply to all property owners apart from those with the extended due date as a result of a concession previously granted by Council.

4. Policy and Legal Implications

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

Section 130 of the *Local Government Regulation 2012* deals with the discount for prompt payment of rates and charges. While the original discount date was set as part of the budget adoption resolutions, under Section 130(7) Council may by resolution change the discount period to end on a later day. If Council does this, then under Section 130(8) Council must also, by resolution, change the due date for payment to a later day that is no earlier than the new discount day.

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 2019-20 Budget, with any variations or anomalies to be investigated and action taken as appropriate.

It is anticipated that 2018-19 carry-over works will be presented to Council in September with a formal budget review to be prepared at the end of the September quarter to take into consideration any significant variances and to reset Council's long term financial forecast to reflect the 2019 actual result. This report will be presented to Council in October 2019.

6. Delegations/Authorisations

Extensions to the discount date and due date for rates cannot be delegated by Council.

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

8. Conclusion

At 31 July, revenues are slightly under target and expenditures are on target. Any variations are a result of timing differences and at this stage of the financial year are not of concern.

The amounts shown in the report relating to the Statement of Financial Position are subject to change as end of year processes are finalised and the 2018-19 audit completed.

9. Action/s

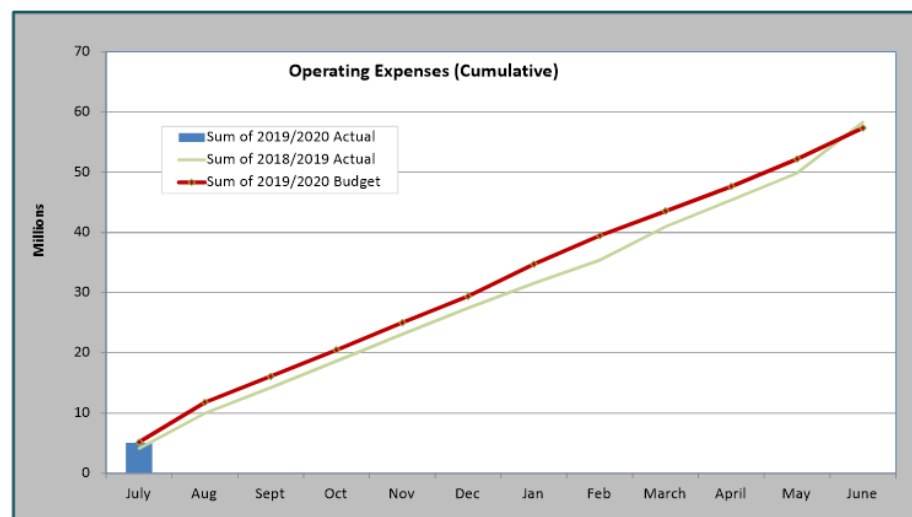
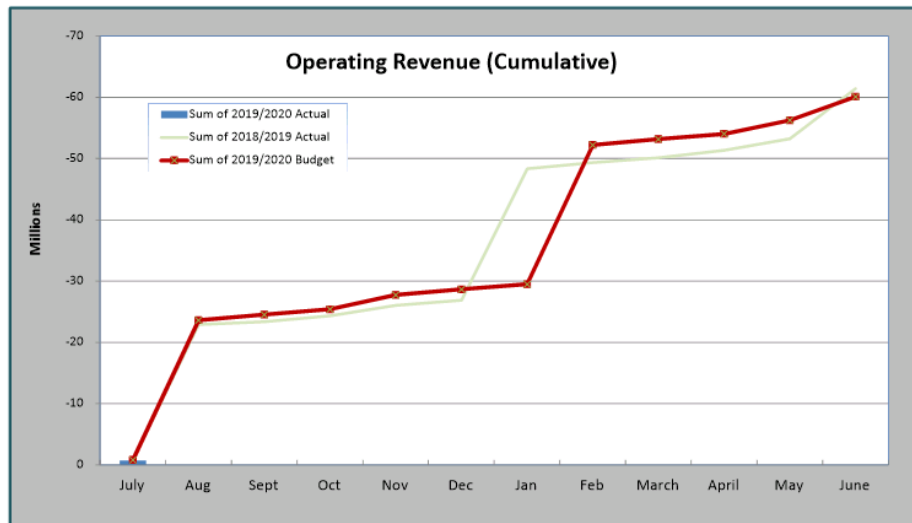
1. Update the rates due date as per the resolution.

Attachments

- 1 [↓](#) Monthly Financial Report - July 2019 17 Pages

LOCKYER VALLEY REGIONAL COUNCIL

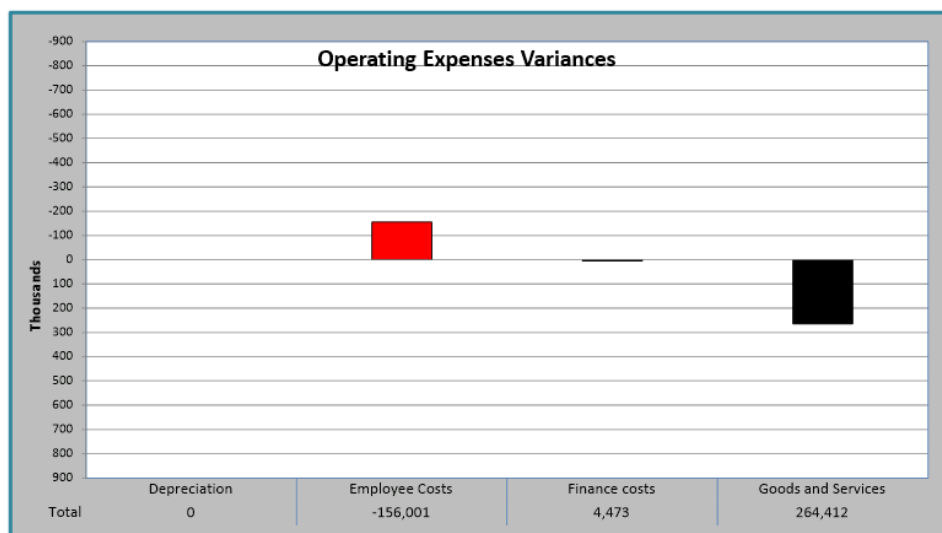
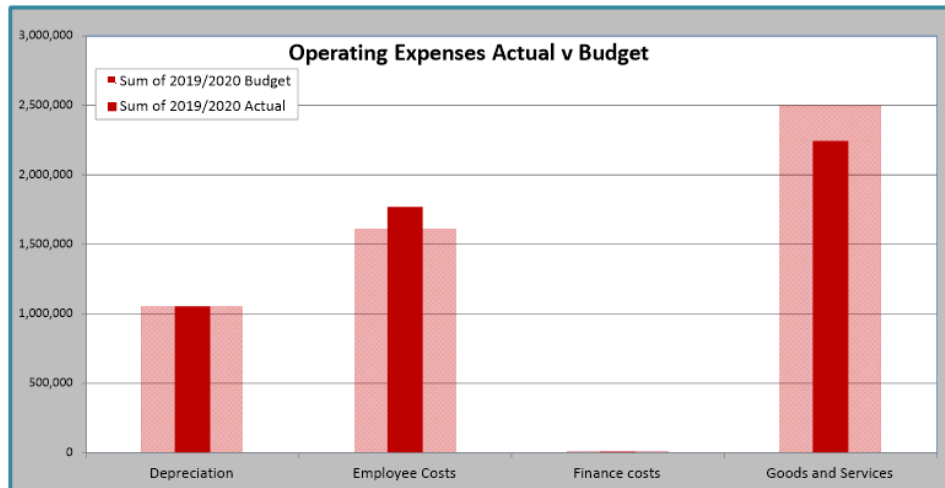
Total Council Operating Revenue and Expenses
For the Period Ended 31st July, 2019



LOCKYER VALLEY REGIONAL COUNCIL

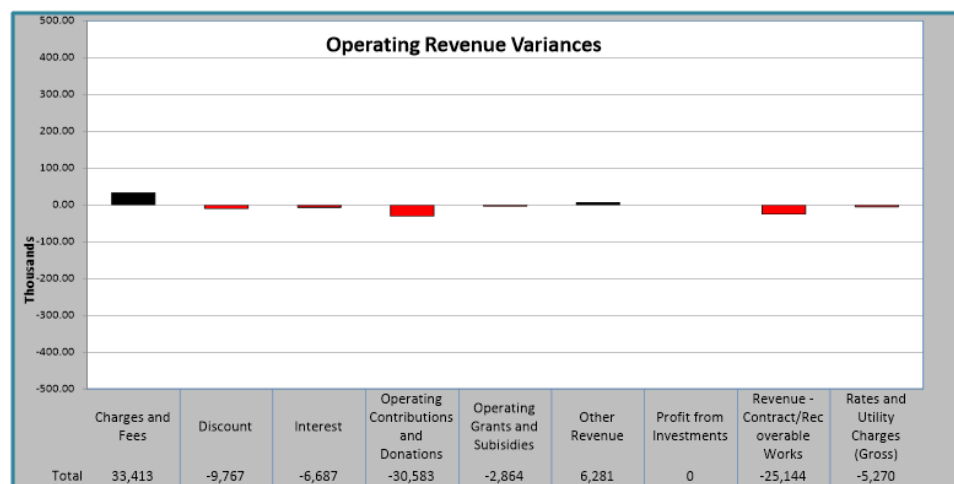
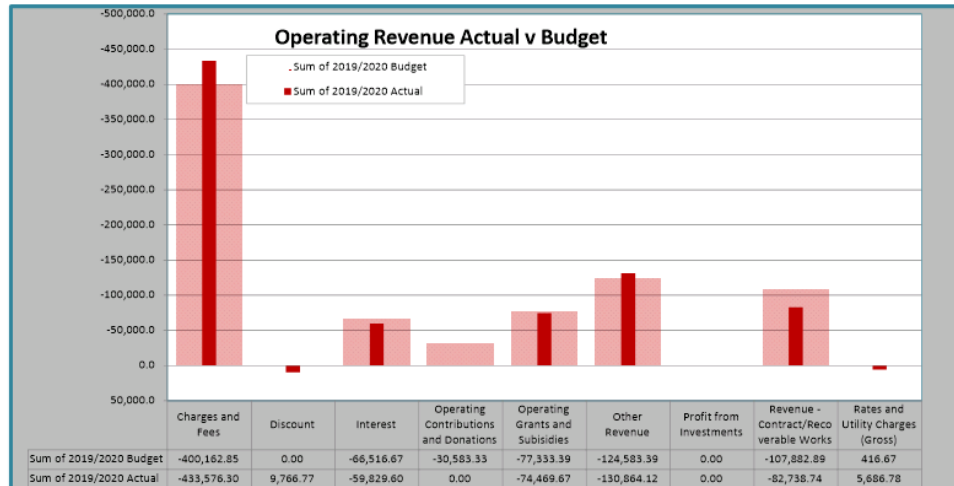
Operating Expenses

For the Period Ended 31st July, 2019



LOCKYER VALLEY REGIONAL COUNCIL

Operating Revenue
For the Period Ended 31st July, 2019



Lockyer Valley Regional Council (Whole Council)
Statement of Comprehensive Income
For Period Ending July 2019

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
Operating Revenue:					
Rates and Utility Charges (Gross)	42,664,095	(5,687)	(417)	5,270	(1,264.82)
Discount	(1,727,000)	(9,767)	-	9,767	0.00
Charges and Fees	4,097,212	433,576	400,163	(33,413)	(8.35)
Interest	1,512,200	59,830	66,517	6,687	10.05
Operating Grants and Subsidies	6,526,678	74,470	77,333	2,864	3.70
Operating Contributions and Donations	413,700	-	30,583	30,583	100.00
Revenue - Contract/Recoverable Works	2,034,594	82,739	107,883	25,144	23.31
Other Revenue	2,238,000	130,864	124,583	(6,281)	(5.04)
Profit from Investments	2,350,000	-	-	-	0.00
Total Operating Revenue	60,109,479	766,025	806,646	40,621	5.04
Operating Expenses:					
Employee Costs	25,395,087	1,768,695	1,612,694	(156,001)	(9.67)
Goods and Services	18,048,876	2,243,620	2,508,032	264,412	10.54
Finance costs	1,294,488	4,985	9,458	4,473	47.30
Depreciation	12,635,840	1,052,987	1,052,987	-	(0.00)
Total Operating Expenses	57,374,292	5,070,287	5,183,171	112,884	2.18
Operating Surplus/(Deficit)	2,735,187	(4,304,262)	(4,376,525)	(72,263)	1.65
Capital Revenue:					
Capital Grants, Subsidies and Contributions	2,135,796	422,813	177,983	(244,830)	(137.56)
Capital Expenses	(90,000)	-	(7,500)	(7,500)	100.00
Total Capital Revenue	2,045,796	422,813	170,483	(252,330)	(148.01)
Operating Surplus/(Deficit) After Capital Items	4,780,983	(3,881,450)	(4,206,042)	(324,593)	7.72

Lockyer Valley Regional Council (Executive Office)
Statement of Comprehensive Income
For Period Ending July 2019

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Charges and Fees	-	-	-	-	0.00
Operating Grants and Subsidies	-	10,000	-	(10,000)	0.00
Operating Contributions and Donations	-	-	-	-	0.00
Revenue - Contract/Recoverable Works	1,244,594	80,506	103,716	23,210	22.38
Other Revenue	443,200	65,217	63,350	(1,867)	(2.95)
Total Operating Revenue	1,687,794	155,723	167,066	11,344	6.79
<u>Operating Expenses:</u>					
Employee Costs	4,886,900	420,495	400,028	(20,467)	(5.12)
Goods and Services	3,957,033	1,093,122	1,141,944	48,823	4.28
Finance costs	3,500	4	292	288	98.60
Depreciation	15,680	1,307	1,307	(0)	(0.03)
Total Operating Expenses	8,863,113	1,514,928	1,543,571	28,643	1.86
Operating Surplus/(Deficit)	(7,175,319)	(1,359,205)	(1,376,504)	(17,299)	1.26
<u>Capital Revenue:</u>					
	-	-	-	-	0.00
Total Capital Revenue	-	-	-	-	0.00
Operating Surplus/(Deficit) After Capital Items	(7,175,319)	(1,359,205)	(1,376,504)	(17,299)	1.26

Lockyer Valley Regional Council (Organisational Development and Planning)
Statement of Comprehensive Income
For Period Ending July 2019

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	305,000	(2)	-	2	0.00
Charges and Fees	1,903,000	228,573	158,583	(69,990)	(44.13)
Interest	-	130	-	(130)	0.00
Operating Grants and Subsidies	80,000	-	6,667	6,667	100.00
Operating Contributions and Donations	367,000	-	30,583	30,583	100.00
Other Revenue	-	1,609	-	(1,609)	0.00
Total Operating Revenue	2,655,000	230,309	195,833	(34,476)	(17.60)
<u>Operating Expenses:</u>					
Employee Costs	4,948,217	355,218	375,873	20,655	5.50
Goods and Services	1,885,318	(5,765)	133,880	139,645	104.31
Finance costs	-	83	-	(83)	0.00
Total Operating Expenses	6,833,535	349,537	509,754	160,217	31.43
Operating Surplus/(Deficit)	(4,178,535)	(119,228)	(313,920)	(194,692)	62.02
<u>Capital Revenue:</u>					
Capital Grants, Subsidies and Contributions	403,000	-	33,583	33,583	100.00
Total Capital Revenue	403,000	-	33,583	33,583	100.00
Operating Surplus/(Deficit) After Capital Items	(3,775,535)	(119,228)	(280,337)	(161,109)	57.47

Lockyer Valley Regional Council (Corporate and Community Services)
Statement of Comprehensive Income
For Period Ending July 2019

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	41,508,017	(5,684)	(417)	5,268	(1,264.22)
Discount	(1,727,000)	(9,767)	-	9,767	0.00
Charges and Fees	2,154,712	202,829	238,288	35,459	14.88
Interest	1,512,200	59,700	66,517	6,817	10.25
Operating Grants and Subsidies	4,169,300	64,470	61,667	(2,803)	(4.55)
Operating Contributions and Donations	46,700	-	-	-	0.00
Revenue - Contract/Recoverable Works	-	-	-	-	0.00
Other Revenue	1,574,800	54,040	42,900	(11,140)	(25.97)
Profit from Investments	2,350,000	-	-	-	0.00
Total Operating Revenue	51,588,729	365,588	408,955	43,367	10.60
<u>Operating Expenses:</u>					
Employee Costs	8,824,891	382,396	353,331	(29,064)	(8.23)
Goods and Services	10,416,748	946,500	1,022,847	76,346	7.46
Finance costs	919,988	4,898	9,167	4,269	46.57
Depreciation	11,450,160	954,180	954,180	-	0.00
Total Operating Expenses	31,611,787	2,287,973	2,339,525	51,551	2.20
Operating Surplus/(Deficit)	19,976,942	(1,922,386)	(1,930,570)	(8,184)	0.42
<u>Capital Revenue:</u>					
Capital Grants, Subsidies and Contributions	445,850	-	37,154	37,154	100.00
Total Capital Revenue	445,850	-	37,154	37,154	100.00
Operating Surplus/(Deficit) After Capital Items	20,422,792	(1,922,386)	(1,893,416)	28,970	(1.53)

Lockyer Valley Regional Council (Infrastructure, Works and Services)
Statement of Comprehensive Income
For Period Ending July 2019

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
Operating Revenue:					
Rates and Utility Charges (Gross)	851,078	-	-	-	0.00
Charges and Fees	39,500	2,174	3,292	1,118	33.95
Operating Grants and Subsidies	2,277,378	-	9,000	9,000	100.00
Revenue - Contract/Recoverable Works	790,000	2,233	4,167	1,934	46.41
Other Revenue	220,000	9,999	18,333	8,334	45.46
Total Operating Revenue	4,177,956	14,406	34,792	20,386	58.59
Operating Expenses:					
Employee Costs	6,735,079	610,586	483,461	(127,125)	(26.29)
Goods and Services	1,789,777	209,763	209,361	(403)	(0.19)
Finance costs	371,000	-	-	-	0.00
Depreciation	1,170,000	97,500	97,500	-	0.00
Total Operating Expenses	10,065,856	917,849	790,322	(127,527)	(16.14)
Operating Surplus/(Deficit)	(5,887,900)	(903,444)	(755,530)	147,913	(19.58)
Capital Revenue:					
Capital Grants, Subsidies and Contributions	1,286,946	422,813	107,246	(315,567)	(294.25)
Capital Expenses	(90,000)	-	(7,500)	(7,500)	100.00
Total Capital Revenue	1,196,946	422,813	99,746	(323,067)	(323.89)
Operating Surplus/(Deficit) After Capital Items	(4,690,954)	(480,631)	(655,785)	(175,154)	26.71

LOCKYER VALLEY REGIONAL COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 31 July, 2019

	2019-2020 Full Year Budget	2019-2020 YTD Actual
<u>Current Assets</u>		
Cash assets and cash equivalents	18,640,000	9,079,360
Cash investments	-	8,600,000
Trade and other receivables	3,580,000	2,226,693
Inventories	2,470,000	367,269
Non-current assets classified as held for sale	-	2,091,000
Total Current Assets	24,690,000	22,364,322
<u>Non Current Assets</u>		
Trade and other receivables	14,740,000	14,745,256
Equity investments	33,350,000	32,030,495
Investment properties	1,850,000	2,010,000
Property, plant and equipment	570,780,000	569,578,315
Intangible assets	5,960,000	5,359,371
Total Non Current Assets	626,670,000	623,723,437
TOTAL ASSETS	651,360,000	646,087,759
<u>Current Liabilities</u>		
Trade and other payables	3,940,000	5,404,557
Provisions	5,470,000	5,738,621
Borrowings	1,560,000	1,434,526
Total Current Liabilities	10,980,000	12,577,704
<u>Non Current Liabilities</u>		
Provisions	28,720,000	29,655,001
Borrowings	21,400,000	23,079,170
Total Non Current Liabilities	50,110,000	52,734,171
TOTAL LIABILITIES	61,090,000	65,311,875
NET COMMUNITY ASSETS	590,270,000	580,775,884
<u>Community Equity</u>		
Retained surplus (deficiency)	385,919,017	381,489,554
Asset revaluation surplus	199,570,000	199,946,090
Reserves	-	3,221,690
Current Surplus/(Deficit)	4,780,983	(3,881,450)
TOTAL COMMUNITY EQUITY	590,270,000	580,775,884

