

Agenda



ORDINARY MEETING OF COUNCIL

AGENDA

15 JULY 2020

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1. MEETING OPENED

2. LEAVE OF ABSENCE

No Leave Of Absence.

3. CONDOLENCES/GET WELL WISHES

3.1 Condolences/Get Well Wishes

Date: 30 June 2020

Author: Erin Carkeet, Governance and Strategy Officer

Responsible Officer: Anna Hebron, Group Manager People and Business Performance

Officer's Recommendation:

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

4. DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST BY COUNCILLORS AND SENIOR COUNCIL OFFICERS**4.1 Declaration of Material Personal Interest on any Item of Business**

Pursuant to section 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.

5. MAYORAL MINUTE

No Mayoral Minute.

6. CONFIRMATION OF MINUTES**6.1 Confirmation of Ordinary Meeting Minutes 17 June 2020**

Date: 30 June 2020
Author: Ian Church, Chief Executive Officer
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT the Minutes of the Ordinary Meeting of Lockyer Valley Regional Council held on Wednesday 17 June 2020 be taken as read and confirmed.

7. BUSINESS ARISING FROM MINUTES

No Business Arising from Minutes.

8. COMMITTEE REPORTS**8.1 Receipt of the Unconfirmed Minutes of the Audit and Risk Management Committee held on 18 June 2020**

Date: 25 June 2020

Author: Madonna Brennan, Governance and Strategy Advisor

Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT the unconfirmed Minutes of the Audit and Risk Management Committee Meeting held on 18 June 2020, as attached, be received and noted.

Attachments

1 [↓](#) Unconfirmed Minutes 18 June 2020 20 Pages



AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

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ATTENDANCE:

Councillor Members

- Cr Jason Cook
- Cr Chris Wilson

Independent External Members (Voting)

- Kerry Phillips (Chairperson)
- Mark Newton
- Martin Power

Attendees (non-voting)

- Ian Church, Chief Executive Officer
- Anna Hebron, Group Manager People & Business Performance
- Corrin Bischoff, Manager Business Performance
- Madonna Brennan, Governance and Strategy Advisor
- Jodi Marchant, Chief Financial Officer
- Cathy Blunt, O'Connor Marsden & Associates (Internal Audit)
- Matthew Monaghan, William Buck (External Audit), (via teleconference)
- Raechel Filler, Queensland Audit Office
- Susan Boland, Governance and Strategy Officer (Secretariat)
- Cr Brett Qualischefski (part of meeting)
- Dee Stewart, Management Accountant (Contract) (part of meeting)
- Caitlan Natalier, Coordinator Legal Services & Property (part of meeting)
- Raelene Linfield, Coordinator Procurement
- Amanda Pugh, Group Manager Community & Regional Prosperity
- Angelo Casagrande, Group Manager Infrastructure

1.0 MEETING OPENED

The meeting commenced at 10:01am.

2.0 APOLOGIES

There were no apologies for the meeting.

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

18 JUNE 2020

4.0 CONFIRMATION OF MINUTES

4.1 Confirmation of Audit and Risk Management Committee Meeting Minutes 27
February 2020

Date: 05 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

THAT the Minutes of the Audit and Risk Management Committee Meeting held on Thursday 27
February 2020 be taken as read and confirmed.

RESOLUTION

THAT the Minutes of the Audit and Risk Management Committee Meeting held on Thursday 27
February 2020 be taken as read and confirmed.

Moved By: M Newton Seconded By: M Power
Resolution Number: ARMC/0156

CARRIED
5/0

5.0 BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.0 AUDIT COMMITTEE REPORTS

6.1 Chief Executive Officer's Report

Date: 05 June 2020
Author: Ian Church, Chief Executive Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

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

Officer's Recommendation

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

RESOLUTION

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

Moved By: M Power **Seconded By:** Cr Cook

Resolution Number: ARMC/0157

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

**6.2 Review of Lockyer Valley Regional Council Draft Proforma Financial
Statements and Position Papers**

Date: 05 June 2020
Author: Jodi Marchant, Chief Financial Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to present the Audit and Risk Management Committee the draft proforma Financial Statements for 2019-20 financial year and the accounting position papers prepared which will inform the application of new accounting standards AASB 16, AASB15 and AASB 1058, as well as the assessment of Land Held for Sale.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the Lockyer Valley Regional Council Draft Proforma Financial Statements and Accounting Position Papers.
And further;
THAT any feedback on the Draft Proforma Financial Statements and Accounting Position Papers be provided to the Chief Financial Officer by close of business Thursday 2 July 2020.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the Lockyer Valley Regional Council Draft Proforma Financial Statements and Accounting Position Papers.
And further;
THAT any feedback on the Draft Proforma Financial Statements and Accounting Position Papers be provided to the Chief Financial Officer by close of business Thursday 2 July 2020.

Moved By: M Power **Seconded By:** M Newton
Resolution Number: ARMC/0158

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.3 Revaluation of Non-Current Assets 2019-20

Date: 05 June 2020
Author: Jodi Marchant, Chief Financial Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

As part of the accounting processes for the preparation of the 2019-20 financial statements, Council has conducted independent revaluations on its Land, Parks, Cemeteries, Bores, and Infrastructure asset classes.

The revaluation process has resulted in an increase in the fair value for Land and an overall decrease in the fair value of Council's Infrastructure assets. Adjustments were made to parks and cemeteries which were last valued in 2016 and bores which were last valued in 2013, with asset classes including new categories.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the report on revaluation of non-current assets 2019-20.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the report on revaluation of non-current assets 2019-20.

Moved By: K Phillips **Seconded By:** M Power
Resolution Number: ARMC/0159

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.4 External Audit Update Including the 2020 Audit Interim Report

Date: 05 June 2020
Author: Jodi Marchant, Chief Financial Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The attached report provides an update on the activities of Council's External Auditor, including the 2020 Audit Interim Report.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the External Audit Update including the 2020 Audit Interim Report.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the External Audit Update including the 2020 Audit Interim Report.

And further;

THAT Deficiency 20IR-1 review of payroll exception reports control activities from the 2020 Audit Interim Report be included on the Audit Register for action and progress reporting.

Moved By: Cr Cook **Seconded By:** M Newton
Resolution Number: ARMC/0160

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.5 Review of Business Continuity Plan

Date: 05 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to present to the Audit and Risk Management Committee Council's Business Continuity Plan utilised to guide Council's response to the COVID-19 Pandemic for review.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note Council's Business Continuity Plan utilised to guide Council's response to the COVID-19 Pandemic.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note Council's Business Continuity Plan utilised to guide Council's response to the COVID-19 Pandemic.

Moved By: Cr Wilson **Seconded By:** Cr Cook
Resolution Number: ARMC/0161

CARRIED
5/0

The meeting adjourned for a short break at 11.24 am and resumed at 11.33am.

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.6 Internal Audit Update

Date: 05 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to present the Audit and Risk Management Committee with an update on Internal Audit activity that has occurred since the previous meeting of the Committee held on 27 February 2020 and to endorse the revised three-year Internal Audit Plan in preparation for the 2020-21 financial year.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the Internal Audit Update.
Further;
THAT the Audit and Risk Management Committee accept the Report on Council's Legislative Compliance provided by O'Connor Marsden and Associates and the inclusion of the agreed management action summaries in Council's Audit Register for action and future progress reporting.
And further;
THAT the Audit and Risk Management Committee endorse Council's revised three-year Internal Audit Plan.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the Internal Audit Update.
Further;
THAT the Audit and Risk Management Committee accept the Report on Council's Legislative Compliance provided by O'Connor Marsden and Associates and the inclusion of the agreed management action summaries in Council's Audit Register for action and future progress reporting.
And further;
THAT the Audit and Risk Management Committee endorse Council's revised three-year Internal Audit Plan subject to the amendments being made in relation to the feedback provided from the Committee on the Financial Sustainability item.

Moved By: M Newton **Seconded By:** Cr Wilson
Resolution Number: ARMC/0162

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.7 Annual Review of Performance of Internal Audit and Internal Audit Charter

Date: 05 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report is presented to the Audit and Risk Management Committee to facilitate the requirement to undertake an annual review of the performance of Internal Audit and the Internal Audit Charter, as identified in the Internal Audit Charter and Committee's rolling work plan.

Council's Governance and Strategy Advisor will facilitate a workshop at the meeting to complete the review on the performance of Internal Audit.

Officer's Recommendation

THAT the Members of the Audit and Risk Management Committee undertake a review of the Internal Audit Charter as attached and provide comments or recommended changes to Council's Governance and Strategy Advisor on behalf of the Chief Executive Officer by Friday 24 July 2020. And further;
THAT the Members of the Audit and Risk Management Committee participate in the workshop to review the performance of Internal Audit with the outcome to be presented to Council for consideration.

RESOLUTION

THAT the Members of the Audit and Risk Management Committee reviewed and endorsed the Internal Audit Charter.
Further;
THAT the Members of the Audit and Risk Management Committee reviewed the performance of Internal Audit and determined that they met expectations.
And further;
THAT the outcome of the review of the performance of Internal Audit to be presented to Council for consideration.

Moved By: M Newton **Seconded By:** Cr Wilson
Resolution Number: ARMC/0163

CARRIED
5/0

Note: All advisors with the exception of the Governance and Strategy Advisor left the meeting whilst the review of the performance of internal audit was conducted.

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.8 Risk Management Update

Date: 05 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to provide the Audit and Risk Management Committee (Committee) with an update on the progress of Council's risk management functions since the previous meeting of the Committee held on 27 February 2020 and to endorse the amendments to the Key Corporate Risk Register.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the Risk Management Update, and endorse the revised Key Corporate Risk Register, as attached to this report.

RESOLUTION

THAT the Audit and Risk Management Committee receive and note the Risk Management Update, and endorse the revised Key Corporate Risk Register.

Moved By: M Power **Seconded By:** Cr Cook
Resolution Number: ARMC/0164

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

Cr Cook left the meeting, the time being 12:32pm and returned at 12.52pm.

6.9 Strategic Procurement Review Progress Update

Date: 10 June 2020
Author: Corrin Bischoff, Manager Business Performance
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report provides an update for the Committee on the progress of implementing the recommendations contained within the Strategic Procurement Review.

Officer's Recommendation

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

RESOLUTION

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

Moved By: Cr Wilson **Seconded By:** M Newton
Resolution Number: ARMC/0165

CARRIED
5/0

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.10 Audit Register Progress Update

Date: 09 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report provides the Audit and Risk Management Committee (Committee) with an update on the actions undertaken in relation to the recommendations/actions identified in Council's Audit Register.

Officer's Recommendation

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

Further;

THAT the Audit and Risk Management Committee accept that item numbers 17IACS3.2.12, 17EACR3.1.8, 18IACPR9, 18IACPR17, 18IACPR18 and 18IACPR19 are completed and can be archived from the active Audit Register.

And further;

THAT the Audit and Risk Management Committee accept that remaining action items to be delivered for the Tendered Contracts Review be captured on the Audit Register as aligned below:

19IATCR1.1 – Strategic Procurement Planning – Formality of strategic procurement planning	19IATCR1.1.1 and 19IATCR1.1.3
19IATCR2.1 – Administrative Delegations – application of financial and administrative delegations	19IATCR2.1.5, 19IATCR2.1.7 and 19IATCR2.1.8
19IATCR2.2 – Bank Guarantees – application of administrative and financial delegations in planning and approving bank guarantees	19IATCR2.2.9, 19IATCR2.2.10, 19IATCR2.2.11, 19IATCR2.2.12 and 19IATCR2.2.13
19IATCR2.3 – Awarded Contract Publication – application of financial and administrative delegations planning approvals	19IATCR2.3.16,
19IATCR3.1 – Procurement Policy and Procedure Maintenance – determining procurement approach and calling tenders	19IATCR3.1.17
19IATCR4.1 – Probity and risk management	19IATCR4.1.8
19IATCR5.1 – Consideration of health and safety compliance	19IATCR5.1.20, 19IATCR5.1.21,
19IATCR6.1/7.1 – Contract management and performance monitoring procedures	19IATCR6.1.22, 19IATCR6.1.23, 19IATCR6.1.24, 19IATCR6.1.25, 19IATCR6.1.26, 19IATCR6.1.27, 19IATCR6.1.28, 19IATCR6.1.29, 19IATCR6.1.30, 19IATCR6.1.31, 19IATCR7.1.26, 19IATCR7.1.27, 19IATCR7.1.28 19IATCR7.1.29, 19IATCR7.1.30 and 19IATCR7.1.31
19IATCR8.1 – Procurement and Contract Analysis and Reporting	19IATCR8.1.32, 19IATCR8.1.33, 19IATCR8.1.34, 19IATCR8.1.35, 19IATCR8.1.36, 19IATCR8.1.38, 19IATCR8.1.39 and 19IATCR8.1.40
19IATCR9.1 – Contract review and acceptance	19IATCR9.1.41 and 19IATCR9.1.42

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AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

6.11 Committee Annual Self-Assessment and Review of Committee Charter and Code of Conduct

Date: 05 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report is to inform the Audit and Risk Management Committee of its requirement to undertake an annual self-assessment and review of the Committee Charter and Code of Conduct as identified in the Audit and Risk Management Committee Charter.

Officer's Recommendation

THAT Members of the Audit and Risk Management Committee:

- Undertake a review of the Audit and Risk Management Committee Charter and Code of Conduct.
- Conduct the annual self-assessment of the Audit and Risk Management Committee's performance for the 2019-20 financial year.
- Provide the completed self-assessment and feedback on the Audit and Risk Management Committee Charter and Code of Conduct to Council's Governance and Strategy Advisor by 24 July 2020.

And further;

THAT a report is provided to the 6 August 2020 Audit and Risk Management Committee meeting summarising the outcomes of the self-assessments and review of the Charter and Code of Conduct.

RESOLUTION

THAT Members of the Audit and Risk Management Committee:

- Undertake a review of the Audit and Risk Management Committee Charter and Code of Conduct.
- Conduct the annual self-assessment of the Audit and Risk Management Committee's performance for the 2019-20 financial year.
- Provide the completed self-assessment and feedback on the Audit and Risk Management Committee Charter and Code of Conduct to Council's Governance and Strategy Advisor by 24 July 2020.

And further;

THAT a report is provided to the 6 August 2020 Audit and Risk Management Committee meeting summarising the outcomes of the self-assessments and review of the Charter and Code of Conduct.

Moved By: Cr Wilson

Seconded By:

Cr Cook

Resolution Number: ARMC/0167

CARRIED

5/0

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AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

7.0 ITEMS FOR INFORMATION

7.1 Financial Performance Report

Date: 10 June 2020
Author: Jodi Marchant, Chief Financial Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report provides the Audit and Risk Management Committee with the summary of Council's financial performance against budget for the financial year to 30 April 2020 and the budget review for the period as at end of April 2020 including the amended Long Term Financial Forecast.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the Financial Performance information report.

RESOLUTION

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

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AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

7.2 Committee Minutes Action Items Update

Date: 09 June 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to provide the Audit and Risk Management Committee with an overview and feedback on the action items arising from the resolutions made by the Audit and Risk Management Committee from August 2019 to June 2020.

Officer's Recommendation

THAT the Audit and Risk Management Committee receive and note the Committee Minutes Action Item update, as attached to this report.

RESOLUTION

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

AUDIT & RISK MANAGEMENT COMMITTEE
MEETING MINUTES

18 JUNE 2020

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

Committee members held a closed session discussion with internal and external audit; and a representative from the Queensland Audit Office. Council Advisors left the meeting for this session.

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 1:40 pm.

UNCONFIRMED

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8.2 Receipt of the Unconfirmed Minutes of the Local Disaster Management Group Meeting held on 11 June 2020

Date: 26 June 2020
Author: Michelle Kocsis, Coordinator Disaster Management
Responsible Officer: Anna Hebron, Group Manager People and Business Performance

Officer's Recommendation:

THAT the unconfirmed Minutes of the Local Disaster Management Meeting held on 11 June 2020, as attached, be received and noted.

Attachments

1 [!\[\]\(003082e50e3009141f59bd5df831749f_img.jpg\)](#) Unconfirmed Minutes 11 June 2020 11 Pages



GROUP NAME	Lockyer Valley Regional Council (LVRC) Local Disaster Management Group (LDMG)
TIME OF MEETING	10.00am
DATE OF MEETING	Thursday 11 June 2020
LOCATION OF MEETING	Via Skype as per the calendar invitation

ATTENDEES

Attendees		
NAME	AGENCY / ROLE	NAME
Cr Tanya Milligan	LVRC Mayor/Chair, LDMG	Eleanor Carter
Cr Janice Holstein	LVRC Cr/Deputy Chair, LDMG	Matthew Kelly
Michelle Kocis	LVRC/LDMG Member	Michelle Sippel
Rowland Browne	QPS/LDMG Member	Chris Job
Tim Burchmann	QFES/LDMG Member	Gary Chalmers
Deb O'Brien	QHealth/LDMG Member	Peta Foster
Bob Bundy	SES/LDMG Member	Jade Moorby
Kerri MacMahon	LDMG Secretariat	Corrin Bischoff
		POSITION TITLE
		Red Cross/LDMG Advisor
		QFES/LDMG Deputy Member
		TMR/LDMG Advisor
		QPWS/LDMG Advisor
		Energex/LDMG Advisor
		QUU/LDMG Advisor
		QRA
		LVRC/Observer



APOLOGIES			
NAME	AGENCY / ROLE	NAME	POSITION TITLE
Paul Hardie	QAS/LDMG Deputy Member	Kevin Haak	QR/LDMG Advisor
Ryan Beaumont	SES/LDMG Deputy Member	Annabelle Johnstone	DCDS/LDMG Advisor
Terry Hayden	LDMG Advisor	Andrew Campbell	DNRME (Heildon)/LDMG Advisor
Regan Drahelm	QPS/LDMG Deputy Member	Linda Herden	NBN Advisor
Anna Hebron	LVRC/LDMG Local Disaster Coordinator (LDC)	Ian Church	LVRC, Chief Executive / Recovery Coordinator
Craig Berry	QPS/XO DDC	Janelle Zahmel	UQ Gatton/LDMG Advisor
Trudy Stone	QAS/LDMG Member		

MINUTES

Quorum 6/8 LDMG Members

ITEM	DESCRIPTION	MATTERS FOR DISCUSSION	RESPONSIBLE OFFICER
1	Meeting Welcome & Apologies	Meeting opened at 10.00am. Meeting was conducted by teleconference due to COVID-19 pandemic restrictions. The Chair welcomed the group and visitors. Apologies were noted as above.	LDMG Chair
2	Confirmation of Previous Meeting Minutes	Local Disaster Management Group Meeting Minutes <ul style="list-style-type: none"> Confirmation of draft Minutes of the Lockyer Valley Local Disaster Management Group meeting held on 17 March 2020 and the COVID-19 Extraordinary Meeting on 31 March 2020 Minutes of Bushfire Sub Committee Meeting Minutes <ul style="list-style-type: none"> Acknowledgement of the draft Minutes of the LVRC LDMG Bushfire Sub Committee meeting held on 22 May 2020 	LDMG Chair