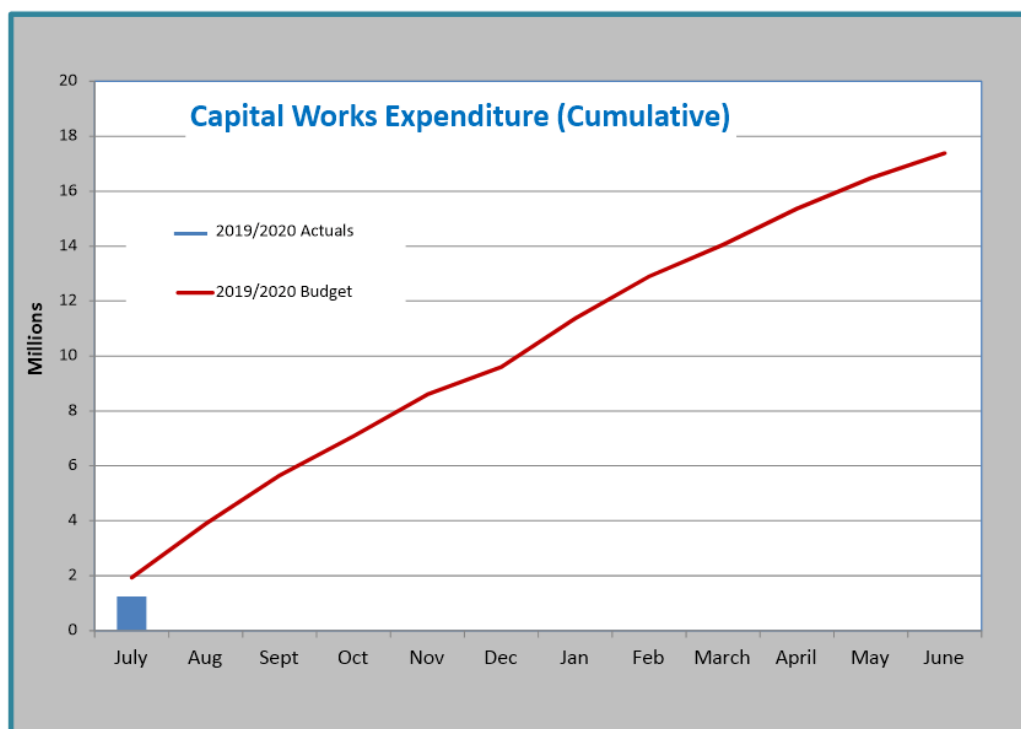
LOCKYER VALLEY REGIONAL COUNCIL
Statement of Cash Flows
For the period ended 31 July, 2019

	2019-2020 Full Year Budget	2019-2020 YTD Actuals
<u>Cash flows from operating activities:</u>		
<u>Receipts</u>		
Receipts from customers	55,760,000	4,224,078
Interest received	1,510,000	59,830
<u>Payments</u>		
Payments to suppliers and employees	(43,310,000)	(8,876,874)
Interest expense	(1,160,000)	-
Net cash inflow (outflow) from operating activities	12,800,000	(4,592,967)
<u>Cash flows from investing activities:</u>		
Capital grants, subsidies and contributions	2,110,000	422,813
Payments for property, plant and equipment	(17,400,000)	(1,253,635)
Net transfer (to) from cash investments	840,000	-
Proceeds from sale of property plant and equipment	930,000	375
Net cash inflow (outflow) from investing activities	(13,530,000)	(830,448)
<u>Cash flows from financing activities:</u>		
Repayment of borrowings	(1,480,000)	-
Proceeds from borrowings	-	-
Net cash inflow (outflow) from financing activities	(1,480,000)	-
Net increase (decrease) in cash and cash equivalents held	(2,210,000)	(5,423,415)
Cash and cash equivalents at beginning of the financial year	20,840,000	23,102,775
Cash and cash equivalents at end of the financial year	18,640,000	17,679,360

LOCKYER VALLEY REGIONAL COUNCIL

CAPITAL WORKS BY GROUP

Row Labels	Values		
	2019-20 Budget	2019-20 Actuals	Sum of PercentSpent
Corporate & Community Services	3,628,650	433,949	11.96%
Executive Office	0	6,506	0.00%
Infrastructure Works & Services	13,117,000	774,287	5.90%
Organisational Development & Planning	655,000	33,692	5.14%
Grand Total	17,400,650	1,248,434	7.17%



LOCKYER VALLEY REGIONAL COUNCIL
CAPITAL WORK SUMMARY
July 2019

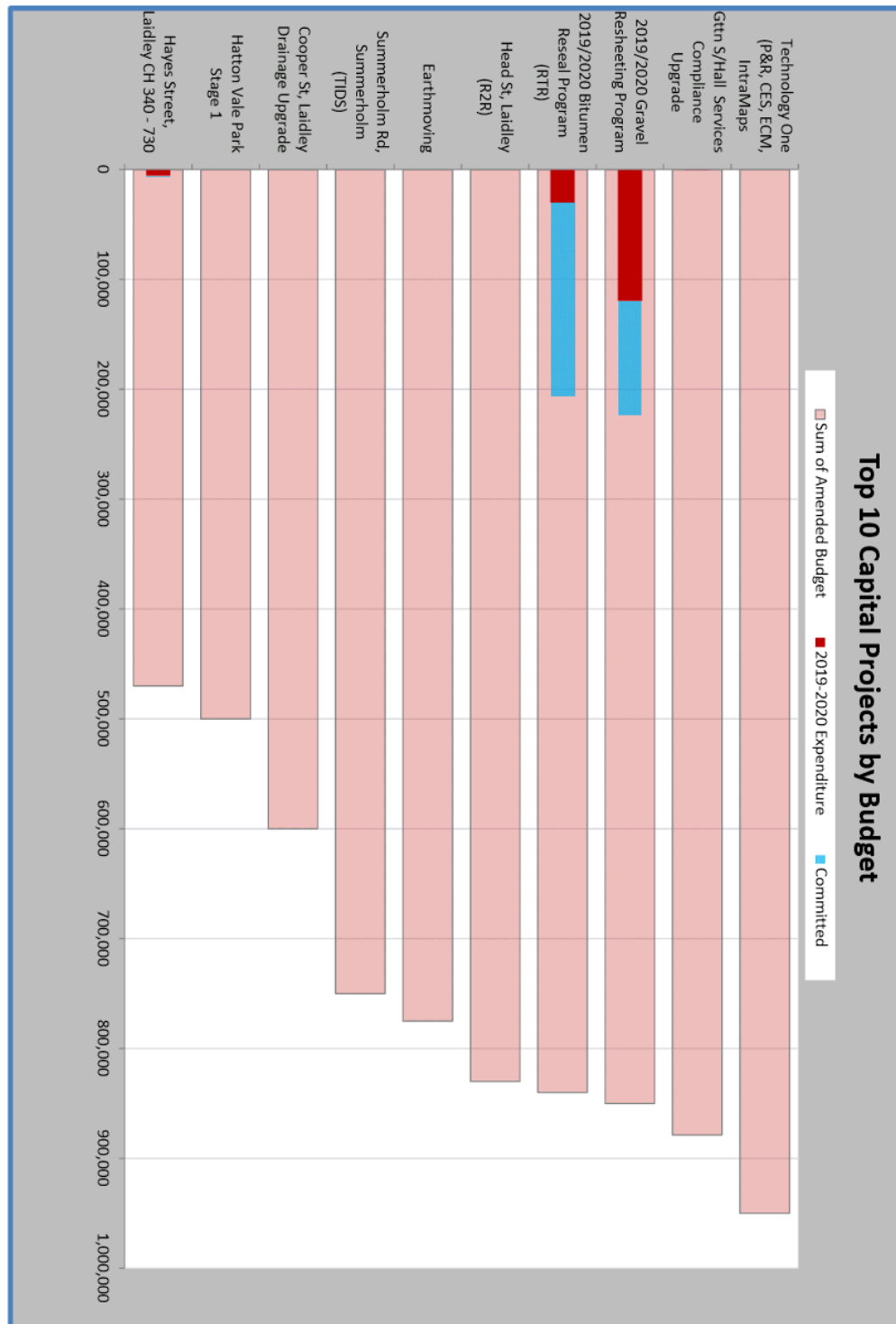
	2019-2020 Adopted Budget	2019-2020 Expenditure	Committed	2019-2020 Expenditure (including Committed)	Remaining Budget (including Committed)
Corporate & Community Services					
Disaster Management	0	0	17,710	17,710	-17,710
Facilities	1,608,400	46,576	51,458	98,033	1,510,367
Information Management	100,000	4,818	0	4,818	95,182
Information Technology	1,280,500	119,441	199,798	319,240	961,260
SES	13,750	0	0	0	13,750
Transfer Stations	626,000	263,113	63,022	326,135	299,865
Corporate & Community Services Total	3,628,650	433,949	331,988	765,937	2,862,713
Executive Office					
Regional Development Management	0	0	9,123	9,123	-9,123
Tourism Initiatives	0	6,506	2,969	9,475	-9,475
Executive Office Total	0	6,506	12,092	18,598	-18,598
Infrastructure Works & Services					
Capital Program Delivery	11,112,500	544,844	815,077	1,359,921	9,752,579
Depot	236,000	500	42,704	43,204	192,796
Fleet	1,074,000	91,411	9,856	101,268	972,732
Parks & Open Spaces	520,000	23,726	11,151	34,877	485,123
Cemetery	143,000	107,933	32,572	140,505	2,495
NDRRA Program - Infrastructure Recovery	0	5,873	0	5,873	-5,873
Asset Management	31,500	0	0	0	31,500
Infrastructure Works & Services Total	13,117,000	774,287	911,360	1,685,647	11,431,353
Organisational Development & Planning					
Planning Scheme	655,000	30,644	268,103	298,747	356,253
Sport Recreation and Community Grants	0	3,048	190,478	193,526	-193,526
Organisational Development & Planning Total	655,000	33,692	458,582	492,273	162,727
Grand Total	17,400,650	1,248,434	1,714,021	2,962,455	14,438,195

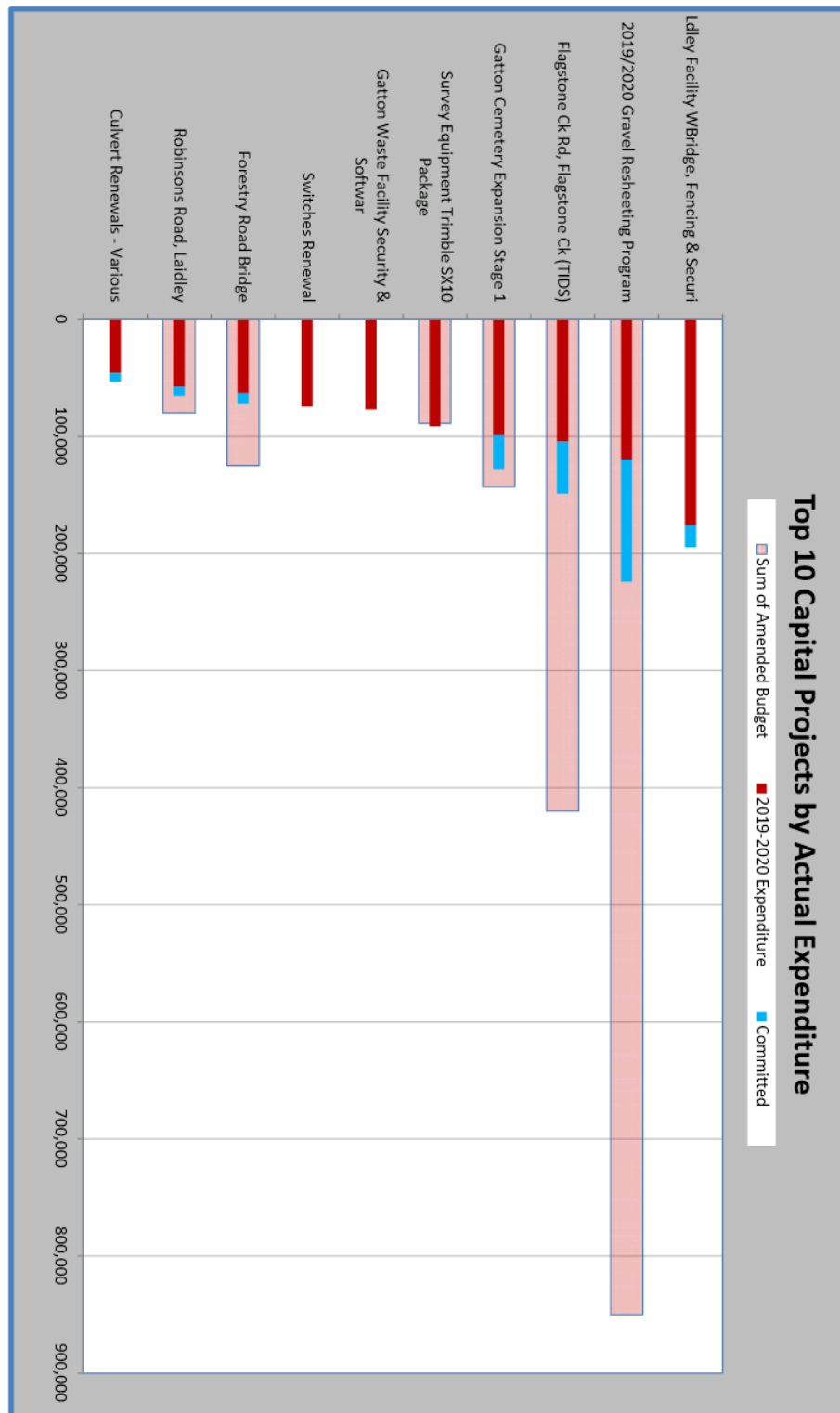
LOCKYER VALLEY REGIONAL COUNCIL
CAPITAL WORKS DETAIL
July 2019

Row Labels	Amounts		Committed	2019-2020 Expenditure (including Committed)	Remaining Budget (including Committed)	
	2019-2020 Budget	2019-2020 Expenditure				
Corporate & Community Services						
Disaster Management						
Flood Mapping and Modelling L'yer Catchm	0	0	16,000	16,000	-16,000	C/F project from 18/19
Waterride Flood Intelligence	0	0	1,710	1,710	-1,710	C/F project now completed
Disaster Management Total	0	0	17,710	17,710	-17,710	
Facilities						
Cahill Park Lighting - Netball Courts	0	372	0	372	-372	C/F project from 18/19
Cahill Park Machinery Shed Design	10,000	0	0	0	10,000	
Corrective Electrical Upgrades	34,700	0	0	0	34,700	
Cyclical Painting Program	75,000	0	0	0	75,000	
Das Neumann Haus Stair Alterations	50,000	0	0	0	50,000	
Energy Efficiency Program	70,000	0	13,334	13,334	56,666	
Gatton Cemetery Outdoor Chapel	0	25,519	8,340	33,859	-33,859	C/F project from 18/19
Gatton Depot W'Shop Building Alterations	0	536	0	536	-536	C/F project now completed
Gatton Shire Hall Masterplan Works	0	1,519	1,147	2,666	-2,666	C/F project from 18/19
Gatton Shire Hall Roof Restoration	45,000	0	0	0	45,000	
Gatton Showgrounds Energy Reduction	0	20	0	20	-20	C/F project now completed
Gatton Showgrounds Masterplan Document	0	0	1	1	-1	C/F project now completed
Gatton Showgrounds Separate Metering	0	372	2,650	3,022	-3,022	C/F project now completed
GSH Refurbishment PWD Amenities	0	3,398	3,868	7,266	-7,266	C/F project from 18/19
Gttn S/Hall Services Compliance Upgrade	878,700	372	0	372	878,328	
Laidley Admin Building Refurbishment	0	0	217	217	-217	C/F project now completed
Laidley Saleyards Drainage	55,000	456	0	456	54,544	
LCC Refurbish Ramp and Balustrading	55,000	1,569	0	1,569	53,431	
LCC Refurb Drought Comm Programme Fund	0	2,364	0	2,364	-2,364	C/F project from 18/19
LRP Lighting Rectification	0	4,045	0	4,045	-4,045	C/F project from 18/19
LVAC Pumps and Filtration	30,000	0	0	0	30,000	
LVCC Air Conditioning Redesign	50,000	404	0	404	49,596	
LVEC Structural Remediation & Other Work	100,000	776	16,300	17,076	82,924	
Nielsen's Place Shade Structure	55,000	0	0	0	55,000	
Relocation Cncl Self Contained Toilets	50,000	4,853	5,600	10,453	39,547	
Withcott Sports Ctre Kitchen Reconfigure	50,000	0	0	0	50,000	
Facilities Total	1,608,400	46,576	51,458	98,033	1,510,367	
Information Management						
Records Relocation and Sentencing	100,000	4,818	0	4,818	95,182	
Information Management Total	100,000	4,818	0	4,818	95,182	
Information Technology						
Aerial Photography	30,000	0	0	0	30,000	
Cyber Security	150,000	2,623	58,320	60,943	89,057	
Flood Information Advice Portal	0	2,375	0	2,375	-2,375	budget amendment Sept
GIS Enhancement	0	0	20,945	20,945	-20,945	C/F project from 18/19
Network Perimeter Security (Firewalls)	50,500	0	0	0	50,500	
Switches Renewal	0	73,952	0	73,952	-73,952	C/F project from 18/19
Technology One (P&R, CES, ECM, IntraMaps)	950,000	0	0	0	950,000	
Technology One Cloud Implementation	0	13,444	0	13,444	-13,444	C/F project from 18/19
Technology One 'One Council' Project	0	51	120,534	120,584	-120,584	C/F project from 18/19
Upgrade MS Office	100,000	3,326	0	3,326	96,674	
Upgrade Technology One P&R System to C/A	0	106	0	106	-106	C/F project from 18/19
Wireless Access Points	0	23,564	0	23,564	-23,564	C/F project from 18/19
Information Technology Total	1,280,500	119,441	199,798	319,240	961,260	
SES						
Forest Hill SES Replacement Generator	8,750	0	0	0	8,750	
SES Mobile Phones Replacement	5,000	0	0	0	5,000	
SES Total	13,750	0	0	0	13,750	
Transfer Stations						
Construct liner against Cell 1	330,000	0	0	0	330,000	
Gatton Landfill - Cell 5 (Design)	45,000	0	0	0	45,000	
Gatton Waste Facility Security & Softwar	0	77,200	0	77,200	-77,200	C/F project from 18/19
Laidley Landfill Capping Works	0	0	6,177	6,177	-6,177	C/F project from 18/19
Laidley Weighbridge Road Expansion	70,000	0	0	0	70,000	
Ldley Facility W/Bridge, Fencing & Securi	0	175,922	18,735	194,657	-194,657	C/F project from 18/19
Ldley Telemetry Final Sedimentation Dam	34,000	0	28,370	28,370	5,630	
M/ Plan Gatton Long Haul Waste Facility	55,000	0	0	0	55,000	
Pest (weeds & fireants) washdown provisi	0	1,864	0	1,864	-1,864	C/F project from 18/19
Rehab Plan Otto Road Facility	50,000	0	0	0	50,000	
Traffic Management Plan	0	0	9,740	9,740	-9,740	C/F project from 18/19
Windblown Litter Screen Fences	42,000	8,128	0	8,128	33,872	
Transfer Stations Total	626,000	263,113	63,022	326,135	299,865	
Corporate & Community Services Total	3,628,650	433,949	331,988	765,937	2,862,713	