Lockyer Valley Regional Council Local Disaster Management Group – Meeting 11 June 2020 - Minutes




ITEM	DESCRIPTION	MATTERS FOR DISCUSSION	RESPONSIBLE OFFICER
		<p>Resolution That the Minutes of the Lockyer Valley Local Disaster Management Group meeting held on 17 March 2020 and the COVID-19 Extraordinary Meeting on 31 March 2020 are endorsed; and the Draft Minutes of the Bushfire Sub Committee meetings held on 22 May 2020 are noted.</p> <p>Carried by 6/6 LDMG Members present.</p>	
3	Action Items from Last Meeting (17/3/2020)	<p>Exercise Shaky Ground – due to COVID-19, Exercise Shaky Ground was postponed.</p> <p>The LDMG Chair advised that there has been 3 attempts for the LDMG to undertake this Exercise which have had to be cancelled. A new date of the 21st of July 2020 has now been set and a meeting notice has been issued. Please let Michelle Kocsis know if you haven't received the meeting notice.</p> <p>The LDMG Draft V6.0 and Bushfire Sub Plan Draft V5.0 were issued to members prior to the meeting for review and feedback. A reminder was sent for these versions to be ratified and confirmed at this meeting. Michelle Kocsis advised the changes for each draft to the group. Endorsement of the plans was sought from the LDMG at the meeting.</p>	LDMG Chair
4	Review of Local Disaster Management Plan (LDMP) and Sub Plans	<p>Resolution That the Lockyer Valley Local Disaster Management Group endorse the draft Local Disaster Management Plan Version 6.0 and the draft Bushfire Sub Plan Version 5.0.</p> <p>Carried by 6/6 LDMG Members present</p>	LDMG Chair

Lockyer Valley Regional Council Local Disaster Management Group – Meeting 11 June 2020 - Minutes



5	Local Bushfire Recovery Plan	<p>Endorsement was sought from the LDMG of the 2019 Bushfires Recovery Plan on a Page.</p> <p>The draft document was developed following the 2019 bushfires and sent out to Members and Advisors for review. A number of agencies with functional recovery roles as well as Council officers were involved in preparing this document. The LDMG Chair thinks it is an excellent document. Michelle Kocis advised that the 3-hour workshop was a good start for this document and thanked Jade Moorby, QRA for her assistance in pulling it together.</p> <p>Resolution That the Lockyer Valley Local Disaster Management group endorse the Lockyer Valley 2019 Bushfires Recovery Plan Version 1.0.</p> <p>Carried by 6/6 LDMG Members present</p>	LDMG Chair
	Operation Cool Burn 2020	<p>The West Moreton Area Fire Management Group have developed the 2020 Operation Cool Burn Lockyer Valley Regional Bushfire Risk Mitigation Plan. Endorsement of the plan was sought at this meeting. No comments or feedback were received.</p> <p>Resolution That the Lockyer Valley Local Disaster Management group endorse the 2020 Operation Cool Burn Lockyer Valley Regional Bushfire Risk Mitigation Plan</p> <p>Carried by 6/6 LDMG Members present</p>	LDMG Chair





LOCKYER VALLEY REGIONAL COUNCIL
LOCAL DISASTER MANAGEMENT GROUP
MINUTES – 11 JUNE 2020

REGIONAL COUNCIL

5	<p>Federal crisis funding for Community Centres</p>	<p>A matter was raised in Parliament by the Lockyer MP, Jim McDonald regarding additional funding to community centres and concerns raised by Laidley Community Centre about the blanket approach of regional distribution of Federal crisis support funding to contracted emergency relief organisations on a regional basis. The Laidley Community Centre raised concerns as to whether this is the most effective way to allocate targeted assistance, particularly in relation to disasters affecting rural areas such as drought and bushfire. The LDMG Chair sought LDMG support for advocacy through the Federal Member of Parliament to rectify this issue prior to future disasters.</p> <p>The LDMG Chair advised how the Laidley Community Centre falls in the Ipswich region so the funding gets distributed throughout that region and the logistics after that of our people needing support accessing support. Those organisations whose communities were not bushfire impacted then come back to the Laidley Community Centre for distribution of those funds. This is Federal Emergency Relief funding through the Department of Social Services. The Manager of the Laidley Community Centre is concerned that organisations are unable to expend funds given for bushfires, drought, etc, and are then able to roll those funds over at the end of the financial year, however they should instead be required to return the funds for reallocation to organisations such as the Community Centre who are able to ensure those impacted and still waiting for assistance can be assisted. The Chair asked for LDMG support to send a letter of support</p> <p>ACTION ITEM: The LDMG Chair to write a letter of support to the Federal Member to ask for his assistance with this matter; once the draft is ready it will be sent to LDMG Members for their review and feedback before it goes to the Federal Member.</p>	<p>LDMG Chair</p>
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COVID-19 Pandemic Lessons	<p>Discussion lessons identified during the COVID-19 response</p> <ul style="list-style-type: none"> • What worked well • what could be done differently • Issues identified • Actions needed <p>Michelle Kocis advised that sheer volume of information received, and management of that information placed her at the number one spot of data usage in the organisation which posed the question as to how we (the Disaster Management sector) can better manage information better during disasters. If we have another large event and have limited communication capability, then we may have an issue. The information sharing was wonderful, but the sheer volume wasn't great. In relation to information flow we know initially that communications aren't perfect until we get websites and other methods of communication up and running. Michelle advised that the LDMG worked with West Moreton Health and Hospital Service to get more accurate reporting and statistics relating to the Lockyer Valley and Local Government level so that we could advise our community about what was going on, without breaching privacy.</p> <p>Deb O'Brien from Qld Health advised that she was initially disappointed in the inability to share and filter out the local information that needed to go to our local region in order to manage community needs and expectations, which the LDMG Chair also agreed with. Deb said trying to filter vast quantities of information to the most valid and meaningful information as well as attending every meeting was very taxing and resulted in very long days of meetings and potential delays to up to date information.</p> <p>The LDMG Chair advised that she had a conversation with someone higher up in QHealth in relation to the slow release of local information advising that it undermined our relationship with the community and Deb O'Brien advised from their perspective, they agreed with that too. I was very pleased to be able to quickly escalate and move past those issues to enable a more streamlined approach to our communications.</p>	Michelle Kocis
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Lockyer Valley Regional Council Local Disaster Management Group – Meeting 11 June 2020 - Minutes

		<p>Matthew Kelly from QFES advised that they were pleased given the workload that the LDMG met by Exception so that organisations could continue with their day-to-day work</p> <p>Eleanor Carter from Red Cross echoed what Matthew Kelly advised in that being able to remotely link in to meetings was great as they are more productive and people are not having to drive to meetings. Eleanor also indicated there were more productive copies of the same reports being emailed around and a central repository would be a good idea so that organisations can access the reports and agency updates instead of getting them multiple times. From an organisational perspective, they were grateful for the LDMG and the agencies involved in supporting Red Cross and them in turn supporting those in the community in lock down, etc. Eleanor offered a thank you to the group.</p> <p>The LDMG Chair advised that the QRA are looking at facilitating the development of 11 Regional Recovery Strategies to verify impacts and identify medium and long-term opportunities for our regions. The Regional Recovery Strategies will consider the health, economic and human and social impacts of COVID-19 and look at transformational opportunities that will improve local and regional economies and service delivery through initiatives such as E-Commerce, new industries, and skills. The LDMG Chair, the LVRC CEO and Deb O' Brien from Qld Health have been nominated to be part of this group. The group will also be looking to undertake some surveys and capture opportunities that will improve at a local and regional level in terms of service delivery.</p>	
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6	Bushfire Recovery Funding Opportunities	Shared Bushfire Resilience & Recovery Community Development Officer funded position. Old Emergency Risk Management Framework (QERMF) and action plan. Michelle Kocsis advised that there is an opportunity under the category of the bushfire disaster recovery funding arrangements for a Bushfire recovery and resilience officer split between Somerset and Lockyer Valley Regional Councils with an application for a joint position being lodged and are awaiting outcome. Michelle also advised she is waiting to hear about joint funding to implement the Queensland Emergency Risk Management Framework (QERMF) into Lockyer Valley and Somerset Local Disaster Management Group. There is a body of work that the State released in 2017 that if we can get some funding for, may be able to be completed. The plan is that someone would be engaged to review existing risk assessments and look at our risks etc and go through a scenario assessment type arrangement so this body of work can be completed.	Michelle Kocsis
7	Seasonal Outlook	Update on the Seasonal Outlook – Tim Burchmann advised that the rain we had earlier this year has meant the regrowth of grass and vegetation, providing a lot more fuel on the ground at the moment. He advised if we don't get good rain in the next 6-8 weeks, it will be a very busy bushfire season. Operation Cool Burn is to look at some of the high risk areas that can be burnt. If we don't get good rain it could be a worse season than the last one.	Tim Burchmann
8	Get Ready Lockyer Emergency Services Day	This event is held every 2 years and the Lockyer Valley was due was due to hold theirs this year in August, but it has been cancelled due to impacts of COVID-19 pandemic. Given we won't be holding it this year and Toowoomba holds theirs in the year we don't, we will not be holding a Get Ready Day until 2022.	Michelle Kocsis

Lockyer Valley Regional Council Local Disaster Management Group – Meeting 11 June 2020 - Minutes



9	Training	<p>Training Needs Analysis – Matthew Kelly from QFES thanked all the members for undertaking their training online. There is a mandatory online course for Members and Deputy Members but not Advisors of this LDMG Group. Matthew advised that says if you do have a chance to undertake the training, regardless of your role on the LDMG, it is good to do. With the endorsement of the LDMG Chair, Michelle Kocsis would like to ensure all members do this mandatory training. The LDMG Chair said the training tool has been well received, easy to understand and not tedious. If you haven't accessed the online training system or you need assistance, talk to Matthew Kelly. We need to be on top of our training.</p> <p>Each agency is requested to provide an Agency Update prior to the meeting.</p> <p>Items of significance will be discussed during the meeting.</p> <p>Deb O'Brien from Qld Health advised that the Gattton Hospital is still doing COVID-19 tests for large groups of people there. They are also operationally planning a winter contingency as well. The hospital has reported a large uptake of flu vaccinations with reporting indicating they are seeing the commencement of the flu season with an increase in reported numbers. The LDMG Chair thanked Deb and all agencies for everything during this pandemic, expressing gratitude for everyone's patience and support during this time. The LDMG Chair also advised that some elements of Council are re-opening from Monday the 15th of June.</p> <p>Bob Bundy from SES advised that they have started to return to training and were recently involved in a local search and also one at Kilcoy.</p> <p>Chris Job from Qld Parks and Wildlife Services advised that Clarkes camping ground is re-opening.</p>	Matthew Kelly
10	Agency Updates		All agencies

Lockyer Valley Regional Council Local Disaster Management Group – Meeting 11 June 2020 - Minutes



		<p>Jade Moorby from QRA advised that Queensland Councils are eligible to apply for the \$13.1 million 2019-20 Queensland Resilience and Risk Reduction Fund. Visit the QRA website for more information on how to apply. Applications close 22 July 2020</p> <p>The Queensland Reconstruction Authority has asked for regional recovery representation from a range of agencies on Functional Recovery Groups in response to COVID-19. The QRA have created 11 recovery regions. Nominations for the group were due by Friday, 12 June 2020. This will be followed by workshops.</p>	
11	General Business	<p>Any general business items</p> <ol style="list-style-type: none"> 1. Lockyer Valley Get Ready Guide: A local get ready guide has been prepared using Get Ready QLD funding. There electronic version is available for viewing and download at https://issuu.com/lockyvalleyregionalcouncil/docs/lvrc_get_ready_guide_2020_a5_booklet-final_29-04 and a hard copy version – if you'd like some hard copies, please get in touch with Michelle Kocsis. 2. Cultural Burning: There was a cultural burn at Mount Kynoch and cultural 5th of June, with Victor Jefferson (internationally recognised fire practitioner). The LDMG Chair was impressed with the burning and the cultural significance of the burning practice, as well as also understanding the benefits of it for our landholders and farmers. She is keen to have partnerships and look at opportunities where we can have some community workshops and forums and engage with our community. Matthew Kelly from QFES advised it was very interesting to see them engaging the young people and he is interested to see what happens with burning on a longer term basis as opposed to short term burning. Cr Janice Holstein also found it quite interesting and can see where it can be used but perhaps more in conjunction with some of the practices that are used today – not one versus the other – but hand in hand. It would definitely be useful in parks and wildlife areas. 	LDMG Chair



		<p>Concern was raised about the extra cost that it would cost to undertake burns this way but it was good to understand that with a cultural burn, the window of burning is much larger during the year than how we currently burn so there are potentially more benefits going forward. Michelle Kocsis thought it was great and would be good to see it hand in hand with current burns, the way we are conducting and exploring possibilities for both practices together.</p> <p>3. Rocky's Own Transport Site Emergency Response Procedure: This company is based at Helidon and falls within the Helidon explosive precinct. They are transporters of components of explosives and have lodged a copy of their site emergency plan for LDMG information only. They have participated in explosive scenario exercises as part of the LDMG requirements. Their plan will be attached with these minutes but is <i>not for distribution</i>.</p> <p>4.</p> <p>The next LDMG meeting will be held on 22 October 2020 at 10.00am.</p>	
12	Next Meeting	Meeting notices have been issued for this meeting. Please contact the LDMG Secretariat ldmg@lvrcc.qld.gov.au if you do not have the meeting notice in your calendar.	LDMG Chair
13	Meeting Close	The meeting closed at 11.00am. The LDMG Chair thanked everyone for their commitment over the past few weeks and everyone working together with the pandemic.	

Lockyer Valley Regional Council Local Disaster Management Group – Meeting 11 June 2020 - Minutes



9. DEPUTATIONS/PRESENTATIONS

No Deputations/Presentations.

10. EXECUTIVE OFFICE REPORTS**10.1 Interim Summary of Council Actual Financial Performance vs Budget - 30 June 2020**

Date: 26 June 2020

Author: Jodi Marchant, Chief Financial Officer

Responsible Officer: Ian Church, Chief Executive Officer

Purpose:

The purpose of this report is to provide Council with an update of Council's financial performance against budget for the financial year to 30 June 2020. Final adjustments will be made as part of the audit process and any major changes will be reported back to Council with the final audited statements.

Officer's Recommendation:

THAT Council receive and note the Interim Summary of Council Actual Financial Performance versus Budget to 30 June 2020.

Executive Summary

In accordance with Section 204 of the *Local Government Regulation 2012*, a financial report summarising the progress of Council's actual performance against budget is to be presented to Council. This report provides an interim summary of Council's financial performance against budget for the financial year to 30 June 2020.

Finance and Resource Implications

The financial results within this report are still subject to adjustments as part of the end of financial year and audit process. Any major changes to this result will be included in a future financial report to Council.

The interim report shows an interim operating surplus of \$1.07 million which is \$0.67 million more than budgeted. There are further adjustments to be made to the accounts which will change the amount of the surplus.

The budget for revenue is forecast on a conservative basis, which can lead to large variances in items which are difficult to predict such as development fees and charges. These variations are adjusted during the year through the budget review process, except for the last quarter where no review is completed. As the additional revenues may not be received in future years, the future budget is based on the original budget with a small allowance for growth.

As a result of the incomplete capital works program, the amount of accrued expenditure and grant income received in advance as part of COVID-19 relief initiatives from State and Federal Government, Council's cash balance at 30 June is \$6.43 million more than expected. To determine future

implications, the final balances will be updated into the long term financial plan following completion of the audit in September.

Corporate Plan

Corporate Plan Goal

Leadership and Council

Outcome

- 5.1 Undertake robust and accountable financial, resource and infrastructure planning and management to ensure affordable and sustainable outcomes for our community.
- 5.7 Compliant with relevant legislation

Consultation

Internal Consultation

- Managers and Group Managers across the business as needed for information
- Finance Team

Proposal

Overview

Monthly reporting of Council's financial performance is a legislative requirement and reinforces sound financial management practices throughout the organisation. The following report provides an interim summary of Council's financial performance against budget to 30 June 2020.

Operating Revenue - Year to date target \$61.32 million Actual \$59.75 million or 97.44%

At 30 June 2020, overall operating revenue for the year to date is on target.

Rates and Utility Charges (Gross) under budget by \$0.31 million

94.03% of issued rates were collected by 3 July 2020. The collection of rates revenue has been closely monitored to understand the impacts of COVID-19 for rate payers. Rates collection is approximately 1.5% under the usual amount for this time of year. This will continue to be monitored and reported to Council into the 2020/2021 financial year and as the next rates levy is raised. Rates revenue is short of budget due to a budgeted growth rate not being achieved due to the current economic climate.

Fees and Charges over budget by \$0.36 million

The favourable variances in fees and charges relate predominately to Development Applications being \$0.21 million higher than expected and animal registrations and SPER fines being \$0.08 million higher than expected for this time of the year. Saleyard fees are \$0.05 million above budget. Partially offsetting these favourable variances, rating searches and fees are currently showing under budget by \$0.05 million; Child Care is also under its expected revenue budget by \$0.05 million with the latter to be monitored for trends in changing occupancy rates.

Interest Revenue under budget by \$0.12 million

Interest rates have continued to drop over the last six months, reflecting in the reduced revenue achieved from term deposit investments.

Operating Grants and Subsidies over budget by \$1.30 million

Operating grants and subsidies are showing above budget for this time of year mostly due to the prepayment of MIPP 2 funding of \$0.66 million, illegal dumping grant of \$0.08 million and regional skills investment strategy funding of \$0.18 million. The relevant adjustments for the prepaid grants will be processed during finalisation of the end of financial year statements. Council received \$0.15 million more than expected in funding from the financial assistance grant. Child Care subsidies are \$0.17 million above estimates. This is mostly due to a higher than expected Child Care Subsidy provided in assistance to support child care centres providing a free service as a relief measure due to COVID-19.

Operating Contributions and Donations under budget by \$0.30 million

Operating contributions and donations are showing as under budget due to the timing of the delivery of resilient rivers projects and a delay in a claim for a contribution of \$0.05 million for waste minimisation.

Contract/Recoverable Works under budget by \$0.28 million

Revenue for the Staging Post is under budget by \$0.27 million due to the closure of the Café during the COVID pandemic. The Staging Post Café and the Function Centre will not reopen this financial year and, therefore, there will be no further revenue for this business.

The profit from Council's investment in Queensland Urban Utilities (QUU) is still awaiting final confirmation from QUU with further adjustments required before the final profit is known.