Row Labels	2019-2020 Budget	2019-2020 Expenditure	Committed	2019-2020 Expenditure (including Committed)	Remaining Budget (including Committed)	
Executive Office						
Regional Development Management						
GWIZ	0	0	9,123	9,123	-9,123	C/F project from 18/19
Regional Development Management Total	0	0	9,123	9,123	-9,123	
Tourism Initiatives						
Event Promotion Stands and Props	0	6,506	2,969	9,475	-9,475	C/F project from 18/19
Tourism Initiatives Total	0	6,506	2,969	9,475	-9,475	
Executive Office Total	0	6,506	12,092	18,598	-18,598	
Infrastructure Works & Services						
Capital Program Delivery						
2018/2019 Bitumen Reseal Program	0	-32	7,409	7,377	-7,377	C/F project from 18/19
2019/2020 - Culvert Renewal Program	270,000	3,427	99,504	102,930	167,070	
2019/2020 - Minor Bridge Remedial Work	100,000	0	0	0	100,000	
2019/2020 - Pram Ramp Program	30,000	0	0	0	30,000	
2019/2020 - Urban Drainage Inlet Works	40,000	116	0	116	39,884	
2019/2020 Bitumen Reseal Program (RTR)	840,000	30,341	176,173	206,514	633,486	
2019/2020 Black Spot Mtncs Works Com	150,000	0	0	0	150,000	
2019/2020 Footpath Renewal Program	40,000	0	0	0	40,000	
2019/2020 Gravel Resheeting Program	850,000	119,459	104,616	224,075	625,925	
Allan Street, Gattton Footpaths	0	0	31,092	31,092	-31,092	C/F project from 18/19
Amos Rd, Withcott	270,000	0	0	0	270,000	
Belfords Bridge, Gattton	250,000	0	0	0	250,000	
Belmore St, Withcott	400,000	0	0	0	400,000	
Blanchview Rd, S'Ridge (BS)	17,000	246	991	1,237	15,763	
Blanchview Road/Nuttals Road, Blanchview	50,000	1,049	7,860	8,909	41,091	
Blanchview Road/O'Neils Road, Withcott	75,000	1,035	0	1,035	73,965	
Blenheim Hall, Blenheim	25,000	533	0	533	24,467	
Brightview Rd & Village Rd, L/Rose (BS)	126,000	675	0	675	125,325	
Brightview Rd/Gehrke Rd, G/Grove (BS)	116,500	0	0	0	116,500	
Cooper St, Laidley Drainage Upgrade	600,000	0	0	0	600,000	
Crescent St, Gattton Carpark	60,000	0	0	0	60,000	
Culvert Renewals - Various	0	45,941	7,316	53,257	-53,257	C/F project from 18/19
Cycle Network Gattton	250,000	0	0	0	250,000	
Cycle Network Gattton (C/F)	200,000	0	0	0	200,000	
Dolleys Rd, Withcott - Stage 1	150,000	0	0	0	150,000	
Dolleys Rd, Withcott - Stage 2	200,000	0	0	0	200,000	
Dolleys Road Upgrade	0	3,205	0	3,205	-3,205	C/F project from 18/19
Drainage Works Tew Ct and Rogers Drive	0	23,834	695	24,529	-24,529	C/F project from 18/19
Edward Street Laidley CH 0 - 270	450,000	5,546	5,207	10,753	439,247	
Flagstone Ck Rd, Flagstone Ck (TIDS)	420,000	104,309	44,600	148,908	271,092	
Forestry Road Bridge	125,000	62,742	9,115	71,857	53,143	
Gattton Long Distance Coach Project	40,000	0	0	0	40,000	
Gehrke Hill Road, Summerholm CH 100 - 10	0	31,757	0	31,757	-31,757	C/F project from 18/19
Gehrke Road/Rons Road, Glenore Grove	80,000	3,124	137,026	140,150	-60,150	C/F project now completed
Gravel Resheeting Program 2018/2019(R2R)	0	5,416	0	5,416	-5,416	C/F project now completed
Hatton Vale School Parking Improvements	60,000	0	0	0	60,000	
Hayes Street, Laidley CH 340 - 730	470,000	5,502	1,478	6,980	463,020	
Head St, Laidley (R2R)	830,000	0	0	0	830,000	
Head Street Laidley CH 0 - 450	0	9,496	3,063	12,560	-12,560	C/F project from 18/19
Jones Road Bridge Withcott (BS)	58,000	0	0	0	58,000	
Laidley Flood Mitigation	0	0	10,594	10,594	-10,594	C/F project from 18/19
Lake Clarendon Way	280,000	62	45,150	45,212	234,788	
LED Street Lighting Laidley (LGGSP)	250,000	0	0	0	250,000	
Lorikeet Rd/Wagtail Dr, R/Downs (BS)	90,000	2,683	5,414	8,097	81,903	
Murphys Creek Road footpath (TIDS)	340,000	0	0	0	340,000	
Niemeyer Rd, H/Vale - S Contribution	50,000	0	0	0	50,000	
Niemeyer Road, Hatton Vale	150,000	0	0	0	150,000	
Norfolk Rd, Summerholm (BS)	62,500	0	0	0	62,500	
Old Toowoomba Road, Placid Hills	0	-9	0	-9	9	C/F project now completed
Pavement Reconstruction Otto Road	0	-570	1,249	679	-679	C/F project now completed
Placid Rise Retention Basin	375,000	0	7,326	7,326	367,674	
Postmans Ridge Rd, Helidon Spa	423,000	0	0	0	423,000	
Princess Street Road Pavement Gattton	0	1	0	1	-1	C/F project now completed
Project Design - Predesign	90,000	5,480	0	5,480	84,520	
Railway crossings safety improvements	30,000	51	0	51	29,949	
Railway St Gattton LED Lighting Project	153,000	279	82,394	82,673	70,327	
Railway St/Summer St, Laidley (BS)	66,000	308	0	308	65,692	
Road Closure Signs	20,000	9,021	1,364	10,384	9,616	
Robinsons Road, Laidley	80,000	57,442	8,309	65,751	14,249	
Rockmount Road/Walkers Road, Rockmount	0	151	0	151	-151	C/F project now completed
Signs and Lines Projects	40,000	1,375	0	1,375	38,625	
Stevens Road Upgrade & Bitumen Seal	0	0	304	304	-304	C/F project now completed
Stormwater Improvements Gattton	70,000	3,803	6,058	9,861	60,140	
Summerholm Intersection	0	6,279	5,868	12,146	-12,146	budget amendment Sept
Summerholm Rd, Summerholm (TIDS)	750,000	0	0	0	750,000	
Tenthill Ck Rd, Gattton (BS)	21,000	769	0	769	20,231	
Thallon Road Kensington Grove CH 2700 -	0	0	232	232	-232	C/F project now completed
Twidales Rd, Helidon Spa	85,000	0	0	0	85,000	
Vehicle Activated Signs Bases Various	20,000	0	1,876	1,876	18,124	
Walnut Dr/Ashwood Ct, Brightview (BS)	7,000	0	0	0	7,000	
William St Footpaths Gattton	0	0	2,797	2,797	-2,797	C/F project now completed
Zischke Road, R/Downs (BS)	17,500	0	0	0	17,500	
Capital Program Delivery Total	11,112,500	544,844	815,077	1,359,921	9,752,579	

Row Labels	Amounts		Committed	2019-2020 Expenditure (including Committed)	Remaining Budget (including Committed)	
	2019-2020 Budget	2019-2020 Expenditure				
Depot						
Gatton Depot Fuel storage	136,000	0	0	0	136,000	
Pavement Rehabilitation Gatton Depot	100,000	500	42,704	43,204	56,796	
Depot Total	236,000	500	42,704	43,204	192,796	
Fleet						
Earthmoving	775,000	0	0	0	775,000	
Minor Fleet	12,000	0	9,856	9,856	2,144	
Survey Equipment Trimble SX10 Package	89,000	91,411	0	91,411	-2,411	
Trailers	13,000	0	0	0	13,000	
Trucks	185,000	0	0	0	185,000	
Fleet Total	1,074,000	91,411	9,856	101,268	972,732	
Parks & Open Spaces						
Centenary Park Lighting	0	279	0	279	-279	C/F project from 18/19
Fairy Lights Gatton	20,000	0	715	715	19,285	
Hatton Vale Park Concept and Design	0	7,658	7,654	15,311	-15,311	C/F project from 18/19
Hatton Vale Park Stage 1	500,000	0	0	0	500,000	
Laidley Sate Park Upgrade	0	776	0	776	-776	budget amendment Sept
Lake Apex Desilting Investigation Gatton	0	10,866	0	10,866	-10,866	C/F project from 18/19
Springbrook Park Sprinkler System	0	4,147	2,400	6,547	-6,547	C/F project from 18/19
Zabel Road Lockrose Dip Site Rehabilitat	0	0	383	383	-383	C/F project now completed
Parks & Open Spaces Total	520,000	23,726	11,151	34,877	485,123	
Cemetery						
Gatton Cemetery Expansion Stage 1	143,000	99,000	28,808	127,809	15,191	
Gatton Cemetery Expansion Works	0	5,932	3,763	9,696	-9,696	C/F project from 18/19
Laidley Columbarium	0	3,001	0	3,001	-3,001	C/F project from 18/19
Cemetery Total	143,000	107,933	32,572	140,505	2,495	
NDRRRA Program - Infrastructure Recovery						
NDRRRA Program Management 2017 FloodEvent	0	5,873	0	5,873	-5,873	C/F project now completed
NDRRRA Program - Infrastructure Recovery Total	0	5,873	0	5,873	-5,873	
Asset Management						
Civil Estimating Package	31,500	0	0	0	31,500	
Asset Management Total	31,500	0	0	0	31,500	
Infrastructure Works & Services Total	13,117,000	774,287	911,360	1,685,647	11,431,353	
Organisational Development & Planning						
Planning Scheme						
Community Profiles	30,000	0	0	0	30,000	
Cooper St Mitigation	0	0	7,728	7,728	-7,728	C/F project from 18/19
Engineering (not inc in expert report)	60,000	0	0	0	60,000	
Evacuation Planning	75,000	0	0	0	75,000	
Flood Damage Assessment Rural & Infrast	35,000	0	0	0	35,000	
Flood investigations	0	3,040	138	3,178	-3,178	C/F project from 18/19
Flood Modelling DM & Planning LTPS	0	0	16,970	16,970	-16,970	C/F project from 18/19
Flood Modelling DM & Planning Thornton	0	0	152,360	152,360	-152,360	C/F project from 18/19
Floor Level Survey	60,000	0	0	0	60,000	
Grthm DM Integrate with Lockyer Project	25,000	0	0	0	25,000	
Laidley Reg Update Model & Mitigation	60,000	0	0	0	60,000	
Landuse Planning	50,000	0	0	0	50,000	
LGIP Prepare Infrastructure Plan	0	0	10,952	10,952	-10,952	C/F project from 18/19
Local Flood Plain Management Plan	25,000	0	0	0	25,000	
Master Planning Future Urban Gatton	0	0	700	700	-700	C/F project from 18/19
NDRP Lockyer Creek hydrology project (2	0	0	38,755	38,755	-38,755	C/F project from 18/19
NDRP Project Flood Modelling DM&Planning	110,000	4,525	0	4,525	105,475	
O'Neil's Road Withcott	0	10,068	0	10,068	-10,068	C/F project from 18/19
Plainland Catchment Study	50,000	0	0	0	50,000	
Planning Scheme Revision LVRC	0	7,010	36,662	43,672	-43,672	C/F project from 18/19
Scheme Feedback/BRFS Phase 4 Local Risk	0	6,000	3,840	9,840	-9,840	C/F project from 18/19
Tenthill DM Study	25,000	0	0	0	25,000	
Withcott North Flood Impact Study	50,000	0	0	0	50,000	
Planning Scheme Total	655,000	30,644	268,103	298,747	356,253	
Sport Recreation and Community Grants						
Cahill Park New Amenities	0	3,048	190,478	193,526	-193,526	C/F project from 18/19
Sport Recreation and Community Grants Total	0	3,048	190,478	193,526	-193,526	
Organisational Development & Planning Total	655,000	33,692	458,582	492,273	162,727	
Grand Total	17,400,650	1,248,434	1,714,021	2,962,455	14,438,195	





Date: 19 August 2019
Author: Kerry Wicks, Buildings and Facilities Business Coordinator
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

The purpose of this report is to consider a request by the Gatton Show Society for the reimbursement of equipment hire costs associated with the 2019 Gatton Agricultural Show (the Show) totalling \$14,799.36 (GST inclusive) and to seek Council approval for the payment of a \$1,000 donation from the Mayoral Fund to the Gatton State School for the use of the top school oval during the Show.

THAT Council resolve in relation to the 2019 Gatton Agricultural Show to approve the reimbursement of equipment hire costs of \$14,799.36 (GST inclusive) to the Gatton Show Society and the donation of \$1,000 from the Mayoral Fund to the Gatton State School for the use of the top oval for carparking.

THAT Council resolve, in relation to the 2019 Gatton Agricultural Show, to approve the reimbursement of equipment hire costs of \$14,799.36 (GST inclusive) to the Gatton Show Society and the donation of \$1,000 from the Mayoral Fund to the Gatton State School for the use of the top oval for carparking.

CARRIED
6/0

The purpose of this report is to consider a request by the Gatton Show Society for the reimbursement of equipment hire costs associated with the 2019 Gatton Agricultural Show (the Show) totalling \$14,799.36 (GST inclusive) and to seek Council approval for the payment of a \$1,000 donation from the Mayoral Fund to the Gatton State School for the use of the top school oval during the Show.

In recent years, Council has provided in-kind and financial support to the Gatton Show Society to facilitate the running of the annual Show. Council has also donated funds from the Mayoral Fund to the Gatton State School for the use of the top and bottom school ovals for the Show.

In 2018, Council contributed \$17,336.50 for equipment hire (from Master Hire) to the Gatton Show Society and \$2,000 to the Gatton State School for the use of the school grounds.

3. Report

A request has been made by the Gatton Show Society for the reimbursement of equipment hire costs associated with the Show totally \$14,799.36 (invoices attached). The equipment hired included variable message signs, fencing, distribution boards, light towers, generators and diesel fuel, road barriers, line marker, cable protectors and delivery.

In meetings between the Gatton Show Society and Council prior to the Show, Council agreed in-principle to the reimbursement of equipment hire costs associated with the Show to an amount in line with reimbursements associated with the 2018 Gatton Agriculture Show.

In 2019, the layout of the Show changed considerably and as a result, only the top school oval at the Gatton State School was used for public carparking. In previous years the bottom oval was also utilised for the agricultural machinery displays with a donation of \$2,000 to the Gatton State School from the Mayoral Fund for the use of both ovals.

It is now recommended that the donation from the Mayoral Fund to the Gatton State School be reduced to \$1,000, as the bottom school oval was not utilised for the Show.

4. Policy and Legal Implications

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

5. Financial and Resource Implications

The request for reimbursement by the Gatton Show Society for \$14,799.36 (GST inclusive) and the donation to the Gatton State School from the Mayoral Fund of \$1,000 have been provided for in Council's 2019-20 Budget.

6. Delegations/Authorisations

No further delegations are required. The disbursement of funds will be executed in line with existing delegations.

7. Communication and Engagement

The Community Facilities Business Coordinator will be responsible for communicating with the executive of the Gatton Show Society and the Principal of Gatton State School to give effect to Council's resolution.




8. Conclusion

The recommendation made in this Report will benefit both the Gatton Show Society and Gatton School while further demonstrating that Council is supportive of large local events in the region.

9. Action/s

1. Advise Gatton Show Society and Gatton State School of Council's resolution.
2. Prepare and release funds to both entities.

Attachments

- | | | |
|----------|--|---------|
| 1 |  Gatton Show Society Invoice - 20190199 | 1 Page |
| 2 |  MasterHire INV605839 VMS | 1 Page |
| 3 |  MasterHire INV605841 2019 Show | 4 Pages |

PO Box 235
GATTON Qld 4343

Lockyer Valley Regional Council
PO Box 82
Gatton QLD 4343

Your Order No:	Masterhire	Customer ABN:		Freight:	\$0.00	N-T
Shipping Date:		Terms:	Prepaid	GST:	\$0.00	
Comment:				Total Inc GST:	\$14,799.36	
	Code	Rate	GST	Sale Amount	Amount Applied:	\$0.00
	N-T	0%	\$0.00	\$14,799.36		
					Balance Due:	\$14,799.36

Send all remittances to treasurer@gattonshowsociety.com.au



Master Hire Pty Ltd
ABN 45 063 866 928

Head Office / Accounts
PO Box 198 Drayton North QLD 4350
Ph: (07) 4636 0935 Fax: (07) 4636 2343
accounts@masterhire.com.au

Tax Invoice No: 605839

Invoice To: GATTON SHOW SOCIETY
GATTON SHOW
GATTON QLD 4343

Invoice Date: 29/07/2019
Customer Code: 105131
Order No:
Served By: Jeremy.E
Branch: Toowoomba
Phone Number:
Payment Terms: Pay Immediately
Page: 1 of 1

Tax Invoice for hire contract: 462753

Product Information		Hire Period Information			Pricing Information		
Plant #	Description	Status	Billed From	Billed To	Days Charged	QTY	Amount (Ex. GST)
1032020	VARIABLE MESSAGE SIGN - AMBER - LARGE	Returned	08/07/2019 10:26	19/07/2019 07:00	11.0	1	\$282.86
X FREIGHTOUT	FREIGHT to Customer					1	\$120.00
					Total Rental		\$282.86
					Consumables		\$120.00
					Damage Waiver		\$28.29
					GST		\$43.12
					Invoice Total		\$474.27
					Total Amount Due		\$474.27
Signature of Hirer or Person authorised to sign on Hirer's behalf					Job Location:		
X_____					SHOWGROUND		
					GATTON QLD 4343		

LOCATIONS THROUGHOUT QUEENSLAND. VISIT WWW.MASTERHIRE.COM.AU OR CALL 1300 107 107 TO FIND A BRANCH NEAR YOU.



Master Hire Pty Ltd
ABN 45 063 866 928

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accounts@masterhire.com.au

Tax Invoice No: 605841

Invoice To: GATTON SHOW SOCIETY
GATTON SHOW
GATTON QLD 4343

Invoice Date: 29/07/2019
Customer Code: 105131
Order No:
Served By: Jeremy.E
Branch: Toowoomba
Phone Number:
Payment Terms: Pay Immediately
Page: 1 of 4

Tax Invoice for hire contract: 462931

Product Information		Hire Period Information			Pricing Information		
Plant #	Description	Status	Billed From	Billed To	Days Charged	QTY	Amount (Ex. GST)
3817000	TEMP FENCING / CROWD CONTROL BARRIER (325m/80m)	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$3,357.40
2224015	TORO MINI LOADER - DIESEL	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$0.00
2296005	4-in-1 BUCKET - VERMEER MINI LOADER	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$0.00
5029009	TRAILER - TORO MINI LOADER	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$0.00
22271006	MINI LOADER STANDARD BUCKET	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$0.00
1259008	DISTRIBUTION BOARD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$116.36
1259007	DISTRIBUTION BOARD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$116.36
1259006	DISTRIBUTION BOARD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$116.36
12591001	DISTRIBUTION BOARD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$116.36
1259004	DISTRIBUTION BOARD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$116.36
1259019	DISTRIBUTION BOARD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$116.36
1259010	DISTRIBUTION BOARD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$116.36
4299022	32-63amp DISTRIBUTION BOARD LEAD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$50.90
4299015	32-63amp DISTRIBUTION BOARD LEAD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$50.90
4299013	32amp-63amp DISTRIBUTION BOARD LEAD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$50.90
4299011	32amp-63amp DISTRIBUTION BOARD LEAD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$50.90
4299020	32-63amp DISTRIBUTION BOARD LEAD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$50.90
4299006	32-63amp DISTRIBUTION BOARD LEAD	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$50.90

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accounts@masterhire.com.au

Tax Invoice No: 605841

Invoice To: GATTON SHOW SOCIETY
GATTON SHOW
GATTON QLD 4343

Invoice Date: 29/07/2019
Customer Code: 105131
Order No:
Served By: Jeremy.E
Branch: Toowoomba
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Payment Terms: Pay Immediately
Page: 2 of 4

Tax Invoice for hire contract: 462931

Product Information		Hire Period Information			Pricing Information		
Plant #	Description	Status	Billed From	Billed To	Days Charged	QTY	Amount (Ex. GST)
4297003	DISTRIBUTION BOARD LINK LEAD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$50.90
3616017	4000watt FOUR HEAD LIGHT TOWER - URBAN (KUBOTA)	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$150.00
2802013	60 kVa GENERATOR - DIESEL	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$324.28
2802012	60 kVa GENERATOR - DIESEL	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$324.28
2802018	60 kVa GENERATOR - DIESEL	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$324.28
2802014	60 kVa GENERATOR - DIESEL	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$324.28
2818016	33 kVa GENERATOR - DIESEL	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$291.42
3614085	4000watt FOUR HEAD LIGHT TOWER - BUNDED PERKINS	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$150.00
3619016	4000watt FOUR HEAD LIGHT TOWER	Returned	17/07/2019 07:00	19/07/2019 07:54	2.0	1	\$0.00
3614121	4000watt FOUR HEAD LIGHT TOWER KUBOTA	Returned	17/07/2019 07:00	22/07/2019 03:54	2.0	1	\$150.00
3619015	LED SOLAR LIGHT TOWER - 7 HEAD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$260.00
3619018	LED SOLAR LIGHT TOWER - 7 HEAD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$260.00
3619009	LED SOLAR LIGHT TOWER - 7 HEAD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$260.00
3619014	LED SOLAR LIGHT TOWER - 7 HEAD	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$260.00
3616049	4000watt FOUR HEAD LIGHT TOWER - URBAN (KUBOTA)	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$150.00
1056009	VARIABLE MESSAGE SIGN - COLOUR - MEDIUM	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$180.00

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Payment Terms: Pay Immediately
Page: 3 of 4

Tax Invoice for hire contract: 462931

Product Information		Hire Period Information			Pricing Information		
Plant #	Description	Status	Billed From	Billed To	Days Charged	QTY	Amount (Ex. GST)
1056013	VMS BOARD - MEDIUM - 5 COLOUR	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$180.00
1036000	ROAD BARRIER/S	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	12	\$173.52
4803005	LINE MARKER	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$82.64
3614029	4000watt FOUR HEAD LIGHT TOWER (KUBOTA)	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	1	\$150.00
4305X	CABLE PROTECTOR 80x40 CHANNEL 1000x350X60	Returned	17/07/2019 07:00	19/07/2019 07:00	2.0	20	\$231.60
DIESEL	3616017 FUEL - DIESEL (L)					53	\$95.40
DIESEL	2802014 FUEL - DIESEL (L)					43	\$77.40
X FREIGHTOUT	FREIGHT to Customer - Emergency Load					1	\$320.00
X FREIGHTOUT	FREIGHT to Customer					1	\$330.00
X FREIGHTOUT	FREIGHT to Customer					1	\$250.00
X FREIGHTOUT	FREIGHT to Customer					1	\$290.00
X FREIGHTOUT	FREIGHT to Customer					1	\$300.00
X FREIGHTOUT	FREIGHT to Customer					1	\$235.00
X FREIGHTIN	FREIGHT from Customer					1	\$290.00
X FREIGHTIN	FREIGHT from Customer					1	\$280.00
X FREIGHTIN	FREIGHT from Customer					1	\$260.00
X FREIGHTIN	FREIGHT from Customer					1	\$370.00
X FREIGHTIN	FREIGHT from Customer					1	\$295.00
Total Rental							\$8,754.52

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13.0 INFRASTRUCTURE WORKS AND SERVICES REPORTS

13.1 Desilting Lakes Apex and Lake Freeman

Date: 14 August 2019
Author: Brendan Sippel, Manager Parks Gardens and Cemeteries.
Responsible Officer: Angelo Casagrande, Executive Manager Infrastructure Works & Services

Summary:

The purpose of this report is to present to Council the findings of the feasibility investigations to desilt Lake Apex and Lake Freeman and consider the options identified in the investigation available to Council regarding the matter.

Officer's Recommendation:

THAT Council receive and note the Redleaf Environmental Feasibility Study of Desilting Lake Apex and Lake Freeman, Gatton Options Analysis Report.

And further;

THAT Council do not undertake action to desilt Lake Apex and Lake Freeman based on the results of the Redleaf Environmental Feasibility Study of Desilting Lake Apex and Lake Freeman, Gatton Options Analysis Report.

RESOLUTION

THAT Council receive and note the attached Redleaf "Environmental Feasibility Study of Desilting Lake Apex and Lake Freeman, Gatton, Options Analysis Report".

And further;

THAT Council do not undertake action to desilt Lake Apex and Lake Freeman based on the results of the above noted Redleaf Feasibility Study.

Moved By: Cr Vela

Seconded By:

Cr Holstein

Resolution Number: 16-20/1493

CARRIED

6/0

Report

1. Introduction

Lake Apex precinct is a multi-use park area that includes barbeque areas, playgrounds, exercise equipment, a skatepark, a dog off-leash area and the Lights on the Hill memorial. A key component of the Lake Apex precinct is Lake Apex itself and Lake Freeman which is the home of many waterbirds and migratory species that frequent the area at different times of the year. Over the years Lake Apex and Lake Freeman have accumulated silt from an array of sources and Council has received requests from the local community to remove the silt from Lake Apex.

Council engaged Redleaf Environmental to undertake a detailed desilting study to investigate the feasibility of conducting desilting works within the Lakes. ATC Williams Pty Ltd was also engaged to undertake soil sampling to determine if the Lakes soil was contaminated.

2. Background

In response to this community feedback, Council created an internal working group to investigate the feasibility of carrying out desilting of the lakes. The focus of the working group has been to identify the following:

- whether the silt that would be proposed for removal from the lakes would be classed as contaminated soil. If classed as contaminated, the cost for disposal of the silt increases and limitations on how the soil could be used.
- what environmental conditions would be required to be met to carry out desilting works e.g. permits, legislative requirements (both State and Federal).
- what environmental controls would be required e.g. environmental management plan, fauna spotter, revegetation works
- estimated costs to carry out works including environmental controls and works required after desilting, equipment to be used and disposal locations.

3. Report

Results from the ATC Williams Pty Ltd soil sampling and Redleaf Environmental Feasibility Study of Desilting Lake Apex and Free, Gatton Options Analysis report are detailed below.

Contaminated Soil Investigation

In June 2019, Council engaged ATC Williams Pty Ltd to carry out soil sampling at Lake Apex and Lake Freeman to determine the presence of heavy metals, hydrocarbons, BTEXN and pesticides above ecological investigation levels (EIL's) and Health Investigation levels (HIL's). The presence of these substances could cause the soil in Lake Apex or Lake Freeman to be classed as contaminated in accordance with the National Environment Protection (Assessment of Site Contamination Measure) Schedule B1: Guideline on Investigation levels for soil and groundwater (2011) (NEPM). The testing regime consisted of samples being collected at multiple depths at 12 locations, including the flow paths into Lake Apex and Lake Freeman identified in the BTM water quality report where contaminants could be washed in to Lake Apex and Lake Freeman.



Figure 1: Testing locations identified in yellow around Lake Apex and Lake Freeman

Soil sampling was carried out at Lake Apex and Lake Freeman in the above locations in June 2019 with laboratory results indicating that there were no exceedances against the relevant guidelines for metals and organics. Furthermore, the soil was classified as suitable for human exposure and therefore appropriate to be used as clean fill. This increases the opportunities for disposal and a reduction in disposal costs as the material isn't required to be disposed of in line with contaminated soil requirements.

With soil classification determined, Council engaged Redleaf Environmental to prepare a detailed feasibility study into the desilting options available to Council. Seven options were presented to Redleaf Environmental as follows:

1. Do Nothing

This option proposes that no desilting works to either Lake Apex or Lake Freeman are undertaken. Revegetation works and compliance action to reduce sediment from flow paths reaching Lake Apex and Lake Freeman (and therefore reducing sediment build up) could be undertaken separately.

2. Desilt both Lake Apex and Lake Freeman (max. desilting)

This is the maximum desilting possible across both lakes. There would be approximately 28,600m³ of silt removed. Revegetation works would be required once works have been completed.

3. Desilt only Lake Apex (max. desilting)

No desilting at Lake Freeman would occur. Lake Apex would have maximum desilting works applied with the removal of approximately 17,600m³ of silt anticipated. Revegetation works would be required once works have been completed.

4. Desilt Lake Apex to middle section of sediment build up (partial desilting, 50%)

No desilting at Lake Freeman would occur. Lake Apex would have moderate level of desilting works with approximately 8,800m³ of silt to be removed from the centre of the lake. Revegetation works would be required once works have been completed.

5. Desilt Lake Apex to deep pools only (partial desilting, 25%)

No desilting at Lake Freeman would occur. Only the pools on the northern and western edges of Lake Apex would be desilted to make them deeper. This would involve the removal of approximately 4,400m³ of silt. Revegetation works would be required around the edges of the affected area and access points.

6. Desilt Lake Apex moat only

Works would involve deepening the existing moat around Lake Apex and approximately 2,000m³ of silt would be removed. Revegetation works would be required around affected areas.

7. Desilt Lake Freeman only

No desilting at Lake Apex would occur. The scope of works would include a moderately deep desilting (<30cm) targeted across the shallow areas of Lake Freeman and deepening of the existing pool in the northwest corner. Approximately 11,000m³ of silt would be removed. Revegetation works would be required to affected areas.

Following a site inspection of Lake Apex, Redleaf Environmental proposed an additional option to improve the possibility of natural vegetation regrowth:

8. Filling in Lake Apex moat along east and south east shores to improve littoral zone (25%)

This option avoids any machinery works in the centre of Lake Apex but instead includes scraping some of the sediment back into the moat and up along the exposed sandstone and clay areas on the lake edge to encourage growth. This would involve the redistribution of approximately 4,400m³ of silt.

One of the key recommendations from the BMT water quality report of May 2018 is to undertake revegetation of the edge of Lake Apex over time. The option provided by Redleaf would assist in starting this process however this outcome is not the key focus of this project.

Ranking Desilting Options

Each option identified above was assessed by Redleaf Environmental against a multi-criteria assessment tool with different weightings and scoring to provide a ranking of the options for Council's consideration. The following criteria and score was applied:

#	Criteria	Weight
C1	Minimises risk to wildlife (fish, turtles, frogs, birds)	20%
C4	Improve macrophyte growth	20%
C2	Lead to increased water bird diversity	20%
C3	Protected and enhanced littoral zone	15%
C5	Result in long-term benefits to water quality	10%
C6	Benefit cost – value for money	5%
C7	Least impact to terrestrial vegetation and habitats	5%
C8	Least approvals required	5%
Total		100%

Figure 2: Ranking desilting options criteria

Score	Description	Relative benefit or cost
0	Does not satisfy criteria	Represents a 'FAIL' and is excluded from further consideration in the evaluation
1	Poorly satisfies the criteria	Almost all the other options satisfy the criteria better
2	Satisfies some of the criteria	Most of the other options satisfy the criteria better
3	Satisfies most of the criteria	A 'mid-range' option
4	Satisfies almost all the criteria	Better than most of the other options
5	Completely satisfies the criteria	The 'best' option for the criteria

Figure 3: Ranking desilting options score

After the desilting options were put through the multi-criteria assessment, the following rankings were given:

Option #	Description	C1	C2	C3	C4	C5	C6	C7	C8	Total Score	Weighted Score	Ranking
1	Do nothing	5	3	3	3	3	5	5	5	32.0	3.7	2
2	Desilt both Lake Freeman and Lake Apex (max desilting)	2	2	2	3	3	2	4	3	21.0	2.4	8
3	Desilt only Lake Apex (max desilting)	3	3	3	3	3	3	4	3	25.0	3.1	4
4	Desilt Lake Apex to middle section of sediment build up (partial, 50%)	3	3	3	3	3	4	4	3	26.0	3.1	3
5	Desilt lake Apex to deep pools only (partial, 25%)	3	3	3	3	3	3	4	3	25.0	3.1	4
6	Filling in Lake Apex moat on along east and south east shores to improve littoral zone (25%)	4	4	4	4	4	3	4	3	30.0	3.9	1
7	Desilting Lake Apex moat only	3	3	3	2	3	3	4	3	24	2.9	6
8	Desilt only Lake Freeman	3	3	2	2	3	2	4	3	22	2.7	7

Figure 4: Ranking options results

The highest ranked option from an environmental stand point is Option 8 which is to fill in some of the moat currently along the east and south east shores of Lake Apex to entice more macrophytes which are currently not present around the water edge. The connectivity between the terrestrial environment through the littoral zone and into the open water body is critical in maintaining healthy plant growth of emergent, floating and submerged macrophytes. This option includes the redistribution of approximately 4,400m³ of silt.

This option was dismissed by the working group as the group considers that the option does not appropriately respond to the community's desire for the removal of sediment within Lake Apex while the lake is dry. The working group believes that the community will not respond positively to this approach and this will only add to the cost to Council, in time and resources anticipated to obtain the necessary permits and approvals.

The second highest ranked option is **Option 1, Do Nothing** which is highly ranked for the following reasons:

- It minimises risk to aquatic flora and fauna
- It is the least costly option
- No permits or approvals are required
- There would be no impacts on the existing vegetation around the lakes.

A review of desktop information and ecological values of Lake Apex and Lake Freeman was undertaken to inform an options analysis (MCA) on benefits – cost of desilting one or both lakes. The findings revealed:

- no threatened ecological community (TEC) or vegetation has been identified as present.
- the Australian lungfish (vulnerable EPBC Act) may occur in the lake.
- several threatened waterbirds are recorded as utilising the lakes' habitat when the conditions are favourable.
- a desilting program may require State development approval due to the lakes being listed as Referable Wetlands of High Ecological Significance and therefore the Environmental Offsets Act may apply.
- fish and turtle capture and relocation effort preceding the desilting works would be required to minimise any harm to fauna.
- there are several permits and approvals required to be held by Council or a subcontractor regarding the ethical handling, relocation and transportation of fauna pre- and post-works.
- there is legislation covering invasive species under the Biosecurity Act.
- there is a very high risk of a fish kill event during sediment desilting within Lake Apex due to anoxic sludge being exposed and the water column being stirred up during heavy machinery activity.
- Desilting of Lake Freeman would reduce the lake's habitat for water bird species, particularly the threatened and migratory species.
- each lake has its unique hydrology and habitat qualities which in combination provide suitable habitat for a range of waterbirds, fish and turtles.

Feasibility Study Recommendations

The multi-criteria analysis of the alternative desilting options provides a relative ranking to assist Council in its decision making but does not take into account community stakeholder engagement and concern. Based on the site investigations and desktop analysis conducted, Redleaf Environmental have made the following recommendations:

1. Desilting works

There is potential to undertake limited desilting and infilling of sections of the moat in Lake Apex to assist with revegetation and rehabilitation of the littoral zone and shoreline to promote macrophyte growth. Linked to these actions are the potential benefits to water quality and waterbird habitat.

2. Action plan or management plan

If Council decides to implement any of the options, with the exception of Option 1 Do Nothing, then an action or management plan will need to be developed to document the potential impacts and control measures throughout the desilting process (pre-, during and post) for council staff or contractors to implement. The action plan will need to address a range of best practice environmental management for flora and fauna values, water quality and soil management. This may include soil remediation pending soil tests for contaminants.

3. Rehabilitation and revegetation plan

A detailed rehabilitation and revegetation plan will need to be prepared and implemented to benefit the ecological values and associated aquatic environments within Lake Apex and Lake Freeman.

4. Policy and Legal Implications

As part of their investigations, Redleaf Environmental carried out desktop audits of the following databases and State and Federal legislation to determine what permits and licences would be required to carry out desilting works if Council proceeded with any of Options 2-8.

- Commonwealth Department of EPBC Online Protected Matters Search Tool database
- Queensland Department of Environment and Science (DES) vegetation map regional ecosystem and remnant map
- DES Wildlife Online database
- Essential habitat mapping
- Flora trigger survey mapping by DES
- Queensland Department of Agriculture and Fisheries (DAF) Waterways for Waterway Barrier Works spatial layer
- DES's Map of Referable Wetlands
- DES's Queensland Wetlands Maps
- Historic aerial photography and interactive mapping
- Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Nature Conservation Act 1992 and subordinate legislation
- Water Act 2000
- Vegetation Management Act 1999
- Planning Act 1996
- Biosecurity Act 2014

- State Planning Policies

Through review of the above databases and legislation, the BMT water quality report and Birds of Lake Apex provided by Friends of Lake Apex (FOLA) threatened flora and fauna has been identified that frequent Lake Apex and Lake Freeman. A risk assessment was completed to determine the likelihood of further spotting these identified threatened species and the risk to these species from the proposed desilting works:

Scientific Name	Common Name	Q A	Likelihood Of Occurrence	Risk from proposed desilting program
FISH				
<i>Neoceratodus forsteri</i>	Australian lungfish	V	High. One record (1994) of Lungfish from Lake Apex in past.	Moderate There are potentially lungfish living in Lake Apex. However, these can be captured or translocated prior to and during desilting works.
BIRD				
<i>Botaurus poeciloptilus</i>	Australasian bittern	E	High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species Moderate for Lake Freeman due to the shallow habitat requirements of the species.
<i>Calidris ferruginea</i>	Curlew sandpiper	CE	High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species

Figure 5: Risk assessment of threatened species

Scientific Name	Common Name	Q A	Likelihood Of Occurrence	Risk from proposed desilting program
				Moderate for Lake Freeman due to the shallow habitat requirements of the species.
<i>Grantiella picta</i>	Painted honeyeater	V	High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low Unlikely to directly impact these species
<i>Numenius madagascariensis</i>	Eastern curlew	N T	High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species Moderate for Lake Freeman due to the shallow habitat requirements of the species.
<i>Rostratula australis</i>	Australian painted snipe	V E	High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species Moderate for Lake Freeman due to the shallow habitat requirements of the species.
MAMMAL				
<i>Phascolarctos cinereus</i>	Koala	V V	High. Known to frequent Lake Apex	Low Unlikely to directly impact this species

Figure 6: Risk assessment of threatened species continued

It has also been identified that the Lake Apex Precinct contains 7.13ha of High Ecological Significance wetlands on the map of Referable Wetlands. This is a recent development and means that Council will require a development approval from SARA before any works can occur to ensure this area of state environmental significance is protected.

Permits and Approvals

For Council to undertake any desilting operations at Lake Apex or Lake Freeman, Council would be required to apply for permits and receive appropriate approvals from State and Federal governments to proceed. Redleaf Environmental has created a risk assessment to determine the risk associated with procuring the necessary permits. Risk categories include High, Medium and Low with a description of the potential constraints at each risk level.

Environmental Risk Class	Risk Symbol	Description
High		A matter which is expected to present a significant environmental constraint or liability and will require further detailed investigation. <i>A red alert is used to flag a matter of environmental concern which may be a potential 'show stopper' or require considerable effort to investigate and address.</i>
Medium		A matter which may present an environmental constraint or liability and further investigation may be necessary. In some cases, the investigation may be to fulfil duty of care obligations. A matter which could cause public complaint (during construction). <i>An amber alert matter is not anticipated to be a 'show stopper' issue but further minor works may be required to support a Development Application or better understand the potential impact of the matter.</i>
Low		A matter that is not considered to present an environmental constraint or liability and does not require any further investigation.

Figure 7: Risk matrix classifications

The following permits and approvals are required below with a risk rating with the likelihood of securing the appropriate approval:

License / Permit	Risk	Department	Legislation / Code	Comment
Development Approval		SARA	<i>Environmental Protection Regulation 2008</i>	Excavating in a HES Referable Wetland
Ethics approvals		University or DAF	<i>Animal Care and Protection Act 2001</i> , the Australian code for the care and use of animals for scientific purposes	Required by persons doing the fauna management
General Fisheries Permit		DAF	<i>Fisheries Act 1994</i>	Required for the capture of fish using approved apparatus (i.e., seine nets, fyke nets)
Scientific user		DES	<i>Nature Conservation Act 1992</i>	Capture of native fauna including freshwater turtles and frogs
Scientific Purposes Permit		DES	<i>Nature Conservation Act 1992</i>	Capture of native fauna including freshwater turtles and frogs
Rehabilitation Permit		DES	<i>Nature Conservation Act 1992</i>	Fauna spotter catcher activities for the rescue of native fauna including freshwater turtles and frogs
Damage mitigation permit (removal and relocation of protected animals)		DES	<i>Nature Conservation Act 1992</i>	For the purpose of the removing and relocation of wildlife.
Low Risk Species Management Program		DES	<i>Nature Conservation (Wildlife) Regulations 2006</i>	For the management of animal breeding places (frogs, turtles)

Figure 8: Permits and approvals required

The risk matrix identified that obtaining a development approval from SARA for works in a High Ecological Significance Referable Wetland would be the hardest approval to achieve due to the fact that significant environmental constraints are likely to apply to any desilting works and meeting State requirements for environmental investigations would involve considerable effort, resources and time. If Council applied for a development approval the following process would need to occur.

- Preparation of plans and reports by various contractors/consultants
- Submission to SARA for assessment
- Further information gathering for SARA if requested

The submission of a development application is a lengthy process and requires extensive supporting documentation. It is estimated at a minimum that it would take 4 months to complete and submit the application, without any guarantee that Council would be successful in being granted a development approval.

Although not specifically identified by Redleaf Environment, it would also be prudent for Council to make a referral to the relevant State and Federal agencies administering the EPBC Act for an assessment of whether any permits under the EPBC Act are also required. This is recommended as a risk mitigation strategy as the Redleaf investigations in this regard are qualified by incomplete Federal mapping.

If a referral is not made, and it is later identified that Council should have confirmed requirements or obtained EPBC Act approvals, Council will be at risk of considerable criticism.

5. Financial and Resource Implications

There will be no financial and resource implications if no desilting works are completed.

6. Delegations/Authorisations

No additional or amended delegations are required to action this resolution. The Executive Manager Infrastructure Works and Services will act under current delegations to address the resolution.

7. Communication and Engagement

Council's decision on this matter will be communicated to relevant stakeholders.

8. Conclusion

The working group has carefully considered the reports and information that have been prepared and provided during the course of investigating the options for desilting Lake Apex and Lake Freeman. It is the view of the working group that the likelihood of any desilting works being feasible is very limited due to the following:

- the multi-criteria options analysis results provided by Redleaf Environmental.
- the considerable time, effort and resources that would be required to apply for all relevant permits and approvals, without certainty that these permits and approvals will be granted.
- the significant cost of implementing environmental management plans prior to works, during and after works having been completed.
- the anticipated labour, equipment and transport costs associated with desilting and difficulties of stockpiling or disposing of silt.
- the difficulty in balancing community expectations, legislative requirements and environmental protections to provide an outcome that, on balance, is acceptable to Council and the community.

Redleaf Environmental option 1 do nothing approach is recommended however Council will continue to focus on options indicated in the previously endorsed BMT Water Quality Report.

9. Action/s

- 1) Advise key stakeholders of Council's decision.

Attachments

1 ↓ Redleaf Environmental Feasibility Study of Desilting Lake Apex and Lake Freeman, Gatton Options Analysis Report	60 Pages
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Feasibility Study of Desilting Lake Apex and Lake Freeman, Gatton

Options Analysis Report



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Citation: Redleaf Environmental (2019) Feasibility Study of Desilting Lake Apex and Lake Freeman, Gatton Options Analysis Report. Prepared for the Department of Environment and Science.

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Cover Photo: Lake Apex, June 2019

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DOCUMENT CONTROL

Report title		Feasibility Study of Desilting Lake Apex and Lake Freeman, Gatton Options Analysis Report			
Document ID		Project Number		LVRC19005	
File Path					
Client		Lockyer Valley Regional Council	Client Contact		Brenden Sippel
Rev	Date	Revision Details/Status	Prepared by	Verifier	Approver
0	3/07/2019	Draft issued to Client	DF	SG	DF
1	9/07/2019	Edits made to options.	DF		DF
2					
Current Revision		Draft Report 2.0			

Approval			
Signature		Signature	
			
Name		Name	
Dr Darren Fielder		Mrs Sarah Grady	
Title		Title	
Principal Scientist		Senior Environmental Scientist	



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Definitions

The following terms, abbreviations and acronyms have the meanings assigned to them.