Operating Expenditure - Year to date target \$60.92 million Actual \$58.68 million or 96.32%

At 30 June 2020, overall operating expenditure for the year to date is on target.

Employee costs over budget by \$1.53 million

Employee costs are over budget due to a correction to annual leave balances to correctly account for the leave loading on employee annual leave balances, as well as the recognition of an unbudgeted provision for costs associated with the Organisational Effectiveness Review and structure realignment. There will be further adjustments to this line item as part of the finalisation of the end of year financial statements.

Goods and Services under budget by \$3.76 million

Goods and services are under budget across several areas. These variances will mostly be due to timing differences and are expected to be in line with budget forecasts once the end of year accrued expenses are finalised. The larger variances include Environmental Planning \$0.47 million due to the timing of project expenditure; Planning Scheme Consultants \$0.16 million; ICT Software Maintenance and consultants \$0.56 million; Marketing and Tourism Initiatives projects due to timing and deferment of project expenditure \$0.17 million; Insurance and Governance \$0.15 million; Rates valuation expenses due to timing of invoice \$0.14 million, Waste disposal due to timing of contract invoice \$0.35 million; Less than expected cost of the 2020 Local Government elections \$0.17 million; Fleet, Roads and Drainage materials and contracts \$0.37 million. Offsetting the underspend on budget is an overspend on Regional Development consultants due to earlier than expected costs on the MIPP 2 project \$0.13 million.

Capital Revenue – Year to date target \$2.69 million Actual \$4.66 million or 172.91%

Capital grants, subsidies and contributions is over budget due a \$0.05 million and a \$0.10 million contributions towards roadworks received from Department of Transport and Main Roads and Toowoomba Regional Council. Council received \$1.52 million in developer contributed assets which is

not included in the budget. Blackspot funding is over budget by \$0.27 million. This is due to an early payment of funding for the 2020/2021 financial year. The relevant adjustments for the prepaid grants will be processed during finalisation of the end of financial year statements.

Capital Expenses – Year to date target \$.09 million Actual \$1.88 million

The amount shown against capital expenses relates to accounting adjustments associated with Council's asset capitalisation processes and loss on disposal of assets. The high value is attributed assets being replace or upgraded prior to the end of their useful life.

Capital Expenditure – Year to date target \$15.47 million Actual \$13.51 million or 87.36%

At 30 June 2020, Council has expended \$13.51 million on its capital works program with a further \$1.38 million in committed costs for works currently in progress.

The main expenditure is \$11.83 million within Infrastructure Group with a significant amount being capital expenditure on the renewal of roads and bridges assets. There has been \$1.03 million spent on the renewal and upgrade of Council facilities. There has also been significant capital works on the Transfer Stations, Parks and Open and Spaces and the renewal of Council's fleet assets. The Community and Regional Prosperity Group has capital expenditure of \$0.79 million which has been mostly on Cahill Park Amenities and NDRP Flood capital projects. The People and Business Performance Group has capital expenditure of \$0.88 million with the major item of expenditure being on Information Technology assets.

Capital projects not complete by 30 June with works ongoing will be included as carry forward adjustments in the first quarter budget review in 2020/2021 financial 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 30 June, Council had \$34.25 million in current assets compared to \$16.69 million in current liabilities with a ratio of 2.05:1. This means that for every dollar of current liability, there is \$2.05 in assets to cover it.

Statement of Cash Flows

The Statement of Cash Flows provides information on the amount of cash coming in and going out. As at 30 June, there has been a net cash inflow of \$3.21 million with \$14.09 million received from operating activities; a net cash outflow of \$9.44 million being spent on capital works; and a further net outflow of \$1.44 million for debt repayments.

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 30 June, Council's cash balance was \$26.31 million.

Legal Implications

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.

Policy Implications

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

Risk Considerations

Key Corporate Risk Category:

FE2

Reference and Risk Description:

Finance and Economic

Decision making governance, due diligence, accountability and sustainability.

Previous Council Resolutions

Nil

Related Documentation

Nil

Critical Dates

Nil

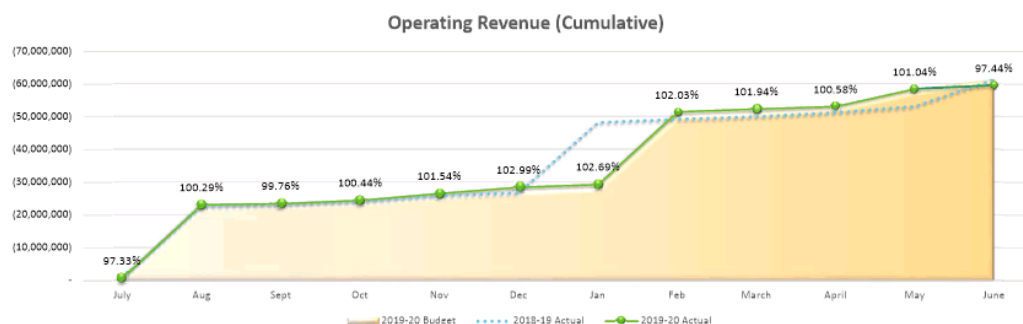
Implementation

No further actions required.

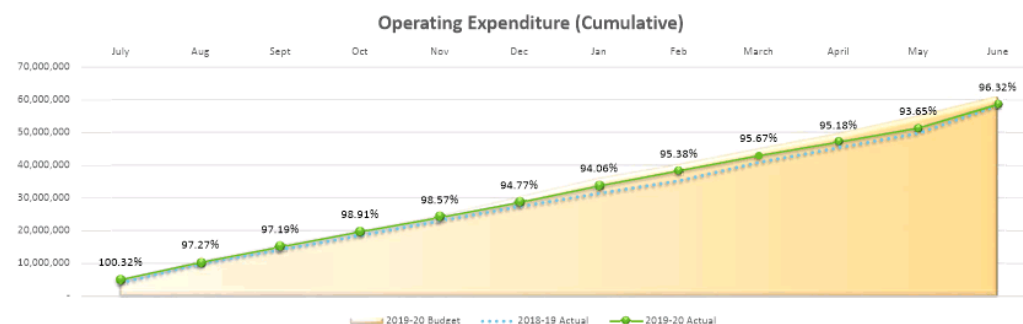
Attachments

1 [📄](#) Monthly Finance Report - Interim June 2020 16 Pages

LOCKYER VALLEY REGIONAL COUNCIL
Operating Revenue and Expenditure Dashboard
For the Period Ending 30th June, 2020

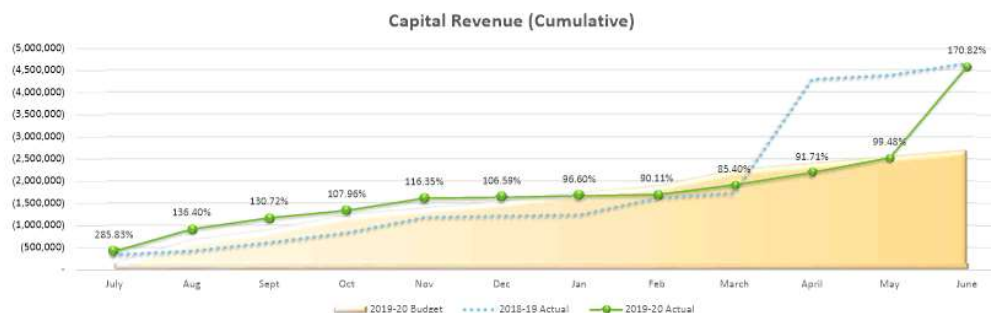


REVENUE TO DATE	Rates and Utility Charges (Gross)	Discount	Charges and Fees	Interest	Operating Grants and Subsidies	Operating Contributions and Donations	Revenue - Contract/Recoverable Works	Other Revenue	Profit from Investments	Total
Actual	(41,956,186)	1,766,922	(4,653,465)	(1,292,870)	(8,642,732)	(530,909)	(1,467,930)	(2,974,233)	-	(59,751,405)
Budget	(42,264,095)	1,727,000	(4,293,612)	(1,410,000)	(7,345,895)	(828,700)	(1,752,379)	(2,920,152)	(2,232,500)	(61,320,332)
Variance	(307,909)	(39,222)	359,853	(117,130)	1,296,838	(297,791)	(284,448)	54,081	(2,232,500)	(1,568,928)
Target %	99.27%	102.31%	108.38%	91.69%	117.65%	64.07%	83.77%	101.85%	0.00%	97.44%
Movement to Prior Month Target %	→	→	→	↓	↑	→	↓	↓	→	↓



EXPENDITURE TO DATE	Employee Costs	Goods and Services	Finance Costs	Depreciation	Total
Actual	29,126,211	16,047,425	1,267,778	12,238,792	58,680,207
Budget	27,598,414	19,810,230	1,294,488	12,219,974	60,923,107
Variance	(1,527,797)	3,762,805	26,710	(18,818)	2,242,900
Target %	105.54%	81.01%	97.94%	100.15%	96.32%
Movement to Prior Month Target %	↑	→	→	→	↑

LOCKYER VALLEY REGIONAL COUNCIL
Capital Revenue and Expenditure Dashboard
For the Period Ending 30th June, 2020



REVENUE TO DATE by Type	Profit (Loss) on Disposal of		Total
	Capital Grants, Subsidies and Contributions	Non Current Assets	
Actual	(4,657,236)	56,419	(4,600,817)
Budget	(2,693,387)	-	(2,693,387)
Variance	1,963,849	(56,419)	1,907,430
Target %	172.91%	-	170.82%
Movement to Prior Month Target %	↑	→	↑

Note: Graph above is
reflecting capital grants and
subsidies and developer
contributed assets only.



EXPENDITURE TO DATE by Group	People and Business		Community and Regional Prosperity		Total
	Performance	Infrastructure	Performance	Infrastructure	
Actual	884,937	11,833,828	792,068	1,192,104	13,510,833
Budget	1,357,823	12,916,090	1,192,104		15,466,017
Target %	65.17%	91.62%	66.44%		87.36%
Movement to Prior Month Target %	↑	↑	↑		↑

Lockyer Valley Regional Council (Whole Council)
Statement of Comprehensive Income
For the Period Ending June 2020

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
Income					
Revenue					
Recurrent Revenue					
Rates and Utility Charges (Gross)	42,264,095	41,956,186	42,264,095	307,909	0.73%
Discount	(1,727,000)	(1,766,922)	(1,727,000)	39,922	-2.31%
Charges and Fees	4,293,612	4,653,465	4,293,612	(359,853)	-8.38%
Interest	1,410,000	1,292,870	1,410,000	117,130	8.31%
Operating Grants and Subsidies	7,345,895	8,642,732	7,345,895	(1,296,838)	-17.65%
Operating Contributions and Donations	828,700	530,909	828,700	297,791	35.93%
Revenue - Contract/Recoverable Works	1,752,379	1,467,930	1,752,379	284,448	16.23%
Other Revenue	2,920,152	2,974,233	2,920,152	(54,081)	-1.85%
Profit from Investments	2,232,500	-	2,232,500	2,232,500	100.00%
Total Recurrent Revenue	61,320,332	59,751,405	61,320,332	1,568,928	2.56%
Capital Revenue					
Capital Grants, Subsidies and Contributions	2,693,387	4,657,236	2,693,387	(1,963,849)	-72.91%
Total Revenue	64,013,720	64,408,641	64,013,720	(394,921)	-0.62%
Capital Income	-	(56,419)	-	56,419	0.00%
Total Income	64,013,720	64,352,222	64,013,720	(338,502)	-0.53%
Expenses					
Recurrent Expenses					
Employee Costs	27,598,414	29,126,211	27,598,414	(1,527,797)	-5.54%
Goods and Services	19,810,230	16,047,425	19,810,230	3,762,805	18.99%
Finance costs	1,294,488	1,267,778	1,294,488	26,710	2.06%
Depreciation	12,219,974	12,238,792	12,219,974	(18,818)	-0.15%
Total Recurrent Expenses	60,923,107	58,680,207	60,923,107	2,242,900	3.68%
Capital Expenses	90,000	1,882,145	90,000	(1,792,145)	-1991.27%
Total Expenses	61,013,107	60,562,352	61,013,107	450,755	0.74%
Net Recurrent Result/Operating Surplus/(Deficit)	397,226	1,071,198	397,226	(673,972)	-169.67%
NET RESULT AFTER CAPITAL ITEMS	3,000,613	3,789,870	3,000,613	(789,257)	-26.30%

Lockyer Valley Regional Council (Executive Office)

Statement of Comprehensive Income

For Period Ending June 2020

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
Income					
Revenue					
Recurrent Revenue					
Rates and Utility Charges (Gross)	32,702,000	32,490,760	32,702,000	211,240	0.65
Discount	(1,537,000)	(1,570,236)	(1,537,000)	33,236	(2.16)
Charges and Fees	273,000	229,557	273,000	43,443	15.91
Interest	1,353,800	1,243,184	1,353,800	110,616	8.17
Operating Grants and Subsidies	3,258,300	3,343,573	3,258,300	(85,273)	(2.62)
Revenue - Contract/Recoverable Works	-	219	-	(219)	-
Other Revenue	1,250,000	1,003,490	1,250,000	246,510	19.72
Profit from Investments	2,232,500	-	2,232,500	2,232,500	100.00
Total Recurrent Revenue	39,532,600	36,740,548	39,532,600	2,792,052	7.06
Capital Revenue					
	-	-	-	-	-
Total Revenue	39,532,600	36,740,548	39,532,600	2,792,052	7.06
Capital Income					
	-	-	-	-	-
Total Income	39,532,600	36,740,548	39,532,600	2,792,052	7.06
Expenses					
Recurrent Expenses					
Employee Costs	3,676,038	5,294,728	3,676,038	(1,618,690)	(44.03)
Goods and Services	1,274,147	775,667	1,274,147	498,479	39.12
Finance costs	323,988	317,018	323,988	6,970	2.15
Depreciation	10,594,233	10,606,785	10,594,233	(12,552)	(0.12)
Total Recurrent Expenses	15,868,405	16,994,198	15,868,405	(1,125,793)	(7.09)
Capital Expenses					
	-	-	-	-	-
Total Expenses	15,868,405	16,994,198	15,868,405	(1,125,793)	(7.09)
Net Recurrent Result/Operating Surplus/(Deficit)	23,664,195	19,746,350	23,664,195	3,917,845	16.56
NET RESULT AFTER CAPITAL ITEMS	23,664,195	19,746,350	23,664,195	3,917,845	16.56

Lockyer Valley Regional Council (People and Business Performance)

Statement of Comprehensive Income

For Period Ending June 2020

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
Income					
Revenue					
Recurrent Revenue					
Rates and Utility Charges (Gross)	1,185,000	1,147,847	1,185,000	37,153	3.14
Charges and Fees	-	318	-	(318)	-
Interest	13,200	12,036	13,200	1,164	8.82
Operating Grants and Subsidies	228,712	221,209	228,712	7,503	3.28
Other Revenue	257,000	343,196	257,000	(86,196)	(33.54)
Total Recurrent Revenue	1,683,912	1,724,606	1,683,912	(40,694)	(2.42)
Capital Revenue					
Capital Grants, Subsidies and Contributions	54,500	6,391	54,500	48,109	88.27
Total Revenue	1,738,412	1,730,997	1,738,412	7,415	0.43
Capital Income	-	-	-	-	-
Total Income	1,738,412	1,730,997	1,738,412	7,415	0.43
Expenses					
Recurrent Expenses					
Employee Costs	5,057,940	5,013,072	5,057,940	44,868	0.89
Goods and Services	4,729,300	3,893,967	4,729,300	835,333	17.66
Finance costs	149,000	144,743	149,000	4,257	2.86
Depreciation	-	3,088	-	(3,088)	-
Total Recurrent Expenses	9,936,240	9,054,870	9,936,240	881,370	8.87
Capital Expenses	-	-	-	-	-
Total Expenses	9,936,240	9,054,870	9,936,240	881,370	8.87
Net Recurrent Result/Operating Surplus/(Deficit)	(8,252,328)	(7,330,263)	(8,252,328)	(922,064)	11.17
NET RESULT AFTER CAPITAL ITEMS	(8,197,828)	(7,323,872)	(8,197,828)	(873,955)	10.66

Lockyer Valley Regional Council (Community and Regional Prosperity)
Statement of Comprehensive Income
For Period Ending June 2020

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
Income					
Revenue					
Recurrent Revenue					
Rates and Utility Charges (Gross)	305,000	304,211	305,000	789	0.26
Charges and Fees	3,240,712	3,565,114	3,240,712	(324,402)	(10.01)
Interest	-	1,705	-	(1,705)	-
Operating Grants and Subsidies	1,114,366	2,263,970	1,114,366	(1,149,604)	(103.16)
Operating Contributions and Donations	782,000	530,000	782,000	252,000	32.23
Revenue - Contract/Recoverable Works	962,379	699,791	962,379	262,587	27.29
Other Revenue	345,700	446,935	345,700	(101,235)	(29.28)
Total Recurrent Revenue	6,750,156	7,811,726	6,750,156	(1,061,569)	(15.73)
Capital Revenue					
Capital Grants, Subsidies and Contributions	622,500	2,140,440	622,500	(1,517,940)	(243.85)
Total Revenue	7,372,656	9,952,166	7,372,656	(2,579,509)	(34.99)
Capital Income	-	-	-	-	-
Total Income	7,372,656	9,952,166	7,372,656	(2,579,509)	(34.99)
Expenses					
Recurrent Expenses					
Employee Costs	8,976,164	9,072,399	8,976,164	(96,235)	(1.07)
Goods and Services	4,828,090	3,733,803	4,828,090	1,094,287	22.67
Finance costs	7,500	5,451	7,500	2,049	27.32
Depreciation	38,969	38,594	38,969	375	0.96
Total Recurrent Expenses	13,850,723	12,850,247	13,850,723	1,000,475	7.22
Capital Expenses	-	-	-	-	-
Total Expenses	13,850,723	12,850,247	13,850,723	1,000,475	7.22
Net Recurrent Result/Operating Surplus/(Deficit)	(7,100,566)	(5,038,522)	(7,100,566)	(2,062,045)	29.04
NET RESULT AFTER CAPITAL ITEMS	(6,478,066)	(2,898,082)	(6,478,066)	(3,579,984)	55.26

Lockyer Valley Regional Council (Infrastructure)
Statement of Comprehensive Income
For Period Ending June 2020