ACH Act	Aboriginal Cultural Heritage Act 2003
CLR	Contaminated Land Register
DEE	Department of Environment and Energy (Commonwealth)
DES	Department of Environment and Science (Queensland)
DLGRMA	Department of Local Government Racing and Multicultural Affairs
DNRME	Department of Natural Resources, Mines and Energy
EA	Environmental Authority under the EP Act
EMP	Environmental Management Plan
EMR	Environmental Management Register
EP Act	Environmental Protection Act 1994
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
EPP Air	Environmental Protection (Air) Policy 2008
EPP Noise	Environmental Protection (Noise) Policy 2008
EPP Water	Environmental Protection (Water) Policy 2009
ERA	Environmentally Relevant Activity
ESCP	Erosion and Sediment Control Plan
FSC	Fauna Spotter Catcher
MNES	Matters of National Environmental Significance
MSES	Matters of State Environmental Significance
NC (Wildlife) Reg	Nature Conservation (Wildlife Management) Regulations 2006
NC Act	Nature Conservation Act 1992
RE	Regional Ecosystem
SARA	State Assessment Referral Agency
SMP	Species Management Program
SP Act	Sustainable Planning Act 2009
VM Act	Vegetation Management Act 1999
WQ	Water quality



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1 Introduction

1.1 Background

Redleaf Environmental was engaged by the Lockyer Valley Regional Council (Council) to conduct a feasibility study into the options of desilting Lake Apex and Lake Freeman. The desilting would aim to remove approximately 0.5 m of depth of sediment from the two lakes while they are near empty of water. This report provides a review of the ecological values, legislative requirements (local, state and federal) and potential impacts from a desilting program.

1.2 Site location and description

Item	Description
Address	Railway Street, Gatton
Lot Plans	18RP225190, 3RP147282, 2RP802604
Tenure	Freehold
Area	37.9 ha Lake Apex water surface area is approx. 9 ha Lake Freeman water surface area is approx. 8 ha
Protected Plants	Not in a Protected Plant High Risk Mapping area
Referable Wetlands	Contains 7.13 ha of High Ecological Significance wetlands on the map of Referable Wetlands
Biodiversity Planning Assessment (Qld)	Mapped as Regional Significance
Aquatic Conservation Assessment (Qld)	Mapped as Medium Significance
Vegetation Management Act 1999	Mostly Category X non-remnant vegetation Small section near the Gatton Cemetery which is Remnant Vegetation, Category B: Least Concern RE12.9-10.2 Essential Habitat – Koalas present (Category B Vegetation only) and Glossy-black Cockatoo habitat Watercourses are mapped by the VMA as present on the lot plans
Fisheries Act 1994	No waterways as defined by Fisheries Act present
Water Act 2000	Not mapped as a water course
Koala Habitat	Outside Assessable Development Area Essential Habitat - Koalas
LGA	Lockyer Valley Regional Council
Planning Scheme / Local Plan	Gatton Planning Scheme
Existing Land Use	Open Space and Recreation and Urban Residential



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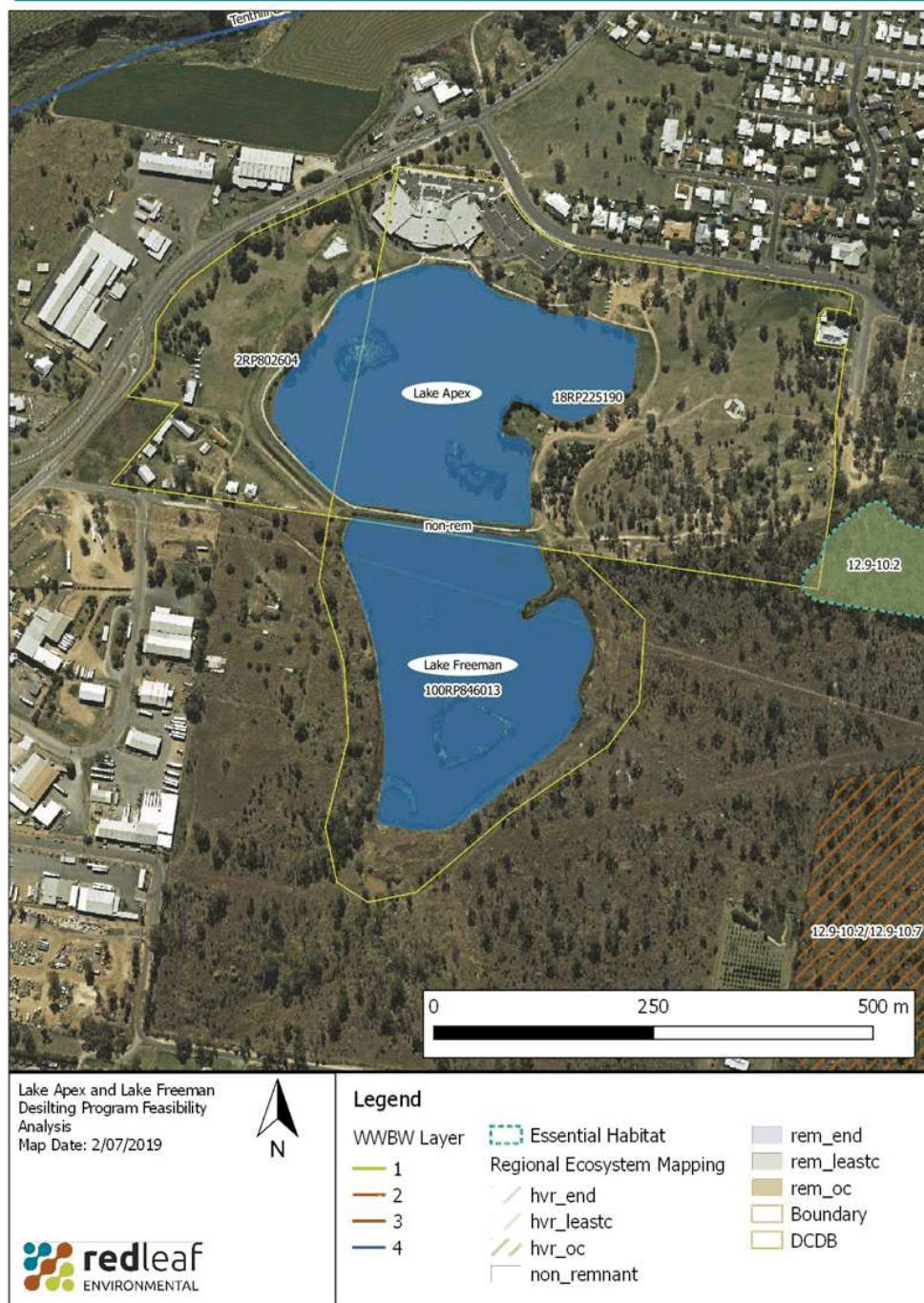


Figure 1. Lake Apex and Lake Freeman locality plan including waterways, essential habitat and regional ecosystem mapping.



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1.3 Proposed activities at the site

Council is seeking an evaluation of the ecological impacts and associated permits and approvals to desilt either or both Lake Apex and Lake Freeman. There is some community concern the lakes have filled with a layer of sediment over the years since their construction. Should the desilting program be implemented to its maximum extent possible (Figure 2), it would involve the excavation of approximately:

- Lake Apex – 3.5 hectares surface area, or approximately 17,600 m³ of silt at an average depth of 0.5 m
- Lake Freeman – 3.7 hectares surface area, or approximately 11,000 m³ of silt at an average depth of 0.3 m

1.4 Aims

This feasibility study is primarily a desktop review of the lakes' ecology, likely biota and potential impacts from a proposed desilting works program. Several options will be assessed against a set of criteria to assist council in its decision making.



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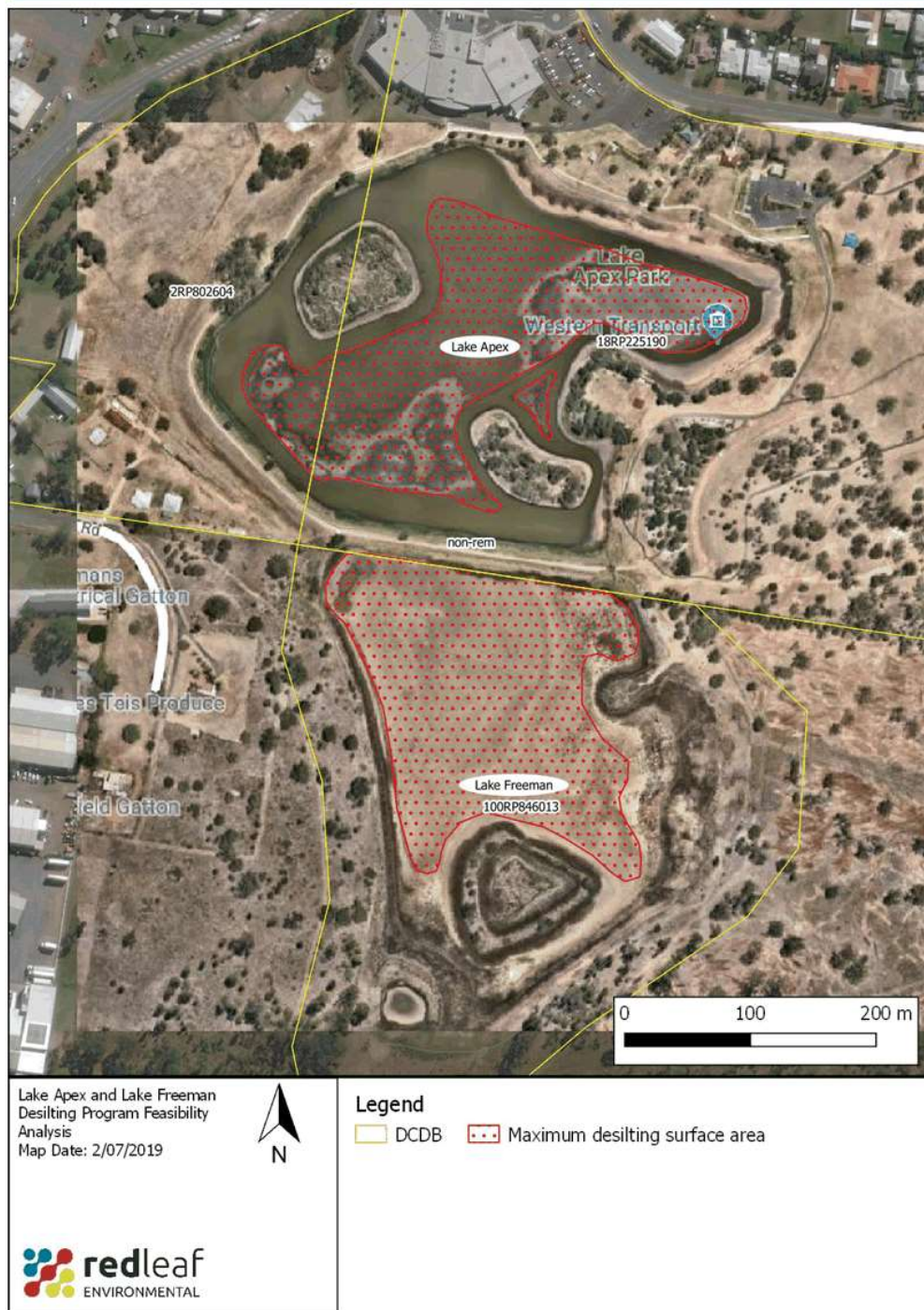


Figure 2. Lake Apex and Lake Freeman potential areas of desilting identified.



2 Methods

2.1 Desktop assessment

A desktop analysis was undertaken on several online databases:

- the Commonwealth Department of EPBC Online Protected Matters Search Tool database
- the Queensland Department of Environment and Science (DES) Vegetation management regional ecosystem and remnant map - version 11.0 and associated Regional Ecosystem Description Database (REDD) (Version 10.0)
- the DES Wildlife Online database
- Essential habitat mapping
- Flora trigger survey mapping by DES
- Queensland Department of Agriculture and Fisheries (DAF) Waterways for Waterway Barrier Works spatial layer
- DES's Map of Referable Wetlands
- DES's Queensland Wetland Maps
- Atlas of Living Australia interactive mapping
- Historic aerial photography including:
 - State Government historic records from the QImagery database
 - Nearmap
 - Google Earth including Qld Globe.

The results of this process were used to inform sampling processes and alert scientists to the potential presence of significant species/communities on site and to identify any potential constraints.

2.2 Legislative review

The review will include all publicly available data or information held by Council including past technical surveys or investigations into soil, water or ecological values of the site to identify potential values.

Relevant legislation includes:

- *Environmental Protection and Biodiversity Conservation Act 1999*
- *Nature Conservation Act 1992* (and subordinate legislation)
- *Fisheries Act 1994*
- *Environmental Protection Act 1994* (and subordinate legislation)
- *Water Act 2000*
- *Vegetation Management Act 1999*
- *Planning Act 2016*
- *Biosecurity Act 2014*
- State Planning Policies (SPPs)

2.3 Likelihood of occurrence

A likelihood of occurrence assessment was undertaken for the project site to identify the likelihood of threatened ecological communities (TEC), conservation significant flora and fauna species occurring. This assessment was made on those species identified in the state and commonwealth database searches within 5 km of the project site (Appendix A).



The Australian Government's key piece of environmental legislation is the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPBC Act aims to protect and manage matters of environmental significance which include nationally and internationally important flora, fauna, ecological communities and heritage places. A search using the Commonwealth's Protected Matters Search Tool (PMST) for the site (Appendix C). The online tool WildNet was also searched for the presence of threatened species under the *Nature Conservation Act 1992*.

The following parameters we considered in determining the likelihood of occurrence:

- Habitat preference
- Distribution and relative abundance
- Previous records from the region
- The occurrence of suitable habitat within the project site based on field observations and desktop information
- The confirmed presence of conservation significant species within the project site.

A likelihood of occurrence ranking was attributed to each conservation significant species and community based on the framework outlined in Appendix A.

2.4 Breeding places and fauna habitat assessment

For the purposes of this report, the definition of "breeding places" follows that provided in s332 of the *Nature Conservation (Wildlife Management) Regulation 2006*. The fauna habitat assessment provides a basis for determining what species may utilise the area but whose presence was not able to be detected.

Habitat features that were considered significant for assessing the presence of breeding places and/or breeding habitat value of protected species include but are not limited to:

- Presence of hollow-bearing trees that are being used by birds, reptiles or arboreal mammals for the purposes of incubating or rearing offspring;
- Presence of bowers, nests, dreys or other structures commonly used by birds or mammals to incubate or rear offspring;
- Presence of cracking clay soils or other soil characteristics required for some species, particularly reptiles and amphibians;
- Presence of caves, mounds, ground hollows, coarse woody debris or other structures commonly used by birds, mammals, reptiles or amphibians to incubate or rear offspring; and
- Presence of permanent water, ephemeral ponding, depressions and/or, seasonally inundated areas that may be used for breeding by aquatic species or amphibians, or that may provide intermittent breeding habitat for opportunistic species.

The precautionary principle was applied in estimating the likelihood of the presence of fauna breeding places identified within the subject site.

2.5 Multi-criteria analysis (MCA)

A multi-criteria analysis (MCA) was undertaken to assess the relative merits of the alternative options from 'do nothing' to complete desilting of both Lake Apex and Lake Freeman. The following criteria and scoring tables (Table 1 and 2) were used to rank the existing road routes (relative to each other) and for the proposed new access tracks (relative to each other).



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The options analysed were:

1. Do nothing
As stated, there would be no desilting undertaken. Revegetation may be undertaken separately but is not considered here in the MCA scoring.
1. Desilt both Lake Freeman and Lake Apex (max desilting)
This is the maximum desilting possible across both lakes. There would be approximately 28,600 m³ of silt removed.
2. Desilt only Lake Apex (max desilting)
Lake Freeman would not be affected. Lake Apex would have maximum desilting works applied. There would be approximately 17,600 m³ of silt removed.
3. Desilt Lake Apex to middle section of sediment build up (partial, 50%)
Lake Freeman would not be affected. Lake Apex would have a moderate level of desilting applied in the centre of the lake. There would be approximately 8,800 m³ of silt removed.
4. Desilt lake Apex to deep pools only (partial, 25%)
Only the pools on the northern and western edges would be targeted to make them deeper. There would be approximately <4,400 m³ of silt removed.
5. Filling in Lake Apex moat on along east and south east shores to improve littoral zone (25%)
No machinery works in the centre of Lake Apex but instead a program of scrapping some of the sediment back into the moat and up along the littoral zone over the B Horizon sandstone and clay material. There would be approximately <4,400 m³ of silt removed.
6. Desilting Lake Apex moat only
The deepening of the existing moat areas. There would be approximately <2,000 m³ of silt removed.
7. Desilt only Lake Freeman
A moderately deep desilting (<30 cm) targeted desilting program across the shallow areas of Lake Freeman and deepening the existing pool in the northwest corner. There would be approximately 11,000 m³ of silt removed.

Table 1 Criteria

#	Criteria	Weight
C1	Minimises risk to wildlife (fish, turtles, frogs, birds)	20%
C4	Improve macrophyte growth	20%
C2	Lead to increased water bird diversity	20%
C3	Protected and enhanced littoral zone	15%
C5	Result in long-term benefits to water quality	10%
C6	Benefit cost – value for money	5%
C7	Least impact to terrestrial vegetation and habitats	5%
C8	Least approvals required	5%
Total		100%



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Table 2 Scoring table

Score	Description	Relative benefit or cost
0	Does not satisfy criteria	Represents a 'FAIL' and is excluded from further consideration in the evaluation
1	Poorly satisfies the criteria	Almost all the other options satisfy the criteria better
2	Satisfies some of the criteria	Most of the other options satisfy the criteria better
3	Satisfies most of the criteria	A 'mid-range' option
4	Satisfies almost all the criteria	Better than most of the other options
5	Completely satisfies the criteria	The 'best' option for the criteria



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3 Site history

3.1 Hydrological and earthwork modifications

Lake Apex and Lake Freeman were created sometime between 1974 and 1976 from an assessment of aerial and satellite images from 1933 through to the present day (Table 3). The location for the two lakes was an ephemeral shallow wetland. Lake Apex is more permanent than it used to be, rarely drying completely, while Lake Freeman retains some of the original wetland characteristic of being an ephemeral waterbody. However, the water levels are extremely low in both lakes due to the current drought.

A channel was excavated around the island and western edge of Lake Apex’s shoreline sometime during the 1990’s (refer to satellite image 1997). The channel, or ‘moat’, extends for approximately 50% of the shoreline. Sometime after this date, believed to be around 2003, the moat was extended to the entire perimeter of the water’s edge (or 100% of the shoreline; refer to satellite image 2019). This width of this channel varies between about 8 to 40 metres.

Table 3. Aerial and satellite images from 1933 to 2019

Aerial Images – 1933 - 2019	
	
1933	1951
	
1959	1963



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Aerial Images – 1933 - 2019



1972



1974



1976



1988



An aerial photograph of a golf course. A large, irregularly shaped pond is the central feature, surrounded by green grass and clusters of trees. A winding path or fairway leads from the bottom left towards the pond. The surrounding area includes more trees and some buildings in the distance.

[illegible]

19/02/2019



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Site photos – Lake Apex



Lake Apex looking west from the carpark



Lake Apex showing the moat channel and the bare earth of the littoral zone.



Lake Apex showing the moat channel and the bare earth of the littoral zone.

Western section of Lake Apex with the channel shown and the exotic weed, para grass (*Urochloa mutica*).

Northern end of Lake Apex



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Photos of Lake Freeman



Lake Freeman showing extensive shallow areas with numerous water bird species feeding in the water



Lake Freeman near complete drying with a covering of *Persicaria* spp. (wetland species).



Lake Freeman near complete drying with the remaining area of shallow water cover important for water birds.



4 Ecological values

4.1 Water quality and condition

An extensive study was conducted by BMT (2018) Water Quality Report for Lakes Freeman and Apex, Gattton. This report assessed the current condition of the lakes' water quality including examining the physical and chemical water and soil quality profiling, lake depth, sediment sampling, aquatic and semi-aquatic macrophyte survey and a snapshot of the fish assemblage. From the workshop component and community consultation, a vision statement was developed:

Lakes Freeman and Apex are remediated back to their pre-impact water quality and ecological condition with additional investment placed in improving community custodianship. The approach to remediation and its outcomes are sustainable and based on a total catchment management approach.

From this vision statement, it is expected that water quality and ecological condition will be more reflective of the historic photographs of the lake. This should include an extensive increase in macrophyte coverage over the lakes, an increase in bird species diversity and a visually perceptible reduction in turbidity accounting for seasonal variation and weather (BMT 2018).

Water quality variations and seasonal fluctuations within Lake Freeman and Lake Apex are complex. Sediment inputs from the surrounding catchment thought to be a significant factor on declining water quality along with increased sediments, shallowing of the lakes and reduced macrophyte cover also contributing to the aquatic environment.

4.2 Threatened ecological communities and vegetation

There are no listed threatened ecological communities (TECs) under EPBC Act present at the site. There is also no mapped remnant vegetation under the Queensland VMA.