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
Income					
Revenue					
Recurrent Revenue					
Rates and Utility Charges (Gross)	8,072,095	8,013,369	8,072,095	58,726	0.73
Discount	(190,000)	(196,686)	(190,000)	6,686	(3.52)
Charges and Fees	779,900	858,476	779,900	(78,576)	(10.08)
Interest	43,000	35,944	43,000	7,056	16.41
Operating Grants and Subsidies	2,744,517	2,813,980	2,744,517	(69,463)	(2.53)
Operating Contributions and Donations	46,700	909	46,700	45,791	98.05
Revenue - Contract/Recoverable Works	790,000	767,919	790,000	22,081	2.80
Other Revenue	1,067,452	1,180,613	1,067,452	(113,161)	(10.60)
Total Recurrent Revenue	13,353,664	13,474,525	13,353,664	(120,861)	(0.91)
Capital Revenue					
Capital Grants, Subsidies and Contributions	2,016,387	2,510,405	2,016,387	(494,018)	(24.50)
Total Revenue	15,370,051	15,984,930	15,370,051	(614,879)	(4.00)
Capital Income	-	(56,419)	-	56,419	-
Total Income	15,370,051	15,928,511	15,370,051	(558,460)	(3.63)
Expenses					
Recurrent Expenses					
Employee Costs	9,888,273	9,746,013	9,888,273	142,260	1.44
Goods and Services	8,978,694	7,643,988	8,978,694	1,334,706	14.87
Finance costs	814,000	800,566	814,000	13,434	1.65
Depreciation	1,586,772	1,590,325	1,586,772	(3,553)	(0.22)
Total Recurrent Expenses	21,267,739	19,780,892	21,267,739	1,486,847	6.99
Capital Expenses	90,000	1,882,145	90,000	(1,792,145)	(1,991.27)
Total Expenses	21,357,739	21,663,037	21,357,739	(305,298)	(1.43)
Net Recurrent Result/Operating Surplus/(Deficit)	(7,914,075)	(6,306,367)	(7,914,075)	(1,607,708)	20.31
NET RESULT AFTER CAPITAL ITEMS	(5,987,688)	(5,734,526)	(5,987,688)	(253,162)	4.23

LOCKYER VALLEY REGIONAL COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 30 June, 2020

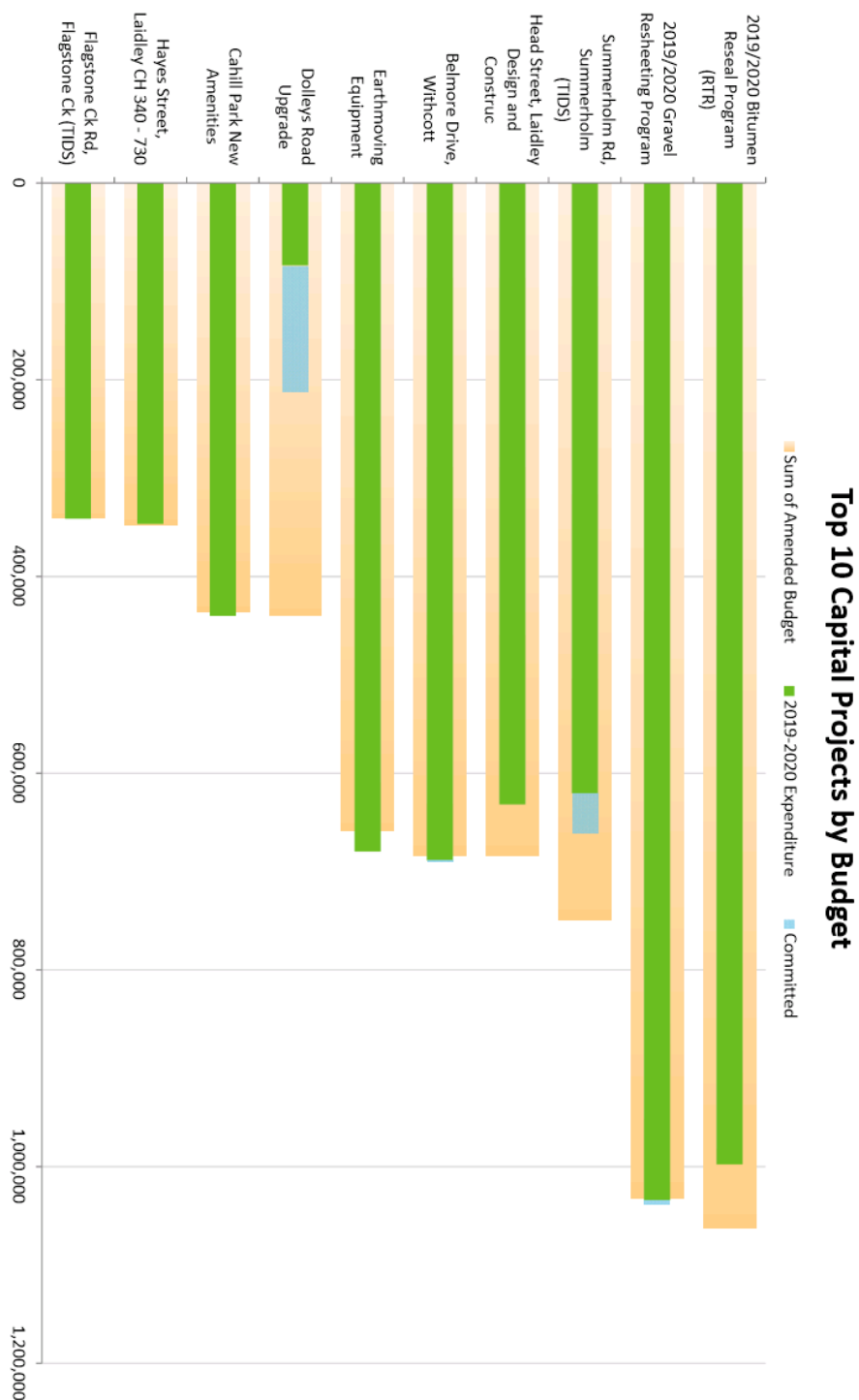
	2019-2020 Annual Budget	2019-2020 YTD Actual
Current Assets		
Cash assets and cash equivalents	19,880,000	21,709,940
Cash investments	-	4,600,000
Trade and other receivables	3,650,000	4,927,866
Inventories	2,470,000	378,747
Non-current assets classified as held for sale	-	2,633,758
Total Current Assets	26,000,000	34,250,312
Non Current Assets		
Trade and other receivables	14,740,000	14,745,256
Equity investments	32,780,000	30,621,815
Investment properties	2,010,000	2,110,000
Property, plant and equipment	570,540,000	543,131,223
Intangible assets	6,440,000	4,932,667
Total Non Current Assets	626,500,000	595,540,961
TOTAL ASSETS	652,500,000	629,791,273
Current Liabilities		
Trade and other payables	4,320,000	8,061,791
Provisions	5,790,000	7,125,420
Borrowings	1,560,000	1,505,606
Total Current Liabilities	11,670,000	16,692,817
Non Current Liabilities		
Provisions	29,650,000	29,686,180
Borrowings	21,480,000	21,570,167
Total Non Current Liabilities	51,130,000	51,256,347
TOTAL LIABILITIES	62,800,000	67,949,165
NET COMMUNITY ASSETS	589,700,000	561,842,108
Community Equity		
Retained surplus (deficiency)	386,790,000	381,531,915
Asset revaluation surplus	199,920,000	173,319,672
Reserves	-	3,200,652
Current Surplus/(Deficit)	3,000,000	3,789,870
TOTAL COMMUNITY EQUITY	589,700,000	561,842,108

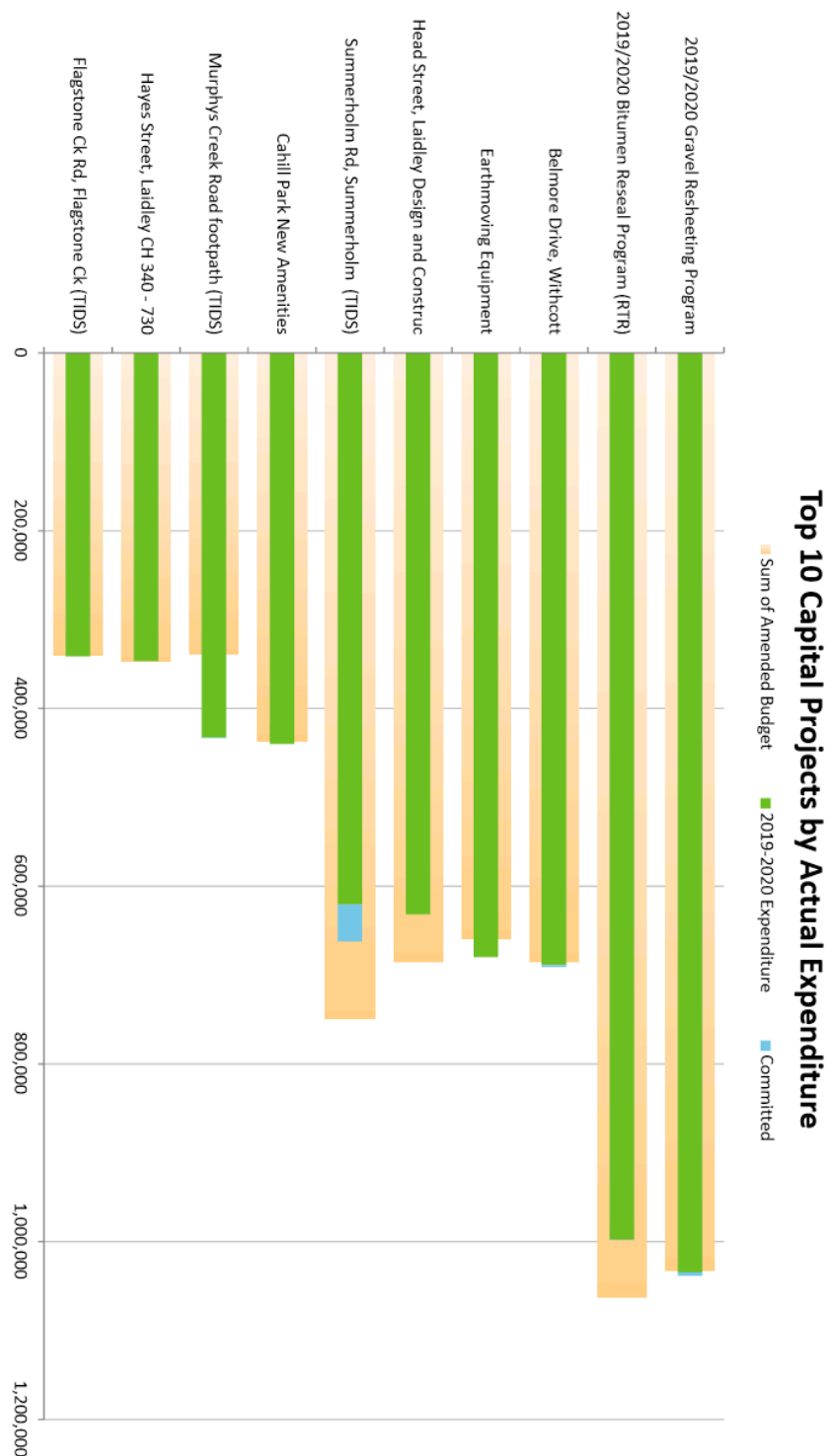
LOCKYER VALLEY REGIONAL COUNCIL
Statement of Cash Flows
For the Period Ending 30 June, 2020

	2019-2020 Annual Budget	2019-2020 YTD Actuals
<u>Cash flows from operating activities:</u>		
Receipts		
Receipts from customers	60,470,000	62,404,956
Dividend received	-	-
Interest received	1,410,000	1,292,870
Payments		
Payments to suppliers and employees	(51,390,000)	(48,452,672)
Interest expense	(1,160,000)	(1,157,051)
Net cash inflow (outflow) from operating activities	9,340,000	14,088,103
<u>Cash flows from investing activities:</u>		
Capital grants, subsidies and contributions	2,670,000	3,046,211
Payments for property, plant and equipment	(15,470,000)	(12,489,226)
Payments for investment property	-	-
Net transfer (to) from cash investments	800,000	-
Proceeds from sale of property plant and equipment	930,000	-
Net cash inflow (outflow) from investing activities	(11,080,000)	(9,443,015)
<u>Cash flows from financing activities:</u>		
Repayment of borrowings	(1,480,000)	(1,437,923)
Proceeds from borrowings	-	-
Net cash inflow (outflow) from financing activities	(1,480,000)	(1,437,923)
Net increase (decrease) in cash and cash equivalents held	(3,220,000)	3,207,165
Cash and cash equivalents at beginning of the financial year	23,100,000	23,102,775
Cash and cash equivalents at end of the financial year	19,880,000	26,309,940

Lockyer Valley Regional Council
Capital Works Summary
30 June 2020

	2019-20 Budget	2019-20 Expenditure	Committed	2019-20 Expenditure (including Committed)	Remaining Budget (including Committed)
Infrastructure					
Capital Program Delivery	9,469,333	8,580,375	459,679	9,040,053	429,280
Depot	102,800	103,319	-	103,319	(519)
Facilities	949,329	925,608	96,614	1,022,221	(72,892)
Fleet	1,045,755	1,061,711	40,849	1,102,559	(56,804)
Parks & Open Spaces	208,847	214,513	30,280	244,793	(35,946)
Transfer Stations	625,361	466,775	98,509	565,284	60,077
Infrastructure Planning	121,058	75,694	2,969	78,663	42,395
Waste Collection	10,000	12,344	-	12,344	(2,344)
Cemetery	377,726	387,618	19,066	406,684	(28,958)
NDRRA Program - Infrastructure Recovery	5,880	5,873	-	5,873	8
Infrastructure Total	12,916,090	11,833,828	747,965	12,581,793	334,297
People and Business Performance					
Disaster Management	2,000	1,710	-	1,710	290
Information Management	66,000	50,281	-	50,281	15,719
SES	18,750	13,052	-	13,052	5,698
Legal Services	187,461	138,261	-	138,261	49,200
Information Communication Technology	1,083,612	681,634	127,318	808,951	274,661
People and Business Performance Total	1,357,823	884,937	127,318	1,012,255	345,568
Community and Regional Prosperity					
Tourism Initiatives	13,988	13,801	-	13,801	187
Corporate Communications	8,583	7,802	-	7,802	781
Sport Recreation and Community Grants	437,000	437,172	-	437,172	(172)
Regional Development	-	(57,485)	-	(57,485)	57,485
Strategic Planning	732,533	390,778	505,300	896,078	(163,545)
Community and Regional Prosperity Total	1,192,104	792,068	505,300	1,297,368	(105,264)
Grand Total	15,466,017	13,510,833	1,380,583	14,891,416	574,600





Lockyer Valley Regional Council
Capital Works Detail
30 June 2020

	2019-20 Budget	2019-20 Expenditure	Committed	2019-20 Expenditure (including Committed)	Remaining Budget (including Committed)
Community and Regional Prosperity					
Tourism Initiatives					
Event Promotion Stands and Props	13,988	13,801	-	13,801	187
Tourism Initiatives Total	13,988	13,801	-	13,801	187
Corporate Communications					
Sony Camcorder 4K HDR	8,583	7,802	-	7,802	781
Corporate Communications Total	8,583	7,802	-	7,802	781
Sport Recreation and Community Grants					
Cahill Park New Amenities	437,000	439,922	-	439,922	(2,922)
Implementation Sport & Recreation Report	-	(2,750)	-	(2,750)	2,750
Sport Recreation and Community Grants Total	437,000	437,172	-	437,172	(172)
Regional Development					
GWIZ	-	(57,485)	-	(57,485)	57,485
Regional Development Total	-	(57,485)	-	(57,485)	57,485
Strategic Planning					
Cooper St Mitigation	11,398	3,670	7,728	11,398	0
Flood investigations	10,015	3,040	-	3,040	6,975
Flood Mapping and Modelling L'yer Catchm	16,000	6,000	25,000	31,000	(15,000)
LGIP Prepare Infrastructure Plan	36,535	1,548	9,404	10,952	25,584
Master Planning Future Urban Gatton	6,540	6,540	-	6,540	-
NDRP Evacuation Planning	11,340	-	91,284	91,284	(79,944)
NDRP Flood Modelling - Laidley Local	16,970	13,530	3,440	16,970	-
NDRP Flood Modelling - Laidley Reg Ph 1	122,360	63,490	88,870	152,360	(30,000)
NDRP Floor Survey Contract	30,000	-	-	-	30,000
NDRP Landuse Planning	14,580	11,920	33,830	45,750	(31,170)
NDRP Local Flood Plain Mngmt Plan 2/2	119,347	70,647	99,354	170,000	(50,653)
NDRP Local FP Risk Management Plan 1/2	9,840	9,840	-	9,840	-
NDRP Lockyer Creek Hydrology Project 1/2	39,355	19,253	20,163	39,416	(61)
NDRP Lockyer Creek Hydrology Project 2/2	226,923	129,095	117,895	246,990	(20,067)
O'Neil's Road Withcott	-	10,068	-	10,068	(10,068)
Planning Scheme Revision LVRC	61,330	42,139	8,333	50,471	10,859
Strategic Planning Total	732,533	390,778	505,300	896,078	(163,545)
Community and Regional Prosperity Total	1,192,104	792,068	505,300	1,297,368	(105,264)
Infrastructure					
Capital Program Delivery					
(TIDS) Flagstone Creek Road CH580-2050	-	3,888	-	3,888	(3,888)
2018/2019 Bitumen Reseal Program	-	27,845	-	27,845	(27,845)
2019/2020 - Culvert Renewal Program	249,021	266,812	-	266,812	(17,791)
2019/2020 - Pram Ramp Program	15,000	14,377	-	14,377	623
2019/2020 - Urban Drainage Inlet Works	10,000	10,286	-	10,286	(286)
2019/2020 Bitumen Reseal Program (RTR)	1,062,845	997,655	616	998,271	64,574
2019/2020 Black Spot Mtncs Works Com	70,993	-	-	-	70,993
2019/2020 Footpath Renewal Program	80,000	44,521	494	45,015	34,985
2019/2020 Gravel Resheeting Program	1,032,474	1,034,264	4,012	1,038,276	(5,802)
2019/2020 Kerb Replacement Program	111,000	121,353	-	121,353	(10,353)
Allan Street, Gatton Footpaths	30,000	30,144	-	30,144	(144)
Amos Rd, Withcott	50,000	34,165	5,888	40,053	9,947
Belfords Bridge, Gatton	2,850	-	-	-	2,850
Belmore Drive, Withcott	685,000	688,672	2,174	690,846	(5,846)
Blanchview Rd, S'Ridge (BS)	4,803	14,197	-	14,197	(9,394)
Blanchview Road/Nuttalls Road, Blanchview	118,202	118,203	-	118,203	(0)
Blanchview Road/O'Neils Road, Withcott	131,500	138,722	-	138,722	(7,222)
Blenheim Hall, Blenheim	10,000	1,209	-	1,209	8,791
Bridge Minor Remedial Works	-	(1,700)	-	(1,700)	1,700
Brightview Rd & Village Rd, L'Rose (BS)	165,394	165,394	-	165,394	(0)
Brightview Rd/Gehrke Rd, G'Grove (BS)	37,384	40,509	-	40,509	(3,125)
BS Spa Water Road Superelevation	12,000	12,461	1,474	13,935	(1,935)
BS Woodlands Rd & Rangeview Drive	8,000	8,657	627	9,284	(1,284)
Cooper St, Laidley Drainage Upgrade	100,000	46,368	33,796	80,164	19,836
Crescent St, Gatton Carpark	39,383	39,383	-	39,383	0
Culvert Renewals - Various	46,196	46,196	-	46,196	(0)