4.3 Threatened flora and fauna

There is one record from 1994 of an Australian lungfish from Lake Apex and several threatened water birds and woodland birds recorded from the waterbodies.

Table 4. Threatened flora and fauna having a high likelihood of occurrence and the identified risk from the proposed actions

Scientific Name	Common Name	Q	A	Likelihood Of Occurrence	Risk from proposed desilting program
FISH					
<i>Neoceratodus forsteri</i>	Australian lungfish	V		High. One record (1994) of Lungfish from Lake Apex in past.	Moderate There are potentially lungfish living in Lake Apex. However, these can be captured or translocated prior to and during desilting works.
BIRD					
<i>Botaurus poiciloptilus</i>	Australasian bittern	E		High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species Moderate for Lake Freeman due to the shallow habitat requirements of the species.
<i>Calidris ferruginea</i>	Curlew sandpiper	CE		High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species



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Scientific Name	Common Name	Q	A	Likelihood Of Occurrence	Risk from proposed desilting program
					Moderate for Lake Freeman due to the shallow habitat requirements of the species.
<i>Grantiella picta</i>	Painted honeyeater	V		High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low Unlikely to directly impact these species
<i>Numenius madagascariensis</i>	Eastern curlew	N	T	High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species Moderate for Lake Freeman due to the shallow habitat requirements of the species.
<i>Rostratula australis</i>	Australian painted snipe	V	E	High. Known to frequent Lake Apex and Lake Freeman during favourable seasons	Low for Lake Apex. Unlikely to directly impact these species Moderate for Lake Freeman due to the shallow habitat requirements of the species.
MAMMAL					
<i>Phascogaleola cinereus</i>	Koala	V	V	High. Known to frequent Lake Apex	Low Unlikely to directly impact this species

4.4 Fish assemblage

BMT (2018) provide the most recent data on the fish community within Lake Apex. This survey revealed the presence of six (6) native fish:

- Boney bream (*Nematalosa erebi*)
- Glass fish (*Ambassis agassizii*)
- Spangled perch (*Leiopotherapon unicolor*)
- Australian smelt (*Retropinna semoni*)
- western carp gudgeon (*Hypseleotris klunzingeri*)
- fire tail gudgeon (*Hypseleotris galii*)

Other species of fish that may inhabit the lakes include:

- Australian lungfish (*Neoceratodus forsteri*)
- longfin eel (*Anguilla reinhardtii*)
- goldfish (*Carassius auratus*)
- crimsonspotted rainbowfish (*Melanotaenia duboulayi*)
- golden perch (*Macquaria ambigua*)
- freshwater catfish (*Tandanus tandanus*)



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Table 5 Photos of rescued turtles and fish from Lake Apex in 2003 (Nadeem Samnakay, Rod Hobson and Darren Fielder, Queensland Parks and Wildlife Service)

Rescued fish and turtles, Lake Apex 2003 (Photos by Darren Fielder)



Nadeem Samnakay with an *Emydura macquarii*



Nadeem Samnakay with an *Emydura macquarii*



Large longfin eel, *Anguilla reinhardtii*



Rod Hobson with eel-tailed catfish, *Tandanus tandanus*



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Rescue operation during 2003, Lake Apex



Rescue operation during 2003, Lake Apex

4.5 Freshwater turtles

Lake Apex and Lake Freeman are likely to have the following freshwater turtles present in the waterbody. From the field inspection, there appear to be large numbers of freshwater turtles in the remaining pools in Lake Apex. There is unlikely to be any turtles left in Lake Freeman which was almost dry at the time of the survey. Turtles in Lake Freeman would most likely have moved back into Lake Apex. There is likely to be a large biomass of turtles' present. In addition, each species of turtle will likely be nesting in the adjacent areas of the council reserve and immediately beside the waters edge. Consequently, there may be eggs in the ground depending on what time of year the works are proposed (Table 7 and 8).

Table 6 Freshwater turtles likely to be present in Lake Apex

Common Name	Scientific Name	Endemicity	NCA Act Status	EPBC Act Status
Kreffft's river turtle	<i>Emydura macquarii krefftii</i>	Widespread - Brisbane River Catchment to north coastal Qld	Least Concern	-
Murray turtle	<i>Emydura macquarii macquarii</i>	Non-endemic to the Brisbane River	Least Concern	-
Common sawshelled turtle	<i>Myuchelys latisternum</i>	Widespread - coastal catchments of northern NSW, Qld and Northern Territory	Least Concern	-
Eastern long-necked turtle	<i>Chelodina longicollis</i>	Widespread - Murray-Darling Basin and coastal catchments in Qld	Least Concern	-
Broad shelled turtle	<i>Chelodina expansa</i>	Widespread - Murray-Darling Basin and coastal catchments in Qld	Least Concern	-



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Table 7 Reproductive ecology of the freshwater turtles

Species	Nesting Type	Nesting Substrate	Distance To Water's Edge	Incubation Times	References
<i>Emydura macquarii</i>	Isolated nesting, disaggregated	No preference for substrate		51 days	Cann 1998; Harmann et al 2008
<i>Myuchelys latisternum</i>	Isolated nesting, disaggregated			60 days	Cann 1998
<i>Chelodina expansa</i>	Isolated nesting, disaggregated	Various – sand and clay	0-500 m (<1.5km)	Min 192 days	Cann 1998
<i>Chelodina longicollis</i>	Isolated nesting, disaggregated	Firm substrate, river sand	0-500 m	120-150 days	Cann 1998

Table 8 Seasonality of nesting and hatchling times for freshwater turtles summarised from available literature

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<i>Emydura macquarii</i>												
<i>Myuchelys latisternum</i>												
<i>Chelodina expansa</i>												
<i>Chelodina longicollis</i>												

Green = Nesting Period; Orange = Incubation and Hatchling Emergence

4.6 Waterbirds and migratory species

From a search of online databases, there were 71 species of waterbirds and migratory species which potentially frequent Lake Apex and Lake Freeman. The full list is provided in Appendix B. Table 9 lists those species which are either threatened or listed as a migratory species.

Lake Freeman provides an extensive shallow open water habitat which is important for migratory species and other waterbirds. Lake Apex provides a more complex water habitat with areas of deeper open water which is the “moat” and deeper sections which have been dug out at various points in the past. Lake Apex at these very low levels has an exposed build up of sediment in the centre of the lake. The centre of the lake becomes important waterbird habitat when the water levels decline and the sediment is covered by shallow water and aquatic macrophytes can grow. This happens as the lake transitions between full height and the near empty levels being experienced in 2019 now.

With both waterbodies being artificially constructed since about 1974, neither provide the full range of habitats required to support the waterbird species listed in Table 9 and Appendix B. That is, both lakes complement each other by providing different micro habitats and hydrological systems during the same season. These micro habitats can include extensive shallow areas, areas of submerged and emergent



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macrophytes, littoral zone macrophytes along the lakes' edges (crakes, rails and snipes) and deeper pools for divers species such as grebes, cormorants and ducks.

Table 9 Migratory waterbirds and special least concern species

Family	Scientific Name	Common Name	Q	A	Sighting Records
Accipitridae	<i>Pandion cristatus</i>	eastern osprey	SL		2
Charadriidae	<i>Charadrius veredus</i>	oriental plover	SL		3
Charadriidae	<i>Pluvialis fulva</i>	Pacific golden plover	SL		2
Laridae	<i>Chlidonias leucopterus</i>	white-winged black tern	SL		3
Laridae	<i>Gelochelidon nilotica</i>	gull-billed tern	SL		5
Laridae	<i>Hydroprogne caspia</i>	Caspian tern	SL		8
Rostratulidae	<i>Rostratula australis</i>	Australian painted snipe	V	E	6
Scolopacidae	<i>Calidris acuminata</i>	sharp-tailed sandpiper	SL		25
Scolopacidae	<i>Calidris ferruginea</i>	curlew sandpiper	E	CE	3
Scolopacidae	<i>Gallinago hardwickii</i>	Latham's snipe	SL		44
Scolopacidae	<i>Limosa limosa</i>	black-tailed godwit	SL		3
Scolopacidae	<i>Tringa glareola</i>	wood sandpiper	SL		3
Scolopacidae	<i>Tringa nebularia</i>	common greenshank	SL		5
Scolopacidae	<i>Tringa stagnatilis</i>	marsh sandpiper	SL		31
Threskiornithidae	<i>Plegadis falcinellus</i>	glossy ibis	SL		48

4.7 Exotic pest species

Eleven (11) species were identified as restricted invasive plants and animals (*Biosecurity Act 2014*) (Table 10). Some of these species are not relevant to the desilting program of works (e.g., feral cat or fox) but noxious fish may be present. Several noxious fish listed under the *Biosecurity Act 2014* are present within the Brisbane River catchment (e.g., tilapia, carp and gambusia), and possibly inhabiting Lake Apex. Along with other noxious and non-indigenous fish, they must not be released into Queensland waters. If they are caught during the proposed works they must immediately be killed and must not be returned to the water. If sighted they must be reported to Biosecurity Queensland within 24 hours of the sighting.

The main pest species of concern for the desilting of Lake Apex and Lake Freeman are potentially goldfish (*Carassius auratus*), carp (*Cyprinus carpio*), gambusia (*Gambusia holbrooki*) and tilapia (*Oreochromis mossambicus* and *Tilapia mariae*). Carp and tilapia have been recorded from further downstream in the Brisbane River catchment.

Table 10. Restricted invasive plants and pest species record from the site or within 5 km

Scientific Name	Common Name	Comment
<i>Rhinella marina</i>	cane toad	Not relevant to this project
<i>Vulpes vulpes</i>	red fox	Not relevant to this project
<i>Felis catus</i>	cat	Not relevant to this project
<i>Carassius auratus</i>	goldfish	Recorded from Lake Apex (BMT 2018)
<i>Bryophyllum x houghtonii</i>		None seen during a brief field inspection
<i>Celtis sinensis</i>	Chinese elm	Several individual trees present around the lakes' edges.



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Scientific Name	Common Name	Comment
<i>Harrisia martinii</i>		None seen during a brief field inspection
<i>Lantana camara</i>	lantana	Isolated plants present.
<i>Opuntia tomentosa</i>	velvety tree pear	Isolated plants present.
<i>Rubus anglocandicans</i>	blackberry	None seen during a brief field inspection
<i>Tecoma stans</i> var. <i>stans</i>		None seen during a brief field inspection

Under the Act, corporations, like persons, are obliged to take all reasonable and practical steps to minimise biosecurity risks posed by their activities. This is known as a general biosecurity obligation (GBO). Restricted invasive plants (*Biosecurity Act 2014*) require weed control practices to avoid spreading them off-site during construction activities.



5 Permits and approvals

The permits and approvals needed to ensure all legislative responsibilities are addressed for the ecological values, likelihood of occurrence for native and exotic species and the expected actions required for a desilting program of works are listed in Table 12. These consider the MSES and MNES issues identified from the data and desktop review.

5.1 Development Approval

Lake Apex and Lake Freeman are mapped as a referable wetland under the *Environmental Protection Regulation 2008* (Appendix D). The map of referable wetlands also identifies wetlands of high ecological significance (HES) and general ecological significance (GES) across the state. HES wetlands on the map are identified as 'matters of state environmental significance' (MSES) under the Planning and Environmental Offsets legislation. Lake Apex and Lake Freeman are, together, identified as a HES wetland and therefore may be subject to the Environmental Offsets Act.

Consequently, the proposed desilting program may require a development approval through the State Assessment and Referral Agency (SARA) for a coordinated assessment for state agencies against the MSES.

5.2 Risk assessment

The following risk assessment summarises the above information in terms of its potential to affect the project development. The following table describes the categories and symbols used in the risk assessment.

Table 11 Risk Matrix Classifications

Environmental Risk Class	Risk Symbol	Description
High		A matter which is expected to present a significant environmental constraint or liability and will require further detailed investigation. <i>A red alert is used to flag a matter of environmental concern which may be a potential 'show stopper' or require considerable effort to investigate and address.</i>
Medium		A matter which may present an environmental constraint or liability and further investigation may be necessary. In some cases, the investigation may be to fulfil duty of care obligations. A matter which could cause public complaint (during construction). <i>An amber alert matter is not anticipated to be a 'show stopper' issue but further minor works may be required to support a Development Application or better understand the potential impact of the matter.</i>
Low		A matter that is not considered to present an environmental constraint or liability and does not require any further investigation.



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5.3 Summary of potential permits and approvals

From the desktop assessment and review of legislative requirements, the following permits and approvals are likely required for the proposed desilting program of works (Table 12).

Table 12 Potential permits and approvals

License / Permit	Risk	Department	Legislation / Code	Comment
Development Approval		SARA	<i>Environmental Protection Regulation 2008</i>	Excavating in a HES Referable Wetland
Ethics approvals		University or DAF	<i>Animal Care and Protection Act 2001</i> , the Australian code for the care and use of animals for scientific purposes	Required by persons doing the fauna management
General Fisheries Permit		DAF	<i>Fisheries Act 1994</i>	Required for the capture of fish using approved apparatus (i.e., seine nets, fyke nets)
Scientific user		DES	<i>Nature Conservation Act 1992</i>	Capture of native fauna including freshwater turtles and frogs
Scientific Purposes Permit		DES	<i>Nature Conservation Act 1992</i>	Capture of native fauna including freshwater turtles and frogs
Rehabilitation Permit		DES	<i>Nature Conservation Act 1992</i>	Fauna spotter catcher activities for the rescue of native fauna including freshwater turtles and frogs
Damage mitigation permit (removal and relocation of protected animals)		DES	<i>Nature Conservation Act 1992</i>	For the purpose of the removing and relocation of wildlife.
Low Risk Species Management Program		DES	<i>Nature Conservation (Wildlife) Regulations 2006</i>	For the management of animal breeding places (frogs, turtles)



6 Multi Criteria Analysis (MCA) results

The seven criteria were:

- C1 Minimises risk to wildlife (fish, turtles, frogs, birds)
- C2 Improve macrophyte growth
- C3 Lead to increased water bird diversity
- C4 Protected and enhanced littoral zone
- C5 Result in long-term benefits to water quality
- C6 Benefit cost – value for money
- C7 Least impact to terrestrial vegetation and habitats
- C8 Least approvals required

6.1 Existing desilting options ranked

The MCA ranked the western option higher against all criteria with it having the least amount of vegetation removal, the best road gradient, with the least amount of earthworks and being the better long term option for road maintenance and repair.

Option #	Description	C1	C2	C3	C4	C5	C6	C7	C8	Total Score	Weighted Score	Ranking
1	Do nothing	5	3	3	3	3	5	5	5	32.0	3.7	2
2	Desilt both Lake Freeman and Lake Apex (max desilting)	2	2	2	3	3	2	4	3	21.0	2.4	8
3	Desilt only Lake Apex (max desilting)	3	3	3	3	3	3	4	3	25.0	3.1	4
4	Desilt Lake Apex to middle section of sediment build up (partial, 50%)	3	3	3	3	3	4	4	3	26.0	3.1	3
5	Desilt lake Apex to deep pools only (partial, 25%)	3	3	3	3	3	3	4	3	25.0	3.1	4
6	Filling in Lake Apex moat on along east and south east shores to improve littoral zone (25%)	4	4	4	4	4	3	4	3	30.0	3.9	1
7	Desilting Lake Apex moat only	3	3	3	2	3	3	4	3	24	2.9	6
8	Desilt only Lake Freeman	3	3	2	2	3	2	4	3	22	2.7	7

6.2 Highest ranked option from MCA

From the MCA process, the option ranked the highest was **Option 6** Filling in Lake Apex moat on along east and south east shores to improve littoral zone (25%). This option would aim to re-establish the lost littoral zone between the edge of Lake Apex with the centre shallow area. The connectivity between the terrestrial environment through the littoral zone and into the open water body is critical in maintaining healthy plant growth of emergent, floating and submerged macrophytes.

The past activity of creating a moat has potentially contributed in the slow decline in macrophyte cover in Lake Apex since about 2000. It has done this by scrapping the sediment layer of organic matter off the B horizon leaving the relatively low nutrient sandstone and clay layer below exposed. Secondly, it has created



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a 10-40 m width of relatively deep water immediately beside the edge of the lake disconnecting the littoral zone with the shallow interior of the lake. This makes maintaining and restoring aquatic macrophyte cover very difficult. This is because when the lake is full, there is no well-established littoral zone where the macrophytes can grow and establish. If there was a shallow edge with organic sediment over the B Horizon, it would help facilitate the natural expansion of macrophytes into Lake Apex as the lake drops during drier periods, thereby giving valuable habitat for waterbirds and providing a food resource for aquatic fauna including fish and turtles.

The second highest ranked was Option 1 Do nothing. This option was highly ranked because it minimises the risk to aquatic fauna and flora, least costly, no approvals required and would not affect the vegetation surrounding the lakes.



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Figure 3. Option 6 Filling in Lake Apex moat on along east and south east shores to improve littoral zone (25%)



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7 Potential impacts and mitigation measures

7.1 Aquatic fauna

The proposed desilting program of works will need careful consideration about animal welfare and protection of native species. Affected fauna include potentially threatened species such as the Australian lungfish and several migratory species of waterbirds which periodically utilise these lakes as habitat.

A major risk from the mechanical disturbance to the aquatic habitats will be potential harm to fish: either directly through machinery strike or, more likely, indirectly through a rapid deoxygenation of the water column from a mixing of the anoxic sediments as the machinery excavate and stir up the water column. Once the deoxygenated water is mixed with the remaining water, there is a high risk of rapidly dropping oxygen levels leading to fish deaths or a mass kill event before the fish can be rescued.

Consequently, an extensive capture program for fish and turtles will need to be undertaken over several days / weeks prior to the desilting works commencing. Such a capture program should be successful with most large bodied fish and for the turtles. However, no amount of trapping and netting would guarantee capturing 100% of the aquatic fauna prior to desilting. Fauna rescue and relocation will be an important measure required during the desilting operation.

The receiving environment for the captured fish, turtles and frogs needs to be identified along with procedures for the safe removal, handling and transportation of potentially several hundred turtles and similarly several 1,000s of native fish across a range of sizes (small gudgeon to large bodied species).

7.2 Aquatic and terrestrial flora

There are expected to be little or no impacts to threatened plants or vegetation communities at either of the lakes as a result of the desilting program. For the common flora (aquatic and terrestrial), the impact of the desilting on aquatic macrophytes and vegetation at the littoral zone will ultimately depend on which option is actioned. Some options will enhance the potential for rehabilitation and revegetation of the aquatic macrophytes. Conversely, should desilting occur in Lake Freeman there would certainly be short to medium term impacts to macrophyte growth followed by a long-term recovery. These impacts may be offset through a well-planned and implemented revegetation program to enhance the edge of each shoreline by planting sedges, rushes and aquatic plants.

The desilting program would need to consider how best it will benefit the establishment of aquatic macrophytes (floating, submerged and emergent) and how it will integrate with a revegetation plan within the littoral zone and catchment areas. A conceptual diagram of a functioning littoral zone is presented in Figure 4.

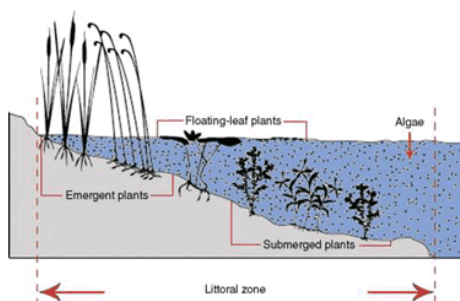


Figure 4 Diagram showing the macrophyte growth within a functioning littoral zone of a wetland



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7.3 Water quality

It is unknown what the impact to water quality will be from each of the options examined in this report. This is because of the complex interactions of the upland geology, urbanisation of the water catchments and associated deforestation of trees and groundcover and the increase hard surfaces of roads, driveways and houses. In the lakes themselves, there will be immediate negative impacts from desilting as a result of the mechanical stirring of the water column with the suspended sediments and silt on the bottom of each lake. The medium- and long-term outcomes are less certain depending on which option is undertaken.



8 Conclusion

A review of desktop information and ecological values of Lake Apex and Lake Freeman was undertaken to inform an options analysis (MCA) on benefits – cost of desilting one or both lakes. The findings revealed:

- no threatened ecological community (TEC) or vegetation is present
- the Australian lungfish (vulnerable EPBC Act) may occur in the lake
- several threatened waterbirds are recorded as utilising the lakes' habitat when the conditions are favourable
- a desilting program may require DA approval due to the lakes being listed as HES wetland and therefore may be subject to the Environmental Offsets Act
- there are several permits and approvals required to be held by Council or a subcontractor regarding the ethical handling, relocation and transportation of fauna
- there is legislation covering invasive species under the Biosecurity Act
- there is a very high risk of a fish kill event during sediment desilting within Lake Apex due to anoxic sludge being exposed and the water column being stirred up during heavy machinery activity
- fish and turtle capture and relocation effort preceding the desilting works would be required to minimise any harm to fauna
- desilting of Lake Freeman would reduce the lakes habitat for water bird species, particularly the threatened and migratory species
- each lake has its unique hydrology and habitat qualities which in combination provide suitable habitat for a range of waterbirds, fish and turtles.
- Options analysis ranked:
 - **Option 6** Filling in Lake Apex moat on along east and south east shores to improve littoral zone (25%). This option would aim to re-establish the lost littoral zone between the edge of Lake Apex with the centre shallow area. The connectivity between the terrestrial environment through the littoral zone and into the open water body is critical in maintaining healthy plant growth of emergent, floating and submerged macrophytes.
 - **Option 1** Do nothing was 2nd ranked. This option was highly ranked because it minimises the risk to aquatic fauna and flora, least costly, no approvals required and would not affect the vegetation surrounding the lakes.