	2019-20 Budget	2019-20 Expenditure	Committed	2019-20 Expenditure (including Committed)	Remaining Budget (including Committed)
Dawson Phipps Carpark	13,500	16,142	2,133	18,275	(4,775)
Depot Traffic Management	-	(19,411)	-	(19,411)	19,411
Dolleys Road Upgrade	440,000	83,809	129,569	213,379	226,621
Drainage Works Tew Ct and Rogers Drive	24,600	23,834	-	23,834	766
Edward Street Laidley CH 0 - 270	24,009	24,009	-	24,009	0
Flagstone Ck Rd, Flagstone Ck (TIDS)	341,340	341,340	-	341,340	0
Forestry Road Bridge	124,348	124,348	-	124,348	(0)
Gatton Long Distance Coach Project	58,365	58,423	-	58,423	(58)
Gehrke Hill Road, Summerholm CH 100 - 10	76,961	71,780	2	71,782	5,179
Gehrke Road/Rons Road, Glenore Grove	16,831	144,496	-	144,496	(127,665)
Goos Road Pavement Rehabilitation	-	6,043	3,403	9,445	(9,445)
Gravel Resheeting Program 2018/2019(R2R)	5,416	5,416	-	5,416	0
Hatton Vale School Parking Improvements	88,660	97,522	1,109	98,631	(9,971)
Hayes Street, Laidley CH 340 - 730	347,999	346,535	-	346,535	1,464
Head Street, Laidley Design and Construc	685,000	631,824	-	631,824	53,176
Jones Road Bridge Withcott (BS)	79,500	94,179	-	94,179	(14,679)
Lake Clarendon Way	325,581	326,156	-	326,156	(575)
Lake Clarendon Way Widening	5,000	777	-	777	4,223
LED Street Lighting Laidley (LGGSP)	40,050	11,632	25,811	37,443	2,607
Lorikeet Rd/Wagtail Dr, R'Downs (BS)	202,628	202,628	-	202,628	0
Mahon Bridge Replacement BBRF App	-	(17,526)	-	(17,526)	17,526
Murphys Creek Road footpath (TIDS)	340,000	432,964	477	433,440	(93,440)
Niemeyer Rd, H'Vale - \$ Contribution	100,000	-	-	-	100,000
Norfolk Rd, Summerholm (BS)	69,597	74,147	-	74,147	(4,550)
Old Toowoomba Road, Placid Hills	-	(9)	-	(9)	9
Placid Rise Retention Basin	275,500	275,469	-	275,469	31
Postmans Ridge Rd, Helidon Spa	300,000	40,399	-	40,399	259,601
Princess Street Road Pavement Gatton	-	891	-	891	(891)
Project Design - Predesign	55,000	-	-	-	55,000
Railway crossings safety improvements	-	125	-	125	(125)
Railway St Gatton LED Lighting Project	101,500	101,605	-	101,605	(105)
Railway St/Summer St, Laidley (BS)	91,000	92,275	-	92,275	(1,275)
Road Closure Signs	16,500	16,422	-	16,422	78
Robinsons Road, Laidley	161,000	164,481	-	164,481	(3,481)
Rockmount Road/Walkers Road, Rockmount	-	151	-	151	(151)
Signs and Lines Projects	37,700	52,872	1,167	54,040	(16,340)
Spencer/William Street Gatton	-	288	-	288	(288)
Stevens Road Upgrade & Bitumen Seal	1,800	1,800	-	1,800	-
Stormwater Improvements Gatton	13,619	13,619	-	13,619	(0)
Stormwater Upgrade Railway St, Helidon	-	1,160	-	1,160	(1,160)
Summerholm Intersection	58,531	59,372	-	59,372	(841)
Summerholm Rd, Summerholm (TIDS)	750,000	620,429	41,546	661,975	88,025
Summerholm Road Rehabilitation Stage 1	5,000	10,516	1,351	11,867	(6,867)
Tenthill Ck Rd, Gatton (BS)	12,551	12,551	-	12,551	(0)
TSRC Haulage Roads Compensation	5,000	59,821	41,038	100,859	(95,859)
Twidales Rd, Helidon Spa	-	2,613	-	2,613	(2,613)
Vehicle Activated Signs Bases Various	20,000	2,005	-	2,005	17,995
Vehicle Activated Signs Road Safety Proj	-	99	-	99	(99)
Walnut Dr/Ashwood Ct, Brightview (BS)	6,644	6,644	-	6,644	0
Waste Remediation Works	-	13,362	-	13,362	(13,362)
Woodlands Road Stage 3	70,000	36,371	162,991	199,362	(129,362)
Zischke Road, R'Downs (BS)	6,558	10,399	-	10,399	(3,841)
Capital Program Delivery Total	9,469,333	8,580,375	459,679	9,040,053	429,280

	2019-20 Budget	2019-20 Expenditure	Committed	2019-20 Expenditure (including Committed)	Remaining Budget (including Committed)
Depot					
Gatton Depot Fuel Strategy	1,000	1,518	-	1,518	(518)
Pavement Rehabilitation Gatton Depot	101,800	101,800	-	101,800	(0)
Depot Total	102,800	103,319	-	103,319	(519)
Facilities					
(BBRF) Gatton S/Hall Compliance Upgrade	107,079	120,527	-	120,527	(13,448)
(BoR) Gatton Shire Hall Improvements	-	10,517	61,992	72,509	(72,509)
Cahill Park Lighting - Netball Courts	37,027	37,027	-	37,027	0
Corrective Electrical Upgrades	34,700	18,598	3,218	21,815	12,885
Cyclical Painting Program	66,000	48,496	-	48,496	17,504
Das Neumann Haus Stair Alterations	10,000	14,915	21,425	36,340	(26,340)
Energy Efficiency Program	30,100	30,100	-	30,100	0
Gatton Admin Blding Sewer Rectification	30,000	11,669	206	11,875	18,125
Gatton Cemetery Outdoor Chapel	39,333	39,333	-	39,333	0
Gatton Shire Hall Masterplan Works	2,500	2,725	-	2,725	(225)
Gatton Squash Courts Demolition	200,000	227,384	162	227,546	(27,546)
GSH Refurbishment PWD Amenities	88,889	89,066	-	89,066	(177)
Helidon Community Hall Solar Power Initi	-	(3,800)	-	(3,800)	3,800
Laidley Admin Building Refurbishment	-	-	217	217	(217)
Laidley Saleyards Drainage	55,000	47,646	83	47,729	7,271
LCC Refurbish Ramp and Balustrading	6,300	6,844	-	6,844	(544)
LCC Refurb Drought Comm Programme Fund	-	2,364	-	2,364	(2,364)
LRR Lighting Rectification	43,000	43,067	-	43,067	(67)
LVCC Air Conditioning Redesign	60,000	58,861	-	58,861	1,139
LVEC Structural Remediation & Other Work	28,901	29,543	-	29,543	(642)
Nielsen's Place Shade Structure	20,500	10,667	7,860	18,527	1,973
Relocation Cncl Self Contained Toilets	70,000	69,667	1,452	71,119	(1,119)
Withcott Sports Ctre Kitchen Reconfigure	20,000	10,393	-	10,393	9,607
Facilities Total	949,329	925,608	96,614	1,022,221	(72,892)
Fleet					
Earthmoving Equipment	659,500	679,680	-	679,680	(20,180)
Minor Fleet	22,705	20,561	-	20,561	2,144
Passenger Vehicles	35,000	31,849	-	31,849	3,151
Survey Equipment Trimble SX10 Package	91,400	91,411	-	91,411	(11)
Trailers	-	5,964	-	5,964	(5,964)
Trucks	237,150	232,244	40,849	273,093	(35,943)
Fleet Total	1,045,755	1,061,711	40,849	1,102,559	(56,804)
Parks & Open Spaces					
Fairy Lights Centenary Park, Gatton	10,229	10,229	-	10,229	(0)
Gatton Revitalisation Various	22,500	-	-	-	22,500
Hatton Vale Park Concept and Design	22,095	23,883	-	23,883	(1,788)
Hatton Vale/Fairways Park Stage 1	80,000	118,019	29,898	147,916	(67,916)
Laidley Sate Park Upgrade	47,823	47,823	-	47,823	0
Lake Apex Desilting Investigation Gatton	11,200	-	-	-	11,200
Lake Apex Tree Planting	-	(565)	-	(565)	565
Springbrook Park Bore	15,000	15,124	-	15,124	(124)
Zabel Road Lockrose Dip Site Rehabilitat	-	-	383	383	(383)
Parks & Open Spaces Total	208,847	214,513	30,280	244,793	(35,946)
Transfer Stations					
Asbestos Bin Gatton Landfill	16,000	456	-	456	15,544
Construct liner against Cell 1	120,000	1,557	98,509	100,067	19,933
Gatton and Laidley Sites Landscaping	-	(15,147)	-	(15,147)	15,147
Gatton Waste Facility Security & Softwar	78,800	77,200	-	77,200	1,600
Gatton Weighbridge Platform/Ramp	-	1,190	-	1,190	(1,190)
Laidley Weighbridge Road Expansion	94,800	95,016	-	95,016	(216)
Ldley Facility WBridge, Fencing & Securi	219,000	215,424	-	215,424	3,576
Ldley Telemetry Final Sedimentation Dam	28,400	28,370	-	28,370	30
Pest (weeds & fireants) washdown provisi	19,103	19,112	-	19,112	(9)
Traffic Management Plan	9,740	12,205	-	12,205	(2,465)
Waste Land Purchases	20,000	11,874	-	11,874	8,126
Waste management Signage Review	1,225	1,225	-	1,225	-
Windblown Litter Screen Fences	18,293	18,293	-	18,293	0
Transfer Stations Total	625,361	466,775	98,509	565,284	60,077

	2019-20 Budget	2019-20 Expenditure	Committed	2019-20 Expenditure (including Committed)	Remaining Budget (including Committed)
Infrastructure Planning					
2019/2020 Bus Stop Shelter Program	80,000	63,102	2,969	66,070	13,930
Centenary Park Lighting	1,058	1,058	-	1,058	(0)
Land Acquisition 193 Jones Road, Withcot	10,000	11,534	-	11,534	(1,534)
Restoration of access L202 CP817791	30,000	-	-	-	30,000
Infrastructure Planning Total	121,058	75,694	2,969	78,663	42,395
Waste Collection					
Garbage Truck Turnarounds	10,000	12,344	-	12,344	(2,344)
Waste Collection Total	10,000	12,344	-	12,344	(2,344)
Cemetery					
Gatton Cemetery Expansion Stage 1	170,131	170,131	-	170,131	(0)
Gatton Cemetery Expansion Stage 2	196,995	206,889	19,066	225,955	(28,960)
Gatton Cemetery Expansion Works	7,600	7,597	-	7,597	3
Laidley Columbarium	3,000	3,001	-	3,001	(1)
Cemetery Total	377,726	387,618	19,066	406,684	(28,958)
NDRRA Program - Infrastructure Recovery					
NDRRA Program Management 2017 FloodEvent	5,880	5,873	-	5,873	8
NDRRA Program - Infrastructure Recovery Total	5,880	5,873	-	5,873	8
Infrastructure Total	12,916,090	11,833,828	747,965	12,581,793	334,297
People and Business Performance					
Disaster Management					
Waterride Flood Intelligence	2,000	1,710	-	1,710	290
Disaster Management Total	2,000	1,710	-	1,710	290
Information Management					
Records Relocation and Sentencing	66,000	50,281	-	50,281	15,719
Information Management Total	66,000	50,281	-	50,281	15,719
SES					
Forest Hill SES Replacement Generator	8,750	8,829	-	8,829	(79)
Gatton SES Driveway Improvement	5,000	-	-	-	5,000
SES Mobile Phones Replacement	5,000	4,223	-	4,223	777
SES Total	18,750	13,052	-	13,052	5,698
Legal Services					
Legal Costs & Compensation Placid Hills	137,461	137,461	-	137,461	0
Property Management & Disposal Strategy	50,000	800	-	800	49,200
Legal Services Total	187,461	138,261	-	138,261	49,200
Information Communication Technology					
Aerial Imagery FY2019/20	30,000	26,549	-	26,549	3,451
Cyber Security	239,062	79,149	-	79,149	159,913
Flood Information Advice Portal	148,971	43,792	100,400	144,192	4,779
LVCC Audio Visual	60,000	58,634	665	59,299	701
Network Cabinets & Cabling	20,000	-	-	-	20,000
Online Bookings	37,700	41,179	9,607	50,786	(13,086)
Switches Renewal	74,000	74,731	10,500	85,231	(11,231)
Technology One Cloud Implementation Proj	92,000	112,419	-	112,419	(20,419)
Technology One 'One Council' Project	-	6,384	-	6,384	(6,384)
TechnologyOne	140,000	48,000	6,133	54,133	85,867
Upgrade MS Office	146,879	89,246	13	89,259	57,620
Upgrade Technology One P&R System to CiA	63,000	70,991	-	70,991	(7,991)
UPS Renewal	7,000	6,995	-	6,995	5
Wireless Access Points	25,000	23,564	-	23,564	1,436
Information Communication Technology Total	1,083,612	681,634	127,318	808,951	274,661
People and Business Performance Total	1,357,823	884,937	127,318	1,012,255	345,568
Grand Total	15,466,017	13,510,833	1,380,583	14,891,416	574,600

11. PEOPLE & BUSINESS PERFORMANCE REPORTS**11.1 Group Manager People and Business Performance Monthly Update to Council****Date:** 06 July 2020**Author:** Anna Hebron, Group Manager People and Business Performance**Responsible Officer:** Anna Hebron, Group Manager People and Business Performance

Purpose:

The purpose of this report is to provide Council with an update on key issues being actioned in the People and Business Performance Group in the month of June 2020.

Officer's Recommendation:

THAT Council receive and note the Group Manager People and Business Performance's Report for June 2020.

Executive Summary

The report covers actions and information from the People and Business Performance Group, including the areas of Business Performance, People and Culture, Information Communication and Technology and Communications.

Business Performance***Fourth Quarter Performance Reporting 2019-20 Operational Plan***

The fourth and final performance report on the progress of Council's 2019-20 Operational Plan has been distributed to responsible officers for completion. The final quarter performance report on the 2019-20 Operational Plan will be presented to the August Ordinary Council Meeting.

Business Continuity Planning

The Business Continuity Plan has continued to be monitored and updated in accordance with the Federal and State Government restrictions. Individual Branch Plans are regularly reviewed and updated to manage a staged return to work in line with easing restrictions.

Audit and Risk Management Committee

An Audit and Risk Management Committee was held on Thursday 18 June 2020. The unconfirmed minutes along with a report on committee actions requiring Council approval have been included in the Agenda.

Policy Register

A review of Council's Policy Register commenced in late June and included updating the Register in line with the new organisational structure. Assistance will be provided to the document owners to update expired policies, procedures and/or guidelines.

Delegations

The development and review of Council's Administrative Delegation Register and Chief Executive Officer to Officers Statutory Delegation Register was progressed this month. A final review will be undertaken to ensure delegations are consistent with the new organisational structure.

Disaster Management

Regional Recovery Group

Queensland Reconstruction Authority (QRA) has established a Regional Recovery Group including LDMG Chair/Mayor, Cr Tanya Milligan, Local Recovery Coordinator/CEO, Ian Church and LDMG Member/QHealth Representative, Deb O'Brien.

Queensland Reconstruction Authority Funding

A bid for funding under Category D for the amount of \$225,000 was lodged under the Immediate Support to Bushfire Impacted Local Government Areas (LGAs) Program Plan of Activities with Queensland Reconstruction Authority.

Local Disaster Management Group Exercise – Shaky Ground

The Exercise 'Shaky Ground' is scheduled for Wednesday, 5 August 2020. The exercise aims to review both business as usual arrangements and Local Disaster Management Group's (LDMG) response to a landslide.

Disaster Dashboard – New Features

Get Ready QLD 2019/20 funding has enabled new features to be added to the Disaster Dashboard. The Disaster Dashboard is mobile compatible and can be saved to the home screen of smart phones. It refreshes every five minutes and there is no need to go to app stores for updates. Some of the new features include; the current status of the LDMG, warnings and alerts from BOM, water levels, bushfire warnings and fire bans, school closures and social media feeds.

Category C and Flexible Funding Program joint application with Somerset Regional Council

Somerset Regional Council lodged an application for a two-year Bushfire Recovery and Resilience Community Development Officer to be shared between Somerset Regional Council and Lockyer Valley Regional Council. This application has been successful.

Lockyer Valley SES

The Lockyer Valley SES participated in three land searches in June. Weekly SES training has recommenced following easing of COVID-19 restrictions. All members are complying with social distancing, vehicle usage and hygiene requirements. Personal Protective Equipment has been issued to groups.

Procurement

The Procurement Team has focused on:

- improving the interface between Council and suppliers via Council's website and VendorPanel platform
- upskilling the team on the contracts module to manage the 200+ active contracts
- drafting procurement delegations to provide clear authority for the approval of entering into contracts.

People and Culture

Full Time Equivalents

Council's full time equivalent as at 31 May 2020 is 300.81.

Corporate Training

Council's monthly toolbox talk 'A Work Health and Safety Management System' saw a completion rate of 67% across the organisation through the LMS System.

**Customer Contact**

Please refer to the attached report indicating statistics for the month of June 2020.

Work Health and Safety

Please refer to the attached report indicating statistics for the month of June 2020.

Information Communication Technology**Security Upgrades**

Endpoint Security and Web Filtering solutions, CrowdStrike and Mimecast has been rolled out to all LVRC computers. CrowdStrike is an antivirus software which provides detection of and cyber attacks. Mimecast defends against phishing, malware and spam emails to block threats and prevent malicious and outbound unintentional loss of sensitive or confidential information.

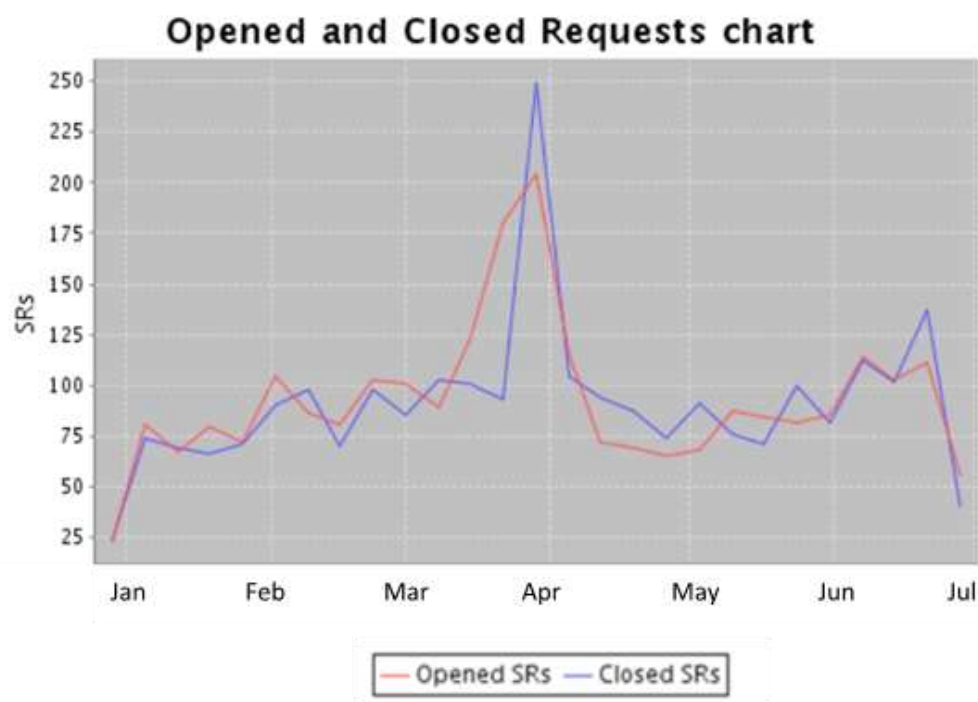
Cyber Security Training

Council's cyber security risk score is Very Good with a slight positive increase. The risk score is impacted by everyone's ability to complete the training, answer questions correctly and how they respond to cultural questions. Anyone not completing the training, reduces the whole organisations score.

The current overall risk score and performance statistics for the year to date, as at the 30th June are below:

**LISA Requests and Closures**

The graph below indicates the number of LISA requests received and closed for the last six months. The graph shows a spike in the number of LISA requests received due to the COVID-19 response and relocating staff to work from home. This eased through April into May as staff normalised working from home. As staff commenced returning to the office throughout June, the number of service requests slightly increased.



Media and Communications

Media Releases

The following media releases were issued during the month of June:

- Council receives \$360,000 in Black Spot Funding
- Lockyer Valley Libraries' online Storytime recognised by State Library of Queensland
- Skilling Queenslanders for Work initiative
- Council supports developers through pandemic recovery
- Connectivity increased in Murphy's Creek
- Council grants community wishes

Media Opportunities

Staff provided responses to media enquiries via arranging interviews, organising media opportunities, coordinating joint media, writing statements or quotes from Councillors and providing vision and interviews when media is unable to attend media opportunities.

- Mayor Milligan recommenced RiverChat weekly segment to attract visitors to local events and tourist destinations with River 949 Radio
- Resheeting at Otto Road. Cr Holstein provided a statement to Gatton Star.
- Interview with Win News and Cr Wilson regarding the Organisational Effectiveness Review.
- Helidon Rest Area. Cr Holstein provided a statement to Gatton Star.
- Railway Street Development Application. Cr Vela provided a statement to Gatton Star.
- Interview with Win News and the Mayor regarding relocation to the Lockyer Valley.
- Interview with ABC Southern Qld with Cr Qualischefski regarding organisational structure
- Interview with ABC Southern Qld with Coordinator Libraries regarding Lockyer Valley Libraries' online Storytime recognised by State Library of Queensland
- Interview with Cr Holstein regarding Black Spot funding media release

Newsletters**June Community Connect Newsletter**

The Community Connect Newsletter is sent to community groups within the region on the first Monday of each month.

- 40% of recipients opened the June newsletter
- 21% clicked on links and interacted with the articles
- Top three most 'clicked' links were: Business COVID-19 Safe Plans, Care Army toolkit and COVID Safe pdf.

Website

- There were 10,107 users on the website during June. This is up by 957 from the number of visitors in May.
- Of the 10,107 website users, 69.6 per cent of website visitors were new users.
- After the home landing page, the most visited page was current vacancies with 1645 views.

In House Design Projects

- Various fact sheet titles and reviews
- Queensland Transport Museum brochure
- COVID-19 Stage 2 restrictions poster
- Lockyer Valley Youth school holidays marketing pack
- Website and news banners
- Waste fees and charges 2020/2021 brochure
- Queensland Transport Museum billboard
- Rating Category Statement
- Budget capital works infographic
- Budget village infographic

Videos Created

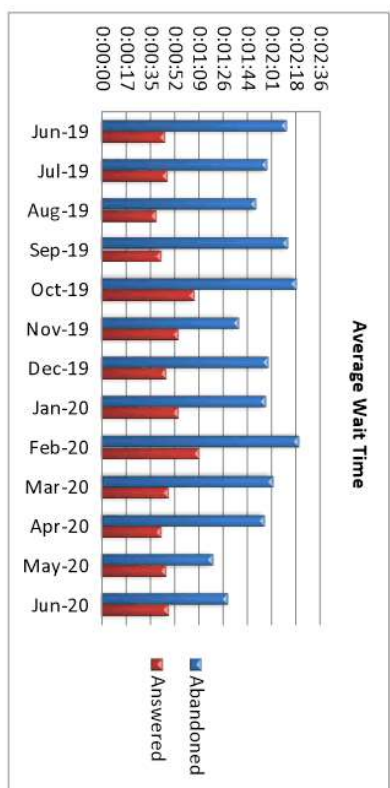
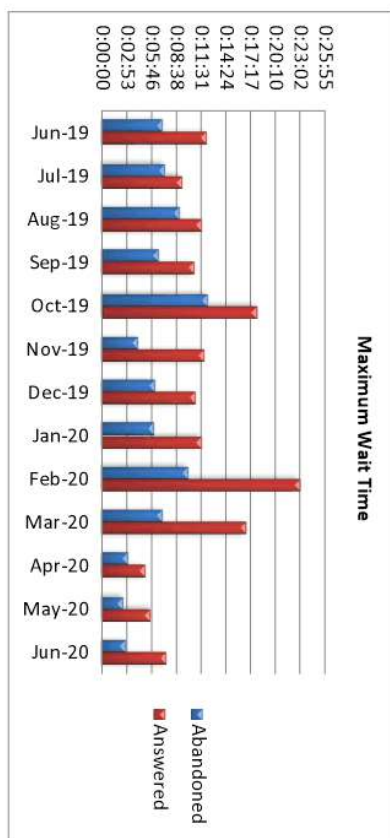
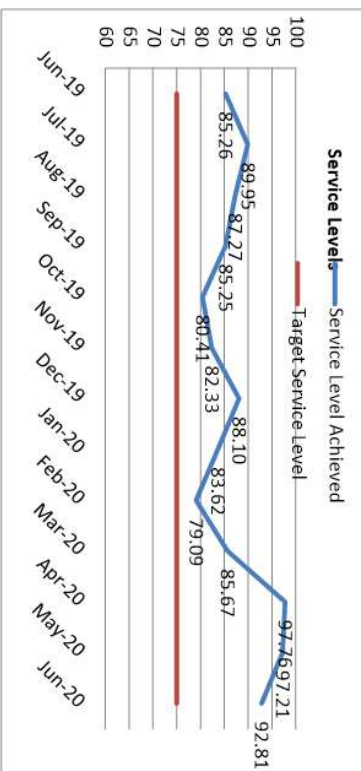
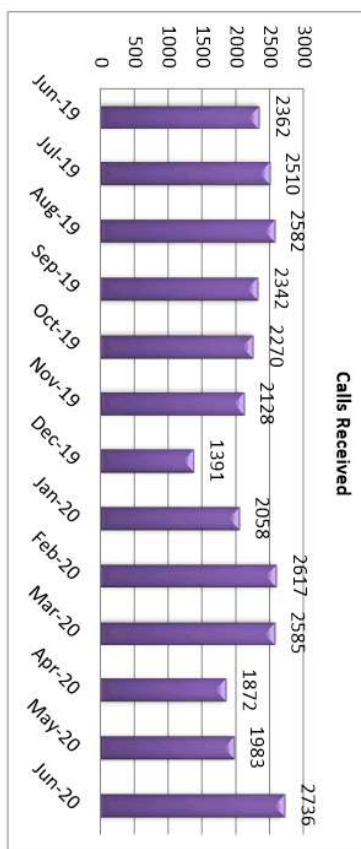
- Black spot funding
- Murphys Creek footpath
- Lockyer Valley Youth school holiday program
- Lockyer Valley Libraries Story Path

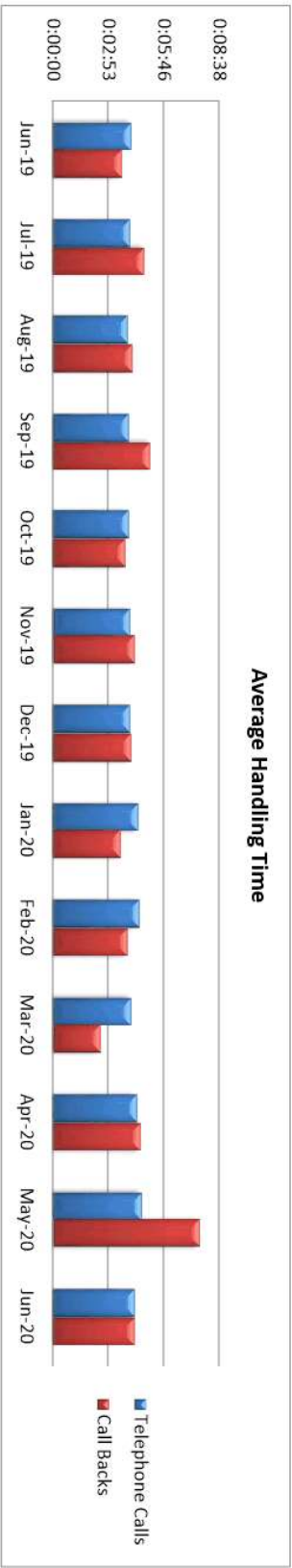
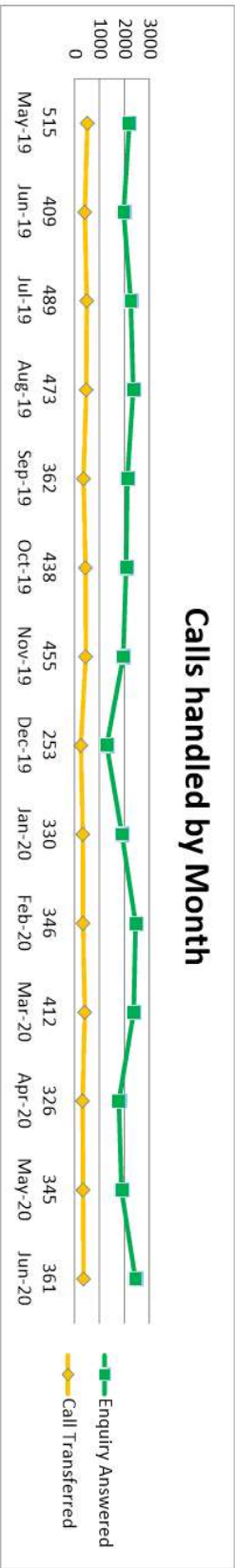
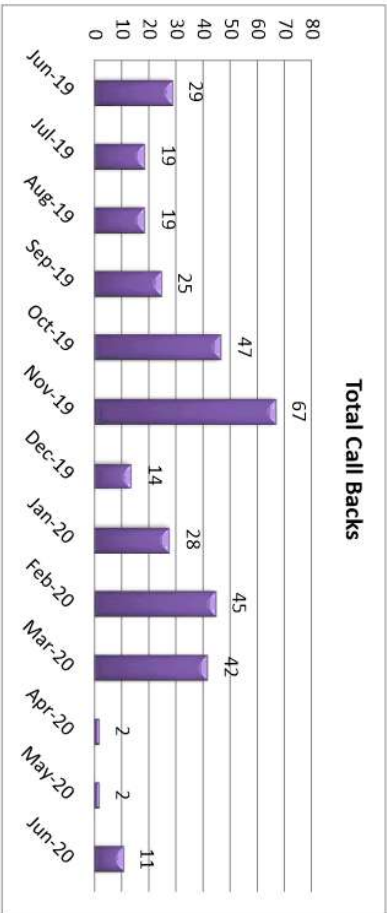
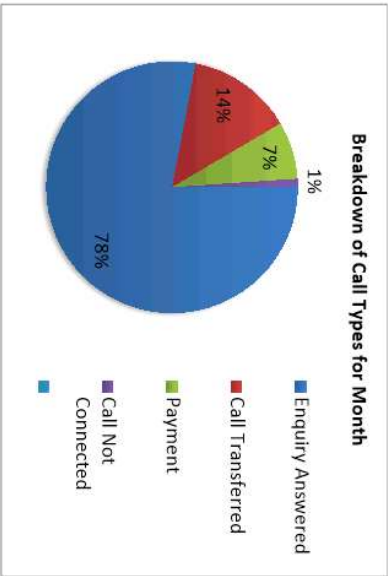
Attachments

- 1 [↓](#) Customer Contact Statistics - June 2020 6 Pages
2 [↓](#) Safety Performance Statistics - June 2020 1 Page

Lockyer Valley Regional Council – Customer Contact Monthly Statistics – June 2020