8.1 Recommendations

Desilting works

The MCA for the alternative desilting options provides a relative ranking to assist council in its decision making. These results should not be viewed as definitive answers because community stakeholder engagement and concern were not accounted for in this feasibility study. The report and its recommendations rely on the ecological values identified from desktop assessment and available data. It provides an overview of the possible permits and approval requirements within state and federal government frameworks. Based on the options analysis, there is potential to undertake limited desilting and infilling of sections of the moat to assist with revegetation and rehabilitation of the littoral zone and shoreline to promote macrophyte growth. Linked to these actions are the potential benefits to water quality and waterbird habitat.



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Action plan or management plan

Should Council decide implement one of the options above (apart from 'do nothing'), then an action or management plan will need to be developed to document the potential impacts and control measures throughout the desilting process (pre-, during and post) for council staff or contractors to implement.

The action plan will address a range of best practice environmental management for flora and fauna values, water quality and soil management. This may include soil remediation pending soil tests for contaminants.

Rehabilitation and revegetation plan

A detailed rehabilitation and revegetation plan were beyond the scope of this study. It will be an important component to any action taken by Council to benefit the ecological values and associated aquatic environments within Lake Apex and Lake Freeman.



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9 References

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Appendix A – MNES and MSES likelihood of occurrence and risk desktop assessment

Table 13 Likelihood of occurrence definition

Likelihood	Category	Definition supporting information	
High	The species or ecological community has been observed on the site (known to occur) or there is a high probability that a species or ecological community occurs on the site (likely to occur).	Species / community has been recorded during field surveys in the project footprint OR Species has been recorded from desktop search extent AND suitable habitat is present in the Project footprint.	
Moderate	Suitable habitat for a species or ecological community occurs on the site, but there is insufficient information to categorise the species or ecological community as high or low probability of occurring.	Species has not been recorded from desktop search extent although species' distribution incorporates the Project footprint (or part(s) thereof) AND potentially suitable habitat occurs in the Project footprint. OR Species has been recorded from desktop search extent AND suitable habitat is generally lacking from Project footprint.	
Low	A very low to low probability that a species or ecological community occurs on the site.	Species has not been recorded from desktop search extent AND/OR current known distribution does not encompass Project footprint AND suitable habitat is absent from Project footprint.	
Community Name			
	A	Habitat Preference	Likelihood of Occurrence
Lowland Rainforest for subtropical Australia	C	Occurs on basalt and alluvial soils typically in areas <300m ASL. Moderately tall to tall closed forest, with notophyll to mesophyll species. In QLD the TEC is associated with the following RES: 12.3.1, 12.5.13, 12.8.3, 12.8.4, 12.11.1, 12.11.10, 12.12.1 and 12.12.16	Low. Does not occur on site
White Box-Yellow Box-Blakley's Red Gum Grassy Woodland and Derived Grassland	C	TEC is dominated by White Box, Yellow Box or Blakley's red gum with ground layer dominated by Tussock grasses. Shrub layer is sparse or patchy. The ecological community is a primary component of the following RES: 11.8.2a, 11.8.8, 11.9.9a, 13.3.1, 13.11.8, 13.12.8 and 13.12.9. It can also be a smaller component of the following regional ecosystems: 11.3.23, 12.8.16 (only at the far western edge of the bioregion), 13.3.4, 13.11.3 and 13.11.4.	Low. These species of eucalypts do not occur on site
			Nil



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Scientific Name	Common Name	Q	A	Preferred Habitat	Likelihood Of Occurrence	Risk
FISH						
<i>Maccullochella peelii</i>	Murray cod	V		Occurs in flowing and standing waters, from small, clear, rocky streams to large, turbid, meandering slow-flowing rivers, creeks, anabranches, and lakes and larger billabongs of the Murray-Darling Basin.	Low. Not endemic to the Lockyer. From Murray Darling Basin.	Nil
<i>Neoceratodus forsteri</i>	Australian lungfish	V		Found in still or slow flowing pools in river systems of south-eastern Queensland.	High. Records of Lungfish from Lake Apex in past drought events.	Moderate
REPTILE						
<i>Delma torquata</i>	Collared delma	V	V	Inhabits eucalypt-dominated woodlands and open-forests (RE 11.3.2, 11.9.10, 11.10.1, 11.10.4). Very few scattered records with most further to the east.	Medium. Some areas of suitable habitat on site	Nil
<i>Furina dunnalli</i>	Dunnall's snake	V	V	Black soil areas in riverine communities.	Medium. Some areas of suitable habitat on site	Nil
<i>Hemiaspis damelii</i>	Grey snake	E		Woodlands and open woodlands of brigalow / beelah and eucalypts (e.g. Poplar Box) with a grassy understorey and with small gullies or ditches.	Medium. Some areas of suitable habitat on site	Nil
BIRD						
<i>Anthochaera phrygia</i>	Regent honeyeater	E	E	Summer seasonal visitor in dry open forest and woodland, particularly Box-Ironbark woodland, and riparian forests of River She-oak. These areas are generally associated with creek flats and river valleys and foothills. These woodlands have significantly large numbers of mature trees, high canopy cover and abundance of mistletoes. They are a generalist forager, which mainly feed on nectar from a wide range of eucalypts and mistletoes.	Low. Locally extinct	Nil
<i>Botaurus plicatilis</i>	Australasian bittern		E	Occurs in marshlands and swamps.	High. Known to frequent Lake Apex during favourable seasons	Low



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Scientific Name	Common Name	Q	A	Preferred Habitat	Likelihood Of Occurrence	Risk
<i>Calidris ferruginea</i>	Curlew sandpiper		CE	Intertidal mudflats in sheltered coastal areas, such as estuaries, bays, inlets and lagoons, and also around non-tidal swamps, lakes and lagoons near the coast, and ponds in saltworks and sewage farms	High. Known to frequent Lake Apex during favourable seasons	Low
<i>Calyptrornis lathamii</i>	Glossy black-cockatoo (eastern)		V	Inhabits she-oak open forest and woodlands of the coast and the Great Dividing Range up to 1000m.	Medium. May frequent terrestrial vegetation	Nil
<i>Erythrornis radiatus</i>	Red goshawk	E	V	Species with extensive home range, usually encompassing tracts of intact vegetation.	Low. No available habitat.	Nil
<i>Geophaps scripta scripta</i>	Squatter pigeon (southern subspecies)	V	V	Grassy woodlands near water.	Low. Locally extinct	Nil
<i>Grantiella picta</i>	Painted honeyeater		V	Largely dependent on mistletoe fruits, it lives in dry forests and woodlands dominated by Acacias.	High. Known to frequent Lake Apex during favourable seasons	Low
<i>Lathamus discolor</i>	Swift parrot	E	E	Seasonal winter visitor to coastal Queensland, associated with flowering eucalypt forests.	Low. May periodically occur in Lockyer Valley	Nil
<i>Numenius madagascariensis</i>	Eastern curlew	NT		sheltered coasts, especially estuaries, bays, harbours, inlets and coastal lagoons, with large intertidal mudflats or sandflats, often with beds of seagrass.	High. Known to frequent Lake Apex during favourable seasons	Low
<i>Poephila cincta cincta</i>	Black-throated finch		E	Open woodlands with sparse grassy understorey.	Low. Locally extinct	Nil
<i>Rostrula australis</i>	Australian painted snipe	V	E	Possibly a seasonal visitor to swamp and marshes / long grass that is seasonally inundated.	High. Known to frequent Lake Apex during favourable seasons	Low
<i>Turnix melanogaster</i>	Black-breasted button-quail	V	V	Rainforest and SEVT with dense leaf litter and cover.	Low. Does not occur	Nil
MAMMAL						
<i>Chalinolobus dwyeri</i>	Large-eared pied Bat, Large pied Bat	V	V	Usually in association with sandstone escarpments and cliffs, then foraging in adjacent habitats.	Low. Does not occur	Nil

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Scientific Name	Common Name	Q	A	Preferred Habitat	Likelihood Of Occurrence	Risk
<i>Dasyurus hallucatus</i>	Northern quoll	E	E	Rocky hills in Eucalypt forest.	Low. Does not occur	Nil
<i>Dasyurus maculatus</i>	Spotted-tailed quoll	V	E	Rainforest to open woodland. They require forest with suitable den sites such as rock crevices, caves, hollow logs, burrows and tree hollows.	Low. Does not occur	Nil
<i>Petauroides volans</i>	Greater Glider	V	V	It is largely restricted to eucalypt forests and woodlands. It is typically found in highest abundance in taller, montane, moist eucalypt forests with relatively old trees and abundant hollows. It favours forests with a diversity of eucalypt species, due to seasonal variation in its preferred tree species.	Low. Does not occur	Nil
<i>Petrogale penicillata</i>	Brush-tailed rock wallaby		V	Rock faces, escarpments in SEQ.	Low. Does not occur	Nil
<i>Phascogale cinereus</i>	Koala	V	V	Scattered populations in Eucalypt communities throughout the region.	High. Known to frequent Lake Apex	Low
<i>Potorus tridactylus</i>	Long-nosed potoroo	V	V	Dense groundcover on lighter soils.	Low. Does not occur	Nil
<i>Pseudomys novaehollandiae</i>	New Holland mouse	V	V	Coastal heathlands and forest with limited distribution in SEQ.	Low.	Nil
<i>Pteropus poliocephalus</i>	Grey-headed flying fox		V	Requires foraging resources and roosting sites. It is a canopy-feeding frugivore and nectarivore, which utilises vegetation communities including rainforests, open forests, closed and open woodlands, Melaleuca swamps and Banksia woodlands.	Medium. May forage in mature Eucalypts on site	Nil
PLANT						
<i>Cadellia pentastylis</i>	ooline	V	V	Grows on clay plains, sandstone and residual ridges in association with vine thickets, Brigalow, belah and red baubinia.	Low. Does not occur	Nil
<i>Dichanthium setosum</i>	bluegrass		V	Associated with heavy basaltic black soils and red-brown loams with clay subsoil.	Low. Does not occur	Nil



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Scientific Name	Common Name	Q	A	Preferred Habitat	Likelihood Of Occurrence	Risk
<i>Macadamia integrifolia</i>	Queensland nut tree	V	V	Macadamia Nut occurs from Mt Bauple, near Gympie, to Currumbin Valley in the Gold Coast hinterland, south-east Queensland. It grows in remnant rainforest, including complex mixed notophyll forest, and prefers partially open areas such as rainforest edges.	Low. Does not occur	Nil
<i>Phlebailium distans</i>	Mt Berryman phlebailium	E	CE	Semi-evergreen vine thicket on red volcanic soils.	Low. Does not occur	Nil
<i>Samadera bidwillii</i>	Quassia	V	V	Lowland rainforest or on rainforest margins	Low. Does not occur	Nil
<i>Thesium australe</i>	austral toadflax	V	V	Heavy soil, grasslands and eucalyptus forests. (Queensland Herbarium, 2012).	Low.	Nil



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Appendix B – Waterbirds and migratory species

The following species were identified through the DES WildNet and the PMST online databases using a 5 km search area from Lake Apex.

Family	Scientific Name	Common Name	I	Q	A
Accipitridae	<i>Circus approximans</i>	swamp harrier		C	
Accipitridae	<i>Haliaeetus leucogaster</i>	white-bellied sea-eagle		C	
Accipitridae	<i>Pandion cristatus</i>	eastern osprey		SL	
Acrocephalidae	<i>Acrocephalus australis</i>	Australian reed-warbler		C	
Alcedinidae	<i>Ceyx azureus</i>	azure kingfisher		C	
Anatidae	<i>Anas castanea</i>	chestnut teal		C	
Anatidae	<i>Anas gracilis</i>	grey teal		C	
Anatidae	<i>Anas rhynchotis</i>	Australasian shoveler		C	
Anatidae	<i>Anas superciliosa</i>	Pacific black duck		C	
Anatidae	<i>Aythya australis</i>	hardhead		C	
Anatidae	<i>Biziura lobata</i>	musk duck		C	
Anatidae	<i>Chenonetta jubata</i>	Australian wood duck		C	
Anatidae	<i>Cygnus atratus</i>	black swan		C	
Anatidae	<i>Dendrocygna arcuata</i>	wandering whistling-duck		C	
Anatidae	<i>Dendrocygna eytoni</i>	plumed whistling-duck		C	
Anatidae	<i>Malacorhynchus membranaceus</i>	pink-eared duck		C	
Anatidae	<i>Nettapus coromandelianus</i>	cotton pygmy-duck		C	
Anatidae	<i>Oxyura australis</i>	blue-billed duck		C	
Anatidae	<i>Stictonetta naevosa</i>	freckled duck		C	
Anhinga	<i>Anhinga novaehollandiae</i>	Australasian darter		C	
Anseranatidae	<i>Anseranas semipalmata</i>	magpie goose		C	
Ardeidae	<i>Ardea alba modesta</i>	eastern great egret		C	
Ardeidae	<i>Ardea intermedia</i>	intermediate egret		C	
Ardeidae	<i>Ardea pacifica</i>	white-necked heron		C	
Ardeidae	<i>Bubulcus ibis</i>	cattle egret		C	
Ardeidae	<i>Egretta garzetta</i>	little egret		C	
Ardeidae	<i>Egretta novaehollandiae</i>	white-faced heron		C	
Ardeidae	<i>Ixobrychus flavicollis</i>	black bittern		C	
Ardeidae	<i>Nycticorax caledonicus</i>	nankeen night-heron		C	
Charadriidae	<i>Charadrius ruficapillus</i>	red-capped plover		C	
Charadriidae	<i>Charadrius veredus</i>	oriental plover		SL	



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Family	Scientific Name	Common Name	I	Q	A
Charadriidae	<i>Elseya melanops</i>	black-fronted dotterel		C	
Charadriidae	<i>Erythronyx cinctus</i>	red-kneed dotterel		C	
Charadriidae	<i>Pluvialis fulva</i>	Pacific golden plover		SL	
Charadriidae	<i>Vanellus tricolor</i>	banded lapwing		C	
Ciconiidae	<i>Ephippiorhynchus asiaticus</i>	black-necked stork		C	
Jacaniidae	<i>Irediparra gallinacea</i>	comb-crested jacana		C	
Laridae	<i>Chlidonias hybrida</i>	whiskered tern		C	
Laridae	<i>Chlidonias leucopterus</i>	white-winged black tern		SL	
Laridae	<i>Chroicocephalus novaehollandiae</i>	silver gull		C	
Laridae	<i>Gelochelidon nilotica</i>	gull-billed tern		SL	
Laridae	<i>Hydroprogne caspia</i>	Caspian tern		SL	
Pelecanidae	<i>Pelecanus conspicillatus</i>	Australian pelican		C	
Phalacrocoracidae	<i>Microcarbo melanoleucos</i>	little pied cormorant		C	
Phalacrocoracidae	<i>Phalacrocorax carbo</i>	great cormorant		C	
Phalacrocoracidae	<i>Phalacrocorax sulcirostris</i>	little black cormorant		C	
Phalacrocoracidae	<i>Phalacrocorax varius</i>	pied cormorant		C	
Podicipedidae	<i>Podiceps cristatus</i>	great crested grebe		C	
Podicipedidae	<i>Poliocephalus poliocephalus</i>	hoary-headed grebe		C	
Podicipedidae	<i>Tachybaptus novaehollandiae</i>	Australasian grebe		C	
Rallidae	<i>Fulica atra</i>	Eurasian coot		C	
Rallidae	<i>Gallinula tenebrosa</i>	dusky moorhen		C	
Rallidae	<i>Gallinallus philippensis</i>	buff-banded rail		C	
Rallidae	<i>Porphyrio melanotus</i>	purple swamphen		C	
Rallidae	<i>Porzana fluminea</i>	Australian spotted crane		C	
Rallidae	<i>Porzana pusilla</i>	Baillon's crane		C	
Rallidae	<i>Tribonyx ventralis</i>	black-tailed native-hen		C	
Recurvirostridae	<i>Himantopus himantopus</i>	black-winged stilt		C	
Recurvirostridae	<i>Recurvirostra novaehollandiae</i>	red-necked avocet		C	
Rostratulidae	<i>Rostratula australis</i>	Australian painted snipe		V	E
Scolopacidae	<i>Calidris acuminata</i>	sharp-tailed sandpiper		SL	
Scolopacidae	<i>Calidris ferruginea</i>	curlew sandpiper		E	CE
Scolopacidae	<i>Gallinago hardwickii</i>	Latham's snipe		SL	
Scolopacidae	<i>Limosa limosa</i>	black-tailed godwit		SL	
Scolopacidae	<i>Tringa glareola</i>	wood sandpiper		SL	
Scolopacidae	<i>Tringa nebularia</i>	common greenshank		SL	
Scolopacidae	<i>Tringa stagnatilis</i>	marsh sandpiper		SL	



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Family	Scientific Name	Common Name	I	Q	A
Threskiornithidae	<i>Platalea flavipes</i>	yellow-billed spoonbill		C	
Threskiornithidae	<i>Plegadis falcinellus</i>	glossy ibis		SL	
Threskiornithidae	<i>Threskiornis molucca</i>	Australian white ibis		C	
Threskiornithidae	<i>Threskiornis spinicollis</i>	straw-necked ibis		C	

I - Y indicates that the taxon is introduced to Queensland and has naturalised.

Q - Indicates the Queensland conservation status of each taxon under the Nature Conservation Act 1992. The codes are Extinct in the Wild (PE), Endangered (E), Vulnerable (V), Near Threatened (NT), Least Concern (LC) or Not Protected ().

A - Indicates the Australian conservation status of each taxon under the Environment Protection and Biodiversity Conservation Act 1999. The values of EPBC are Conservation Dependent (CD), Critically Endangered (CE), Endangered (E), Extinct (EX), Extinct in the Wild (XW) and Vulnerable (V).