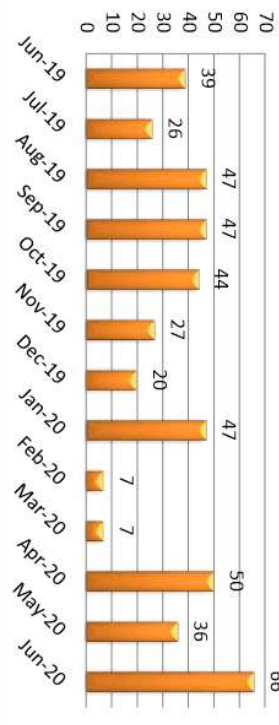
Telephone



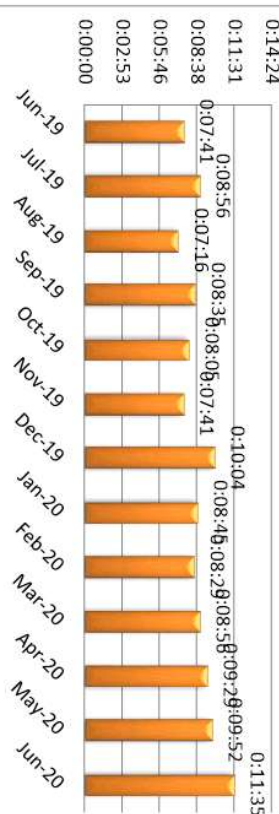


Live Chat, ERequests & Receipts

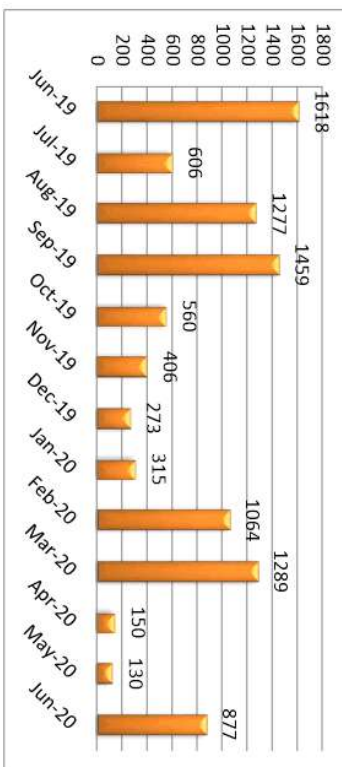
Total Web Chats



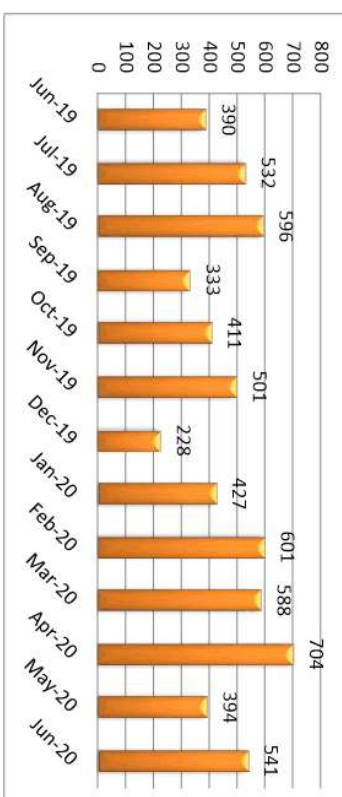
Web Chat - Average Handling Time



Total Receipts

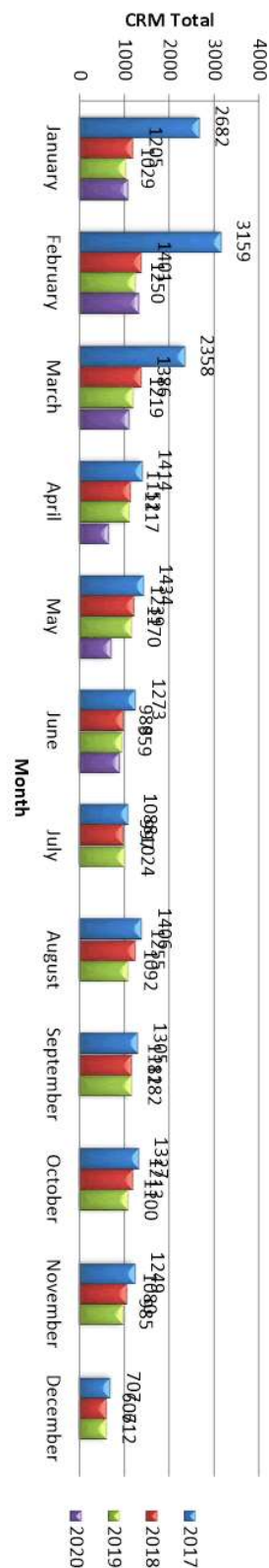


Total eRequests



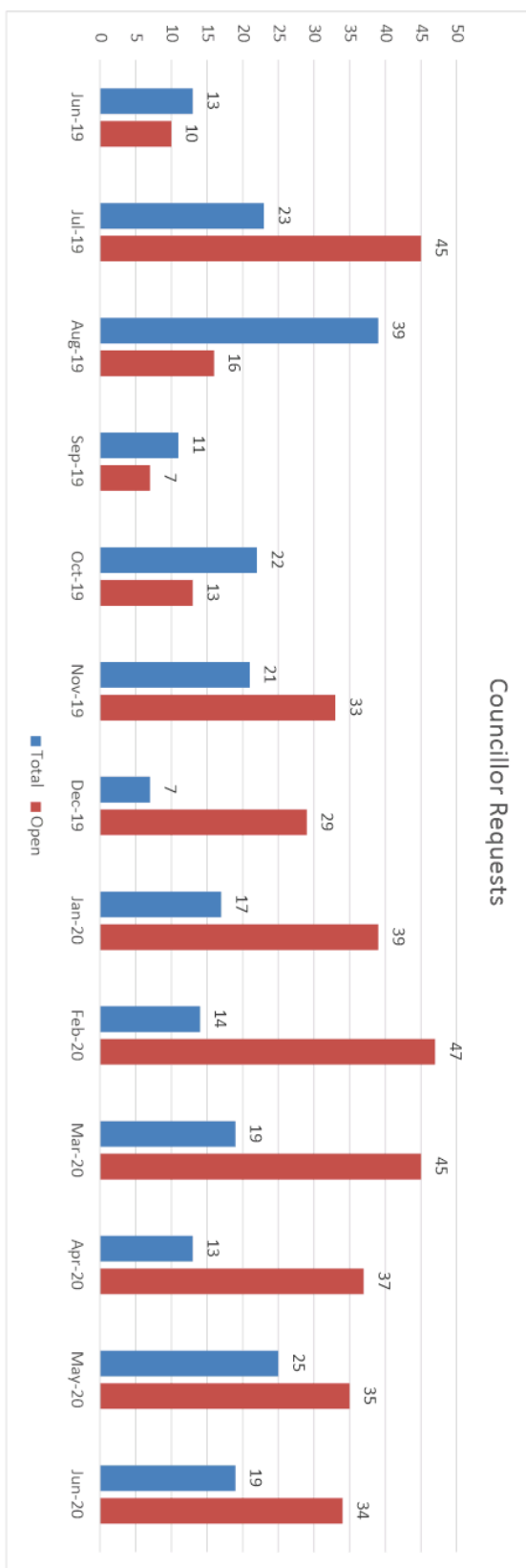
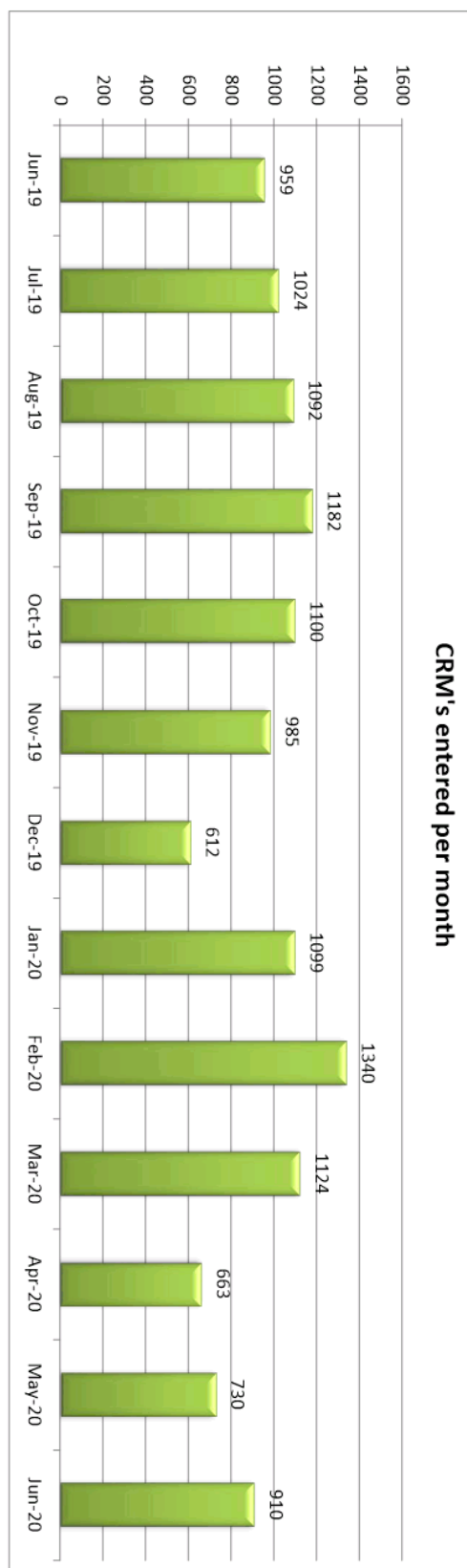
Customer Requests

CRM Month Comparison 2017-2018-2019-2020



CRM Month Comparison 2017-2018-2019-2020





Online Requests

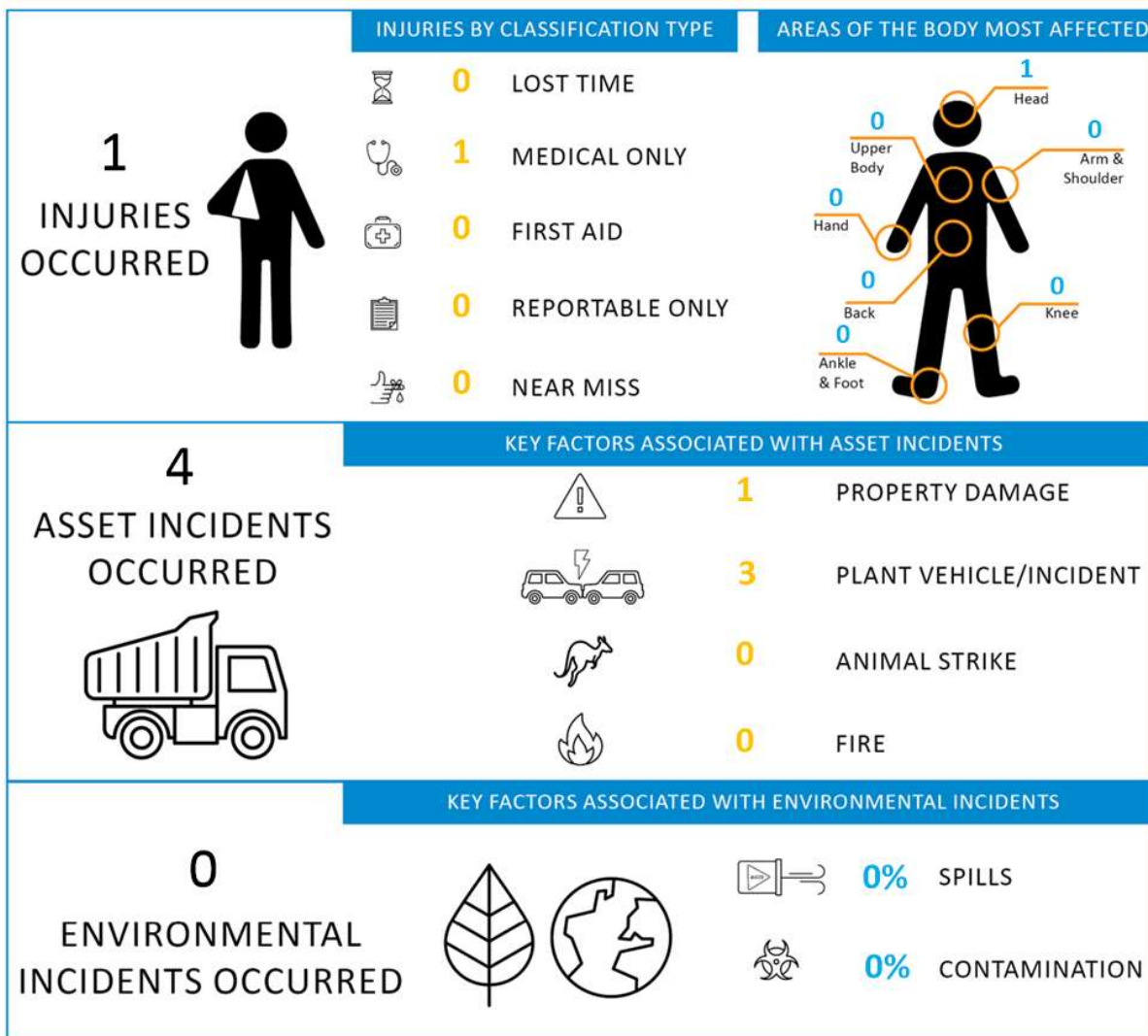


QGAP Performance Report

Total time taken for all transactions	38,4167hrs
Total number of transactions	236
Total average time for all transactions	9.77

MEASURING OUR SAFETY PERFORMANCE

June 2020



	June 2020	June 2019
Injury related incidents	1	4
Asset related incidents	4	5
Environment related incidents	0	0
Lost Time Injuries	0	1
Total days lost due to ongoing injuries	41	15

11.2 Re-appointment Independent Chair - Audit and Risk Management Committee

Date: 02 July 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Anna Hebron, Group Manager People and Business Performance

Purpose:

The purpose of this report is to seek Council's endorsement of the re-appointment of the Independent Chair position on the Audit and Risk Management Committee.

Officer's Recommendation:

THAT Council endorse the re-appointment of Kerry Phillips for a second term as the Independent Chair on the Audit and Risk Management Committee effective from 1 July 2020.

Executive Summary

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

The current membership of the Audit and Risk Management Committee comprises of three independent members and two Councillors. There is a statutory requirement to appoint a Chair and it is favourable for this appointment to be independent from Council.

Finance and Resource Implications

The determination of the Independent Member for the Audit and Risk Management Committee will be managed through existing budget allocations.

Corporate PlanCorporate Plan Theme

Lockyer Leadership and Council

Outcome

5.4 Commit to open and accountable governance to ensure community confidence and trust in council and our democratic values.

Operational Plan Action Item (as relevant)

There is no operational plan action item relevant to this matter.

ConsultationPortfolio Councillor Consultation

The appointed Councillors to the Audit and Risk Management Committee, Councillor Wilson and Councillor Cook participated in the review of the performance of the Independent Chair of the Audit and Risk Management Committee.

Internal Consultation

Executive Leadership Team.

External Consultation

Due to the internal administrative nature of this report, there has been no external consultation.

Community Engagement

Due to the internal administrative nature of this report, there has been no community engagement.

ProposalOverview

A request was received from the Independent Chair to be re-appointed for another term. To enable this re-appointment in line with the Audit and Risk Management Committee Charter a review of the performance of the Independent Chair was conducted and a successful outcome was determined.

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* sets out the required framework for operation of the Audit Committee. The Audit and Risk Management Committee Charter has been developed in accordance with the legislative framework and outlines the role, responsibilities, composition and operating guidelines of the Committee.

Policy Implications

This report and recommendations align with the Audit and Risk Management Committee Charter.

Risk Considerations

Key Corporate Risk Code and Category: FE2 – Finance and Economic.

Key Corporate Risk Descriptor: Decision making governance, due diligence, accountability and sustainability.

Previous Council Resolutions

Ordinary Meeting 25 July 2018 Resolution No 16-20/1032.

THAT Council endorse the appointment of Kerry Phillips as Independent Chairperson of the Audit and Risk Management Committee for a period of two years commencing 1 July 2018.

Related Documentation

There is no related documentation for this report.

Critical Dates

In order to affect the continuation of the Audit and Risk Management Committee an arrangement must be in place prior to the next meeting of the Committee scheduled for Thursday 6 August 2020.

Implementation

On adoption of the recommendation, documentation will be sent to Ms Kerry Phillips to confirm her reappointment as the Independent Chair of the Audit and Risk Management Committee for a period of two years.

Attachments

There are no attachments for this report.

11.3 Internal Audit Function

Date: 02 July 2020
Author: Madonna Brennan, Governance and Strategy Advisor
Responsible Officer: Anna Hebron, Group Manager People and Business Performance

Purpose:

The purpose of this report is to:

1. Inform Council of the outcome of the review conducted by the Audit and Risk Management Committee on Council's internal audit function.
2. Seek Council's adoption of the revised three-year Internal Audit Plan and the reviewed Internal Audit Charter.

Officer's Recommendation:

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.

And further;

THAT Council adopt the revised three-year Internal Audit Plan and the Internal Audit Charter, as attached to this report.

Executive Summary

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, O'Connor Marsden and Associates in conjunction with Council's Business Performance branch. 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.

Finance and Resource Implications

An allocation has been made in the 2020-21 budget to fund the delivery of the 2020-21 component of the Internal Audit Plan.

Corporate Plan**Corporate Plan Theme**

Lockyer Leadership and Council

Outcome

5.4 Commit to open and accountable governance to ensure community confidence and trust in council and our democratic values.

Operational Plan Action Item (as relevant)

There is no operational plan action item relevant to this matter.

ConsultationPortfolio Councillor Consultation

The appointed Councillors to the Audit and Risk Management Committee, Councillor Wilson and Councillor Cook participated in the review of the performance of the internal audit function, review of the Internal Audit Charter and review of the 3-year Internal Audit Plan.

Internal Consultation

Executive Leadership Team.

External Consultation

The review of the performance of the internal audit function, review of the Internal Audit Charter and review of the 3-year Internal Audit Plan was conducted by the Audit and Risk Management Committee which includes three independent external members, including one community member.

Community Engagement

Due to the internal administrative nature of this report, there has been no community engagement.

ProposalOverviewPerformance 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 2019-20 financial year was conducted in accordance with Council's Internal Audit Charter and initiated with Council's contracted internal audit provider, O'Connor Marsden and Associates by completing a self-review questionnaire. The self-review questionnaire was provided to the Committee at its meeting held on the 18 June 2020 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 Council's internal audit function met expectations.

Revised three-year Internal Audit Plan

The revised three-year Internal Audit Plan (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 Leadership Team; and
- Obtaining input from Council's Audit and Risk Management Committee.

The revised three-year Internal Audit Plan was presented to Council's Audit and Risk Management Committee on 27 February 2020 and also 18 June 2020. The Committee recommended 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 2020-21 component of the Plan.

As result of the planning process, the following audits are recommended for the 2020-21 financial year:

Audit Name	Justification for Audit Topic	Objective	Days
Data Analytics	Request by Audit and Risk Management Committee	To develop an agreed range of data analytics to support the Council's internal control framework and fraud risk management approach.	12 Q1
Payroll & Remuneration	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 governing payroll and remuneration is adequate.	12 Q2
Lessons learnt from the Pandemic	High priority request from Management.	To assist the Council to benefit from the impacts of the Pandemic, we will facilitate a process across the Council, Executive and Managers to identify the key learnings. We will then assess how the learnings have been prioritised and actioned including reviewing and recommending changes to the business continuity framework and plan.	8 Q3
Financial Sustainability and Asset	High priority request from Management	To assess the processes that Council has established to manage and monitor its financial	12 Q4

Audit Name	Justification for Audit Topic	Objective	Days
Management Planning		sustainability including budget preparation and monitoring, reporting and asset management planning.	
TOTAL AUDIT DAYS			44
Annual Audit Planning			1
Audit Committee Meetings & Preparation			4
Follow Up Audit Recommendations (Project Management & Legislative Compliance)			3
TOTAL DAYS			52
Fees \$1050/Day (Excluding GST)			\$54,600

Internal Audit Charter

The Internal Audit Charter was reviewed and endorsed by the Audit and Risk Management Committee at its meeting held on 18 June 2020 with no changes required. The reviewed Internal Audit Charter is attached to the report for adoption by Council.

Legal Implications

Section 105 of the *Local Government Act 2009* requires Council to establish an 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 has been developed in accordance with this legislative framework and as such outlines the role, responsibilities and operating guidelines of Council's internal audit functions.

Policy Implications

This report and recommendations align with the Internal Audit Charter and Internal Audit Policy.

Risk Considerations

Key Corporate Risk Code and Category: FE2 – Finance and Economic.

Key Corporate Risk Descriptor: Decision making governance, due diligence, accountability and sustainability.

Previous Council Resolutions

Ordinary Meeting 28 August 2019 Resolution No 16-20/1481.

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.

And further;

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

Related Documentation

- Lockyer Valley Regional Council Internal Audit Plan 2020/2021 to 2022/2023.
- Draft Internal Audit Charter Version 1.4.

Critical Dates

In order to affect the delivery of the Internal Audit Plan for the 2020-21 financial year, the Plan is required to be adopted by Council either prior to or at the earliest opportunity after the commencement of the financial year.

Implementation

On adoption of the revised three-year Internal Audit Plan, notification is to be provided to Council's contracted Internal Auditor. The Internal Audit Charter to be signed and updated on Council's Policy Register and copy provided to Council's contracted Internal Auditor.

Attachments

- 1 [↓](#) Revised 3-year Internal Audit Plan 12 Pages
- 2 [↓](#) Draft Internal Audit Charter Version 1.4 4 Pages



Lockyer Valley Regional Council

Internal Audit Plan

2020/2021 to 2022/2023

2 July 2020



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Draft Prepared by Internal Audit:	1 st August 2019
Final Draft Prepared by Internal Audit:	13 th August 2019
Updated Plan Prepared by Internal Audit:	4 th June 2020
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.

This plan has been updated as a result of a management request to postpone a planned review of workplace health and safety. We have also taken the opportunity to update the internal audit plans for the 2020/2021 to 2022/2023 financial years based on management and Audit Committee feedback.

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*;
- 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 2019/2020 to 2022/2023 period includes:

2019/2020	2020/2021	2021/2022	2022/2023
<ul style="list-style-type: none"> • Managing the sustainability of Local Government Services 	<ul style="list-style-type: none"> • Local Government development Applications and Approvals • Asset Management in Local Government 	<ul style="list-style-type: none"> • Qld Floods Commission of Inquiry • Effectiveness of local government audit committees 	<ul style="list-style-type: none"> • Managing conflicts of interest in local government • Maintaining strong and prosperous regions

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 Coverage
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) Project Management (19/20)
Financial & Economic	Decision making governance, due diligence, accountability and sustainability	High	New Councillor Induction (16/17)
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 Proposed Internal Audits for 2020/2021 to 2022/2023

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.

2020/2021 Financial Year Audit Plan

Audit Name	Justification for Audit Topic	Objective	Days
Data Analytics	Request by Audit and Risk Management Committee	To develop an agreed range of data analytics to support the Council's internal control framework and fraud risk management approach.	12 Q1
Payroll & Remuneration	Medium priority. Not audited by IA for 5 years but subject to external audit.	To provide assurance that the Council manages it payroll and remuneration functions effectively, economically and efficiently and that the internal control framework governing payroll and remuneration is adequate.	12 Q2
Lessons learnt from the Pandemic	High priority request from Management.	To assist the Council to benefit from the impacts of the Pandemic, we will facilitate a process across the Council, Executive and Managers to identify the key learnings. We will then assess how the learnings have been prioritised and actioned including reviewing and recommending changes to the business continuity framework and plan.	8 Q3
Financial Sustainability and Asset Management Planning	High priority request from Management	To assess the processes that Council has established to manage and monitor its financial sustainability including budget preparation and monitoring, reporting and asset management planning.	12 Q4
TOTAL AUDIT DAYS			44
Annual Audit Planning			1
Audit Committee Meetings & Preparation			4
Follow Up Audit Recommendations (Project Management & Legislative Compliance)			3
TOTAL DAYS			52
Fees \$1050/Day (Excluding GST)			\$54,600

2021/2022 Financial Year Audit Plan

Audit Name	Justification for Audit Topic	Objective	Days
Risk Management Framework	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.	10 Q1/2
Workforce Planning	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.	10 Q2/3
Procurement	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 the internal control framework governing procurement is adequate	10 Q3/4
Property Management	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 Q3/4
TOTAL AUDIT DAYS			42
Annual Audit Planning			2
Audit Committee Meetings & Preparation			4
Data Analytics Maintenance and Follow up Audit Recommendations (Governance Related)			4
TOTAL DAYS			52
Fees \$1050/Day (Excluding GST)			\$54,600

2022/2023 Financial Year Internal Audit Plan

Audit Name	Justification for Audit Topic	Objective	Days
Information Security	High strategic and operational risks	To provide assurance that the Council operates its information security functions effectively, economically and efficiently and that the internal control framework governing information security is adequate, particularly in relation to: <ul style="list-style-type: none"> Confidentiality Integrity, and Availability. 	8 Q1
Data Analytics	Request by Audit and Risk Management Committee	To develop an agreed range of data analytics to support the Council's internal control framework and fraud risk management.	10 Q2
Revenue Management	High priority. No internal audit coverage of rates revenue management. Reviewed by external auditors.	To provide assurance that the Council manages its revenue management functions effectively, economically and efficiently and that the internal control framework governing revenue management is adequate.	12 Q3
Asset Management & Planning Framework	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.	14 Q4
TOTAL AUDIT DAYS			44
Annual Audit Planning			1
Audit Committee Meetings & Preparation			4
Data Analytics Maintenance			3
TOTAL DAYS			52
Fees \$1050/Day (Excluding GST)			\$54,600

1.7 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
Workplace health and safety	Medium priority. Strategic and operational risks. Legislative compliance requirements
Conflict of interest management	Medium priority. Follow up of CCC reports into Council matters.
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.
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.
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.

1.8 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	2019-20
Flood Relief Appeal Funding	Purchasing Contract Governance	Financial Sustainability Payment of Allowances	Light Fleet Fuel Management	Risk Management Consultancy Credit Cards	Risk Management Consultancy New Councilor Induction	Risk Management Consultancy Capital Project Planning (Asset Management)	Risk Management Consultancy Infrastructure Charges Review	Project Management Legislative Compliance Framework
	Contract Management Capital Planning Projects Grants Audit Contractor vs Employee IT Risk Health Check Audit Register Follow Up	Payroll Records Management Audit Register Follow Up	Fraud Risk Management Operational Budget Process and Reporting Email and Internet Audit Register Follow Up	Business Continuity Management Customer Service Request Management Audit Register Follow Up	Cyber		Tendered Contract Review	Risk Assurance Mapping



Internal Audit Charter

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: People and Business Performance
Branch: Business Performance
Approved: Ordinary Council Meeting
(Resolution Number: XX-XX/XXX)
Date Approved: XX/XX/2020
ECM:

Effective Date: 01/07/2020
Version: 1.4 Last Updated 28/08/2019
Review Date: 30/06/2021
Superseded/Revoked: Internal Audit Charter Version 1.3

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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: People and Business Performance
Branch: Business Performance
Approved: Ordinary Council Meeting
(Resolution Number: XX-XX/XXX)
Date Approved: XX/XX/2020
ECM:

Effective Date: 01/07/2020
Version: 1.4 Last Updated 28/08/2019
Review Date: 30/06/2021
Superseded/Revoked: Internal Audit Charter Version 1.3

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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.

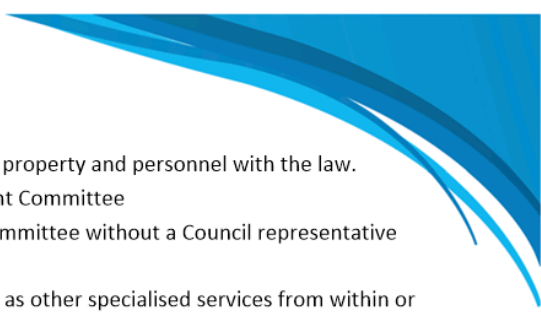
Authority

The outsourced Internal Audit Provider is authorised to:

Group: People and Business Performance
Branch: Business Performance
Approved: Ordinary Council Meeting
(Resolution Number: XX-XX/XXX)
Date Approved: XX/XX/2020
ECM:

Effective Date: 01/07/2020
Version: 1.4 Last Updated 28/08/2019
Review Date: 30/06/2021
Superseded/Revoked: Internal Audit Charter Version 1.3

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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.

Group: People and Business Performance
Branch: Business Performance
Approved: Ordinary Council Meeting
(Resolution Number: XX-XX/XXX)
Date Approved: XX/XX/2020
ECM:

Effective Date: 01/07/2020
Version: 1.4 Last Updated 28/08/2019
Review Date: 30/06/2021
Superseded/Revoked: Internal Audit Charter Version 1.3

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11.4 Resilience and Risk Reduction Funding 2019-2020 Program

Date: 01 July 2020
Author: Michelle Kocsis, Coordinator Disaster Management
Responsible Officer: Anna Hebron, Group Manager People and Business Performance

Purpose:

The Resilience and Risk Reduction Funding 2019-20 program supports projects that deliver disaster resilience and risk reduction outcomes for Queensland. Funding is now open and closes on 22 July 2020. This report seeks approval for the recommended projects for submission under the funding round.

Officer's Recommendation:

THAT Council approve applications for the following projects to be submitted for the Resilience and Risk Reduction Funding 2019-20 program to the Queensland Reconstruction Authority –

- **Laidley Town Flood Protection scheme (LTFPS) - update and design development**
- **Flood Classifications Review**
- **Upgrade Flood Infrastructure**

And further;

THAT, the 2020-21 budget is amended upon notification of approval of funding.

Executive Summary

In May 2018 the Queensland Government made a commitment of \$38 million to be distributed in equal instalments over four consecutive annual funding rounds for resilience. The first funding round was administered in 2018-19 by the Queensland Reconstruction Authority (QRA). Round two of the Resilience and Risk Reduction Funding is now open.

Finance and Resource Implications

Applicants for this funding are expected to make a financial contribution towards the eligible project costs. It is recommended Council seek 60% of project costs through this funding and absorb 40% in the 2020-21 disaster management allocated budget.

The projects recommended for funding in this round are:

- Laidley Town Flood Protection scheme (LTFPS) Update and Design Development
 Total project cost: \$150,000 External Funding: \$90,000 Council Contribution: \$60,000
- Flood Classifications Review
 Total project cost: \$50,000 External Funding: \$30,000 Council Contribution: \$20,000
- Upgrade flood infrastructure
 Total project cost: \$90,000 External Funding: \$54,000 Council Contribution: \$36,000

The attached document provides further information about each project.

Corporate PlanCorporate Plan Theme

Lockyer Community

Outcome

- 1.3 Enhanced wellbeing and safety of the community.
- 1.6 The community's preparedness for disasters is improved through community education, training and strong partnerships between Council and other agencies.

ConsultationPortfolio Councillor Consultation

Consultation was undertaken with the Chair of the Local Disaster Management Group.

Internal Consultation

- Governance and Strategy Group
- Financial Services
- Economic Development and Community
- Infrastructure
- Planning, Environment & Regulatory Services
- Disaster Management

Community Engagement

Due to the internal administrative nature of this report, there has been no community engagement.

ProposalOverview

The 2019-20 Guidelines outline infrastructure projects that improve resilience and functionality of at-risk infrastructure or communities may include but are not limited to:

- Updating existing assets such as transport assets, drainage management pump stations, storm water systems, major drains, weather warning and monitoring systems
- Planning and designing infrastructure for the primary purpose of community resilience or disaster risk reduction
- Constructing new, or upgrading existing shelters, evacuation centres and places of refuge
- Constructing new natural hazard mitigation infrastructure that reduces/mitigates against disaster risk
- Constructing new or upgrading existing fire trails and associated measures,

Non-Infrastructure projects aimed at improving a community's disaster risk understanding, preparedness, resilience, response and recovery, include but are not limited to:

- Natural hazard risk assessments and studies
- Research and/or development projects
- Development of evacuation and emergency action plans
- Development of regional-scale resilience/risk reduction strategies to address/mitigate natural hazard risk in the area

- Community preparedness, education and training programs
- Appointment of community or regional resilience officers to address the identified need
- Capacity building programs for local volunteers- research/studies to identify and address bushfire mitigation priorities across the state
- Research/studies to identify and address bushfire mitigation priorities across the state
- Flood modelling and mapping, and flood risk management studies and plans
- Purchase of disaster management equipment
- Bushfire related fuel reduction activities
- Recovery capability and/or resilience building programs,

Legal Implications

On acceptance by the Queensland Reconstruction Authority of the projects proposed, Council will enter into an agreement for the delivery of the projects.

Policy Implications

Procurement of goods or services will be in accordance with Council's Procurement Policy.

Risk Considerations

Key Corporate Risk Code and Category: *FE1 Finance and Economic*

Key Corporate Risk Descriptor: *Financial sustainability to support the achievement of strategy, goals and objectives in the medium to long term.*

Previous Council Resolutions

There are no previous council resolutions in relation to this matter.

Related Documentation

Resilience and Risk Reduction Funding 2019-20 Projects

Critical Dates

- Funding applications close on 22 July 2020.
- All projects to be completed by 30 June 2022.
- Lodgement of complete acquittal documentation by 20 September 2022.

Implementation

- Key Council Officers notified of Council's decision.
- Funding applications developed and lodged with Queensland Reconstruction Authority for assessment.

Attachments

1 [↓](#) Resilience and Risk Reduction Funding 2019-20 Projects 2 Pages

Resilience and Risk Reduction Funding - Round 2, 2019-2020 (DRRF) - MARS Ref 002038

Funding: \$2,000,000 per project

Lodgement date: 22 July 2020

Funding period - projects completed by 30 Jun 2022

Round 2 of 4 funding rounds for resilience - total commitment \$38m

Eligible scope
Support projects that deliver disaster resilience and risk reduction outcomes for Queensland communities

Council contribution req: Yes, exemption can be requested but is part of the assessment

Eligible initiatives:

Infrastructure projects

- Updating existing assets such as transport assets, drainage management pump stations, storm water systems, major drains, weather warning and monitoring systems
- Planning and designing infrastructure for the primary purpose of community resilience or disaster risk reduction
- Constructing new, or upgrading existing shelters, evacuation centres and places of refuge
- Constructing new natural hazard mitigation infrastructure that reduces/mitigates against disaster risk
- Constructing new or upgrading existing fire trails and associated measures

Non-Infrastructure projects

- Natural hazard risk assessments and studies
- Research and/or development projects
- Development of evacuation and emergency action plans
- Development of regional-scale resilience/risk reduction strategies to address/mitigate natural hazard risk in the area
- Community preparedness, education and training programs
- Appointment of community or regional resilience officers to address the identified need
- Capacity building programs for local volunteers- research/studies to identify and address bushfire mitigation priorities across the state
- Research/studies to identify and address bushfire mitigation priorities across the state
- Flood modelling and mapping, and flood risk management studies and plans
- Purchase of disaster management equipment
- Bushfire related fuel reduction activities
- Recovery capability and/or resilience building programs

Eligible Project Costs

Costs associated with the delivery of training and education programs

Construction costs including all site works required as part of the constructions and construction-related labour, materials and equipment hire

Detailed design

Costs of conducting a tender for the proposed project

Project management costs including remuneration of additional technical and professional staff for time directly related to managing the construction or delivery of the proposed project

Project Name	Project Description	Total Project Cost	Funding sought 60%	Council Funding Contribution 40%	Funding Priority	20/21 Council Budget Bid	Linkage to existing projects	Linkage to Eligible Projects
Laidley Town Flood Protection scheme (LTPPS) - update and design development	The current NDRP project is revising and updating the 2014 flood modelling to address design deficiencies (identified in the 2017 North Laidley levee project) and applying the revised IFD design rainfall grids WMA2020 so that the base flood modelling is current and reliable. This new project intends to apply this modelling to the 2014 LTPPS and further develop the preliminary concept design towards implementation. Council has constructed 3 out of the 10 elements of the scheme in 2014-2017 and at this stage to progress the implementation of balance of the scheme needs to undertake this additional work.	\$150,000	\$90,000	\$60,000	1	\$69,000	Builds off current NDRP projects	Development of regional-scale resilience/risk reduction strategies to address/mitigate natural hazard risk in the area
Flood Classifications Review	Local government responsibilities are outlined in the National Arrangements for Flood Forecasting and Warning state that in Queensland the establishment of flood classification levels rests with local government, in consultation with the Bureau. These levels are determined by local government, based on the Bureau's standard descriptions of flood effects, historical data and relevant local information. After councils determine the level and impacts, these are used by the Bureau when flood warnings are issued for the location. Flood classifications can be revised at any time and should be reviewed if there have been any changes to infrastructure or flood behaviour that impacts a community. The Flood Classifications in Queensland A best practice guide for local governments released by QRA 24/06/2020 highlights the need to undertake flood classification review at river height gauge locations within the Lockyer Valley. There are 21 river height gauges in the Lockyer Valley. This project will review Flood classifications of Minor, Moderate, Major at 16 sites. 5 sites will be addressed in the current NDRP projects.	\$50,000	\$30,000	\$20,000	2	\$25,000	Builds off current NDRP projects which will undertake flood classification reviews at 5 sites	Non-infrastructure project aimed at improving Queensland communities' disaster risk understanding, preparedness, resilience, response and recovery.
Upgrade flood infrastructure	This project will upgrade Council's flood infrastructure system to include an additional flood monitoring camera, upgrade of river height gauge equipment from gas systems to H540 systems, sign locations of underground components to avoid risk of damage to critical infrastructure and investigations into options for automated warning systems at high risk locations at VM Sylvia to Junction View, Upper Flagstone and Sandy Creek, Grantham	\$90,000	\$54,000	\$36,000	3	\$84,000 (3 projects in DM Capital Budget combined)		Projects that improve resilience and functionality of at-risk infrastructure or communities, may include but are not limited to: @ Upgrading existing assets such as weather warning and monitoring systems (e.g. weather stations in high risk bushfire areas, storm tide warning systems, river height monitoring, flood and rain gauges).

11.5 Request for renewal of Trustee Lease over part of Lot 149 on CP CC2675

Date: 02 July 2020
Author: Julie Millard, Property Officer
Responsible Officer: Anna Hebron, Group Manager People and Business Performance

Purpose:

The purpose of this Report is to seek Council's direction on the request received from the current Lessee to renew the Trustee Lease for the purpose of wood craft activities over part of Lot 149 on CP CC2675 situated at 24 Railway Street, Forest Hill and apply the exception from tendering under Section 236(1)(c)(iii) of the *Local Government Regulation 2012* to enable a new Trustee Lease to be offered.

Officer's Recommendation:

THAT with respect to the request to enter into a new Trustee Lease over part of Lot 149 on CP CC2675 to Lockyer Woodcrafters Group Inc, Council resolve to:

- (a) Apply the exception contained in Section 236(1)(c)(iii) of the *Local Government Regulation 2012* and offer a new Trustee Lease to Lockyer Woodcrafters Group Inc for a term of ten (10) years and on terms satisfactory to Council; and**
- (b) Delegate authority to the Chief Executive Officer to do all things necessary to give effect to this resolution.**

Executive Summary

The purpose of this Report is to discharge Council's statutory obligations to enable a new Trustee Lease to be offered to the existing Lessee, Lockyer Woodcrafters Group Inc (Lessee), on terms satisfactory to Council.

Finance and Resource Implications

The rental of \$132.00 plus GST with a fixed increase per annum of 2% for the new Trustee Lease is consistent with the rental applied to other leases granted by Council to community organisations and clubs and is equivalent to the appropriate state lease rental category.

The Lessee will be responsible for all outgoings, repairs and maintenance excluding statutory and capital maintenance, as well as all survey costs (if any) and lease registration costs. If a Trustee Lease is issued for the same area as the previous Trustee Lease a new Lease Survey Plan will not be required. The Lessee is entitled to apply for grants and other funding to assist with covering expenses.

The Lessee would also be responsible to obtain public liability insurance and contents insurance.

No further financial implications are anticipated for Council as the Trustee Lease documents can be prepared internally by Council's Property Officer.

Corporate Plan

Corporate Plan Theme

Lockyer Leadership and Council

Outcome

5.2 Excellence in customer service to our community

5.7 Compliant with relevant legislation

Consultation

Internal Consultation

- ✓ Planning, Environment and Regulatory Services
- ✓ Community Facilities
- ✓ Financial Services

External Consultation

- ✓ Lockyer Woodcrafters Group Inc
- ✓ Department of Natural Resources, Mines and Energy

Proposal

Overview

The Lessee's previous Trustee Lease of part of Lot 149 on CP CC2675 situated at 24 Railway Street, Forest Hill for the purpose of wood craft activities expired on 30 June 2020. The Lessee is currently holding over on the same terms and conditions of the expired Trustee Lease.

Council has received a request from the Lessee to enter a new Trustee Lease over the land for a term of 10 years with a 10-year option. Being a Trustee Lease no options for a further term are allowed and it is recommended that a term of 10 years be offered to the Lessee.

An Aerial Plan showing the current leased area is **attached** to this Report. It contains one building which is used by the Lessee for wood craft activities.

The leased premises comprises approximately 750m² and forms part of a larger recreation reserve in which Council is Trustee. The Land is zoned as Open Space and Reserves and any Trustee Lease will be subject to the mandatory standard terms for trustee leases.

The Lessee currently pays \$1.00 per annum and all outgoings. It is proposed to increase the new rental to \$132.00 plus GST per annum with a 2% annual fixed increase. The proposed new rental is equivalent to the appropriate state lease rental category and is consistent with rental charged by Council to other Community Groups.

Legal Implications

Section 236(1)(c)(iii) of the *Local Government Regulation 2012* provides an exception from the requirement to go to tender if the disposal is for the purpose of renewing a lease to the existing tenant.

A Trustee Lease may be offered for a term up to 20 years but cannot contain any renewal options.

The proposed use of the Land for wood craft activities is consistent with the recreation purpose that the reserve land was dedicated. In accordance with Written Authority No. 1 – Section 64 of the *Land Act 1994*, a land management plan and Ministerial approval for the Trustee Lease is not required.

The Trustee Lease will include Mandatory Standard Terms set by the Department of Natural Resources, Mines and Energy and is required to be registered on the title of the land at the Lessee's expense.

Policy Implications

There are no policy implications associated