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Appendix C – EPBC PSMT



Australian Government
Department of the Environment and Energy

EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 02/07/19 13:31:22

[Summary](#)

[Details](#)

[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

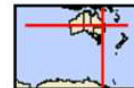
[Acknowledgements](#)



This map may contain data which are
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[Coordinates](#)

Buffer: 5.0Km



Summary

Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance:	2
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	2
Listed Threatened Species:	30
Listed Migratory Species:	16

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Land:	None
Commonwealth Heritage Places:	None
Listed Marine Species:	23
Whales and Other Cetaceans:	None
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

State and Territory Reserves:	1
Regional Forest Agreements:	None
Invasive Species:	28
Nationally Important Wetlands:	None
Key Ecological Features (Marine)	None

Details

Matters of National Environmental Significance

Wetlands of International Importance (Ramsar)	[Resource Information]
Name	Proximity
Moreton bay	50 - 100km upstream
Moreton bay	50 - 100km upstream

Listed Threatened Ecological Communities [Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
Lowland Rainforest of Subtropical Australia	Critically Endangered	Community may occur within area
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland	Critically Endangered	Community may occur within area

Listed Threatened Species [Resource Information]

Name	Status	Type of Presence
Birds		
Anthochaera phrygia Regent Honeyeater [82338]	Critically Endangered	Foraging, feeding or related behaviour may occur within area
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat known to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area
Erythrotriorchis radiatus Red Goshawk [942]	Vulnerable	Species or species habitat known to occur within area
Geophaps scripta scripta Squatter Pigeon (southern) [64440]	Vulnerable	Species or species habitat known to occur within area
Grantiella picta Painted Honeyeater [470]	Vulnerable	Species or species habitat likely to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Poephila cincta cincta Southern Black-throated Finch [64447]	Endangered	Species or species habitat may occur within area

Name	Status	Type of Presence
Rostratula australis Australian Painted-snipe, Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area
Turnix melanogaster Black-breasted Button-quail [923]	Vulnerable	Species or species habitat likely to occur within area
Fish		
Maccullochella peelii Murray Cod [66633]	Vulnerable	Species or species habitat may occur within area
Neoceratodus forsteri Australian Lungfish, Queensland Lungfish [67620]	Vulnerable	Species or species habitat known to occur within area
Mammals		
Chalinolobus dwyeri Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat likely to occur within area
Dasyurus hallucatus Northern Quoll, Digul [Gogo-Yimidir], Wijingadda [Dambimangari], Wiminji [Martu] [331]	Endangered	Species or species habitat may occur within area
Dasyurus maculatus maculatus (SE mainland population) Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat may occur within area
Petauroides volans Greater Glider [254]	Vulnerable	Species or species habitat likely to occur within area
Petrogale penicillata Brush-tailed Rock-wallaby [225]	Vulnerable	Species or species habitat likely to occur within area
Phascolarctos cinereus (combined populations of Qld, NSW and the ACT) Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat known to occur within area
Potorous tridactylus tridactylus Long-nosed Potoroo (SE mainland) [66645]	Vulnerable	Species or species habitat may occur within area
Pseudomys novaehollandiae New Holland Mouse, Pookila [96]	Vulnerable	Species or species habitat likely to occur within area
Pteropus poliocephalus Grey-headed Flying-fox [186]	Vulnerable	Roosting known to occur within area
Plants		
Cadellia pentastylis Ooline [9828]	Vulnerable	Species or species habitat likely to occur within area
Dichanthium setosum bluegrass [14159]	Vulnerable	Species or species habitat likely to occur within area
Macadamia integrifolia Macadamia Nut, Queensland Nut Tree, Smooth-shelled Macadamia, Bush Nut, Nut Oak [7326]	Vulnerable	Species or species habitat may occur within area
Phebalium distans Mt Berryman Phebalium [81869]	Critically Endangered	Species or species habitat likely to occur within area
Samadera bidwillii		

Name	Status	Type of Presence area
Thesium australe Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat likely to occur within area
Reptiles		
Delma torquata Adorned Delma, Collared Delma [1656]	Vulnerable	Species or species habitat likely to occur within area
Furina dunmalli Dunmall's Snake [59254]	Vulnerable	Species or species habitat may occur within area
Listed Migratory Species		[Resource Information]
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
Migratory Marine Birds		
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Migratory Terrestrial Species		
Cuculus optatus Oriental Cuckoo, Horsfield's Cuckoo [86651]		Species or species habitat may occur within area
Hirundapus caudacutus White-throated Needletail [682]		Species or species habitat known to occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area
Monarcha trivirgatus Spectacled Monarch [610]		Species or species habitat may occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area
Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat likely to occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat likely to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat

Name	Threatened	Type of Presence area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pandion haliaetus Osprey [952]		Species or species habitat known to occur within area
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area

Other Matters Protected by the EPBC Act

Listed Marine Species [Resource Information]

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Birds		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat likely to occur within area
Anseranas semipalmata Magpie Goose [978]		Species or species habitat may occur within area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardea alba Great Egret, White Egret [59541]		Breeding known to occur within area
Ardea ibis Cattle Egret [59542]		Breeding likely to occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat likely to occur within area
Chrysococcyx osculans Black-eared Cuckoo [705]		Species or species habitat known to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat known to occur

Name	Threatened	Type of Presence
Hirundapus caudacutus White-throated Needletail [682]		within area Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area
Monarcha trivirgatus Spectacled Monarch [610]		Species or species habitat may occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat known to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Pandion haliaetus Osprey [952]		Species or species habitat known to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area
Rostratula benghalensis (sensu lato) Painted Snipe [889]	Endangered*	Species or species habitat likely to occur within area
Tringa nebularia Common Greenshank, Greenshank [832]		Species or species habitat likely to occur within area

Extra Information

State and Territory Reserves	[Resource Information]
Name	State
Gatton	QLD

Invasive Species	[Resource Information]
Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.	

Name	Status	Type of Presence
Birds		
<i>Acridotheres tristis</i> Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
Anas platyrhynchos Mallard [974]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Lonchura punctulata Nutmeg Mannikin [399]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
Frogs		
Rhinella marina Cane Toad [83218]		Species or species habitat known to occur within area
Mammals		
Bos taurus Domestic Cattle [16]		Species or species habitat likely to occur within area
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Lepus capensis Brown Hare [127]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Rattus norvegicus Brown Rat, Norway Rat [83]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
Sus scrofa Pig [6]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area
Plants		

Name	Status	Type of Presence
Anredera, Gulf Madeiravine, Heartleaf Madeiravine, Potato Vine [2643] Chrysanthemoides monilifera		habitat likely to occur within area
Bitou Bush, Boneseed [18983]		Species or species habitat may occur within area
Cryptostegia grandiflora		
Rubber Vine, Rubbervine, India Rubber Vine, India Rubbervine, Palay Rubbervine, Purple Allamanda [18913]		Species or species habitat likely to occur within area
Lantana camara		
Lantana, Common Lantana, Kamara Lantana, Large- leaf Lantana, Pink Flowered Lantana, Red Flowered Lantana, Red-Flowered Sage, White Sage, Wild Sage [10892]		Species or species habitat likely to occur within area
Nassella neesiana		
Chilean Needle grass [67699]		Species or species habitat likely to occur within area
Opuntia spp.		
Prickly Pears [82753]		Species or species habitat likely to occur within area
Parkinsonia aculeata		
Parkinsonia, Jerusalem Thorn, Jelly Bean Tree, Horse Bean [12301]		Species or species habitat likely to occur within area
Parthenium hysterophorus		
Parthenium Weed, Bitter Weed, Carrot Grass, False Ragweed [19566]		Species or species habitat likely to occur within area
Solanum elaeagnifolium		
Silver Nightshade, Silver-leaved Nightshade, White Horse Nettle, Silver-leaf Nightshade, Tomato Weed, White Nightshade, Bull-nettle, Prairie-berry, Satansbos, Silver-leaf Bitter-apple, Silverleaf-nettle, Trompillo [12323]		Species or species habitat likely to occur within area
Reptiles		
Ramphotyphlops braminus		
Flowerpot Blind Snake, Brahminy Blind Snake, Cacing Besi [1258]		Species or species habitat may occur within area

Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Coordinates

-27.5726 152.26955

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [Office of Environment and Heritage, New South Wales](#)
- [Department of Environment and Primary Industries, Victoria](#)
- [Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [Department of Environment, Water and Natural Resources, South Australia](#)
- [Department of Land and Resource Management, Northern Territory](#)
- [Department of Environmental and Heritage Protection, Queensland](#)
- [Department of Parks and Wildlife, Western Australia](#)
- [Environment and Planning Directorate, ACT](#)
- [Birdlife Australia](#)
- [Australian Bird and Bat Banding Scheme](#)
- [Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [Museum Victoria](#)
- [Australian Museum](#)
- [South Australian Museum](#)
- [Queensland Museum](#)
- [Online Zoological Collections of Australian Museums](#)
- [Queensland Herbarium](#)
- [National Herbarium of NSW](#)
- [Royal Botanic Gardens and National Herbarium of Victoria](#)
- [Tasmanian Herbarium](#)
- [State Herbarium of South Australia](#)
- [Northern Territory Herbarium](#)
- [Western Australian Herbarium](#)
- [Australian National Herbarium, Canberra](#)
- [University of New England](#)
- [Ocean Biogeographic Information System](#)
- [Australian Government, Department of Defence](#)
- [Forestry Corporation, NSW](#)
- [Geoscience Australia](#)
- [CSIRO](#)
- [Australian Tropical Herbarium, Cairns](#)
- [eBird Australia](#)
- [Australian Government – Australian Antarctic Data Centre](#)
- [Museum and Art Gallery of the Northern Territory](#)
- [Australian Government National Environmental Science Program](#)
- [Australian Institute of Marine Science](#)
- [Reef Life Survey Australia](#)
- [American Museum of Natural History](#)
- [Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

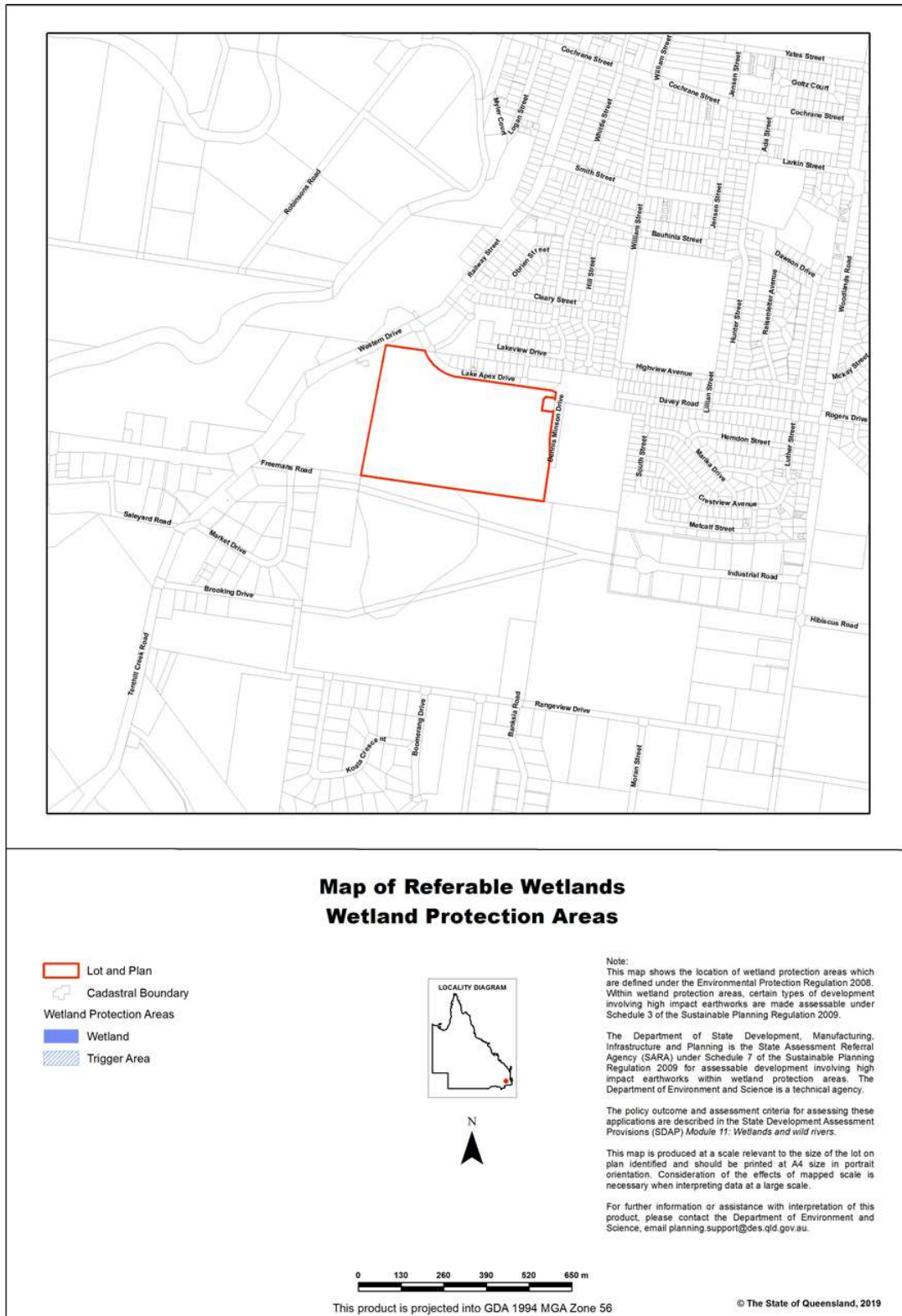


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Appendix D – Referable Wetlands Map

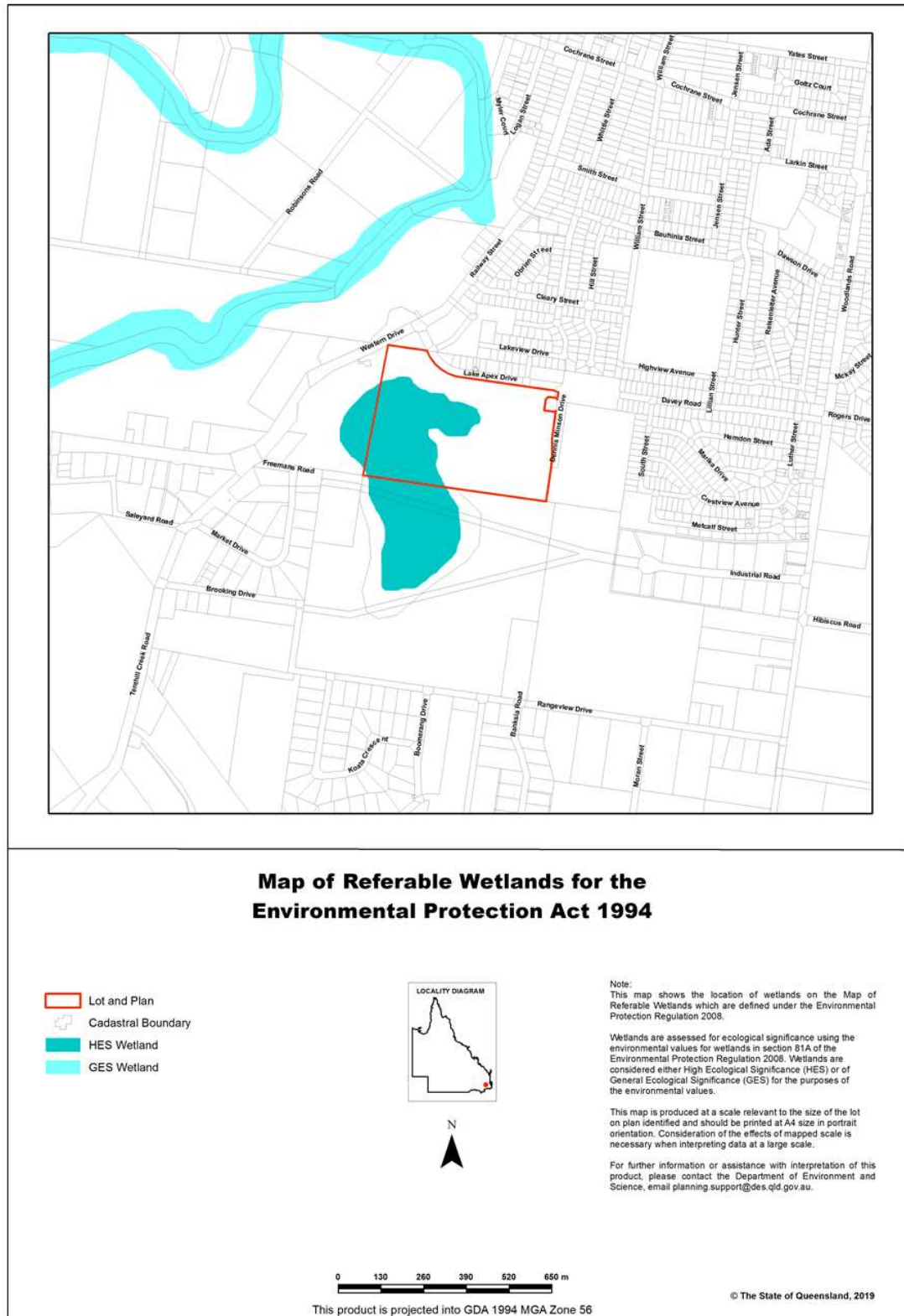
Map requested: 03/07/2019 13:46:11

Centred on: Lot: 18 Plan: RP225190



Map requested: 03/07/2019 13:46:11

Centred on: Lot: 18 Plan: RP225190





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Our Footprint for Future Generations

13.2 Amendment to Register of Cost Recovery and Commercial Fees and Charges 2019-20 in relation to Cemetery Fees

Date: 15 August 2019
Author: Brendan Sippel, Manager Parks Gardens and Cemeteries.
Responsible Officer: Angelo Casagrande, Executive Manager Infrastructure Works & Services

Summary:

The purpose of this report is to seek endorsement from Council on the proposed fee structure for Laidley Ashes Memorial garden and the proposed amendment to existing columbarium plaque fee structure that exists in Council adopted Fees and Charges Schedule for 2019-20 financial year.

Officer's Recommendation:

THAT Council adopt the following amendments to the Register of Cost Recovery and Commercial Fees and Charges 2019-20 to take effect from 28 August 2019:

2.8 – Cemeteries

2.8.1 – Gatton, Laidley, Caffey, Forest Hill & Murphy's Creek

General Cemetery

Description	Amount (inc. GST)	GST Applies
Internment Fee – Monumental	\$1,490.00	Y
Internment Fee – Lawn	\$1,370.00	Y
Internment Fee for Child aged 12 and under	\$685.00	Y
Internment Fee - Centre Garden Double Niche	\$1,200.00	Y
Internment Fee - Western Garden Single Niche	\$800.00	Y
Internment Fee - Eastern Garden Double Niche	\$1,100.00	Y

Columbarium

Purchase of Columbarium Space

RESOLUTION

THAT Council adopt the following amendments to the Register of Cost Recovery and Commercial Fees and Charges 2019-20 to take effect from 28 August 2019:

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Internment Fee - Eastern Garden Double Niche	\$1,100.00	Y
Columbarium		
Purchase of Columbarium Space		
Moved By:	Cr Holstein	Seconded By:
		Cr Hagan
Resolution Number: 16-20/1494		
CARRIED		
6/0		

Report

1. Introduction

Council recently built an ashes memorial garden at the Laidley Cemetery as an alternative option for grieving families to intern ashes of their family members. Section 97 and 98 of the *Local Government Act 2009* states a local government is to fix cost recovery fees and a register to recoup costs associated with the construction of the ashes garden and to assist with ongoing maintenance that will occur with this asset. Whilst creating a fee structure for the new ashes garden, it was identified that efficiencies could be gained through changing process relating to columbarium plaques.

2. Background

On the 30 April 2018, under resolution 16-20/090, Council endorsed the construction of an ashes memorial garden at the Laidley Cemetery. The request for the establishment of the ashes memorial garden came from members of the community who wanted a different internment option for their family members. Council has recently completed the construction of the gardens.

3. Report

Lockyer Valley Regional Council in conjunction with the community has recently created an ashes memorial garden to provide an alternative internment option for the community. The garden consists of three areas of sandstone block landscape gardens which has been modified to secure ashes containers within the wall. These areas are identified as the centre, western and eastern gardens which consist of:

- 112 double niches (centre)
- 63 single niches (western garden)
- 76 double niches (eastern garden)

The following fee structure for internments within the garden walls has been established based on:

- the location of the niche within the garden
- the niche capacity availability
- the existing ashes internment infrastructure e.g. columbarium wall
- future expected maintenance costs of the gardens, and
- fees for internments of ashes in memorial gardens in surrounding Council's

The proposed fee structure is (GST Inc):

- Centre Garden Double Niche \$1,200
- Western Garden Single Niche \$800
- Eastern Garden Double Niche \$1,100

If it is determined that the fees endorsed for the memorial garden are affecting purchases of niches within the new ashes area Council can amend the fees accordingly through the fees and charges annual review process to stimulate usage.

Through analysis and document research to determine the fee structure for the Laidley ashes memorial garden, it was determined for efficiency gains to Council Customer Service Officers that amendment occur to the existing columbarium fees and charges to remove the supply and first inscription of plaques for the columbarium wall across council-controlled cemeteries. Currently Customer Service Officers engage with customers and suppliers to ensure that the plaque meets the customers standard, however issues have arisen around responsibilities for grammatical errors and associated costs between customers and the suppliers with council required often required to rectify.

With increased costs for the construction of columbarium walls and the costs associated with plaque supply and first inscription and Customer Service Officers time involved in the process, Council's current fee structure is proving inadequate to cover the costs to provide this service. It is proposed to amend the fees and charges to remove the supply of plaque and first inscription from Council fees and charges for 2019/2020 to assist in reducing the ongoing issues that are occurring. Council would still honour previous certificate of reservations that have been granted prior to the decision to amend the fees and charges and would not change the current purchase price of a niche.

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

The collection of fees associated with the Laidley ashes memorial garden will assist in covering the expenditure outlaid to complete the garden as well as assist in the maintenance costs to maintain the garden to a high standard for the community. Any extra revenue generated from the fees will then be used to fund future cemetery projects across the region. Maintenance activities carried out will be completed with existing resources from the Parks, Gardens and Cemeteries Unit and current budget allocations. By amending the columbarium wall fee structure to exclude plaque supply and first inscriptions this will assist in providing more capacity to customer service officers to undertake other

day to day activities and assist in offsetting costs for the maintenance of the columbarium walls and construction of further columbarium walls in the future.

6. Delegations/Authorisations

No additional or amended delegations are required to action this resolution. The Executive Manager Infrastructure Works and Services will act under current delegations to address the resolution.

7. Communication and Engagement

Council's decision on this matter will be communicated to relevant stakeholders by fees and charges on Council website, the creation of a fact sheet relating to the Laidley Ashes Memorial Garden indicating associate fees and charges which will be available on Council's website and by request. Amendment to the current columbarium wall factsheet will occur and published on the Council website to notify customers about the changes to plaque supply and first inscription.

8. Conclusion

The adoption of the fees proposed for the Laidley Ashes Memorial Garden and the amendment to the columbarium fees and charges will provide revenue to cover the cost to create the Laidley Ashes Memorial Garden as well as revenue to continue to develop council cemeteries in the future to cope with the continued demand that is required from the community.

9. Action/s

- 1) Amend fees and charges on Council's website to reflect endorsed changes to cemeteries fees and charges.
- 2) Amend current cemetery related factsheet to reflect fee changes.
- 3) Amend Council's Cemetery management plan to reflect Council's position on plaque supply.

14.0 ITEMS FOR INFORMATION

No Information Items

15.0 CONFIDENTIAL ITEMS

No Confidential Items

16.0 MEETING CLOSED

There being no further business, the meeting closed at 11:03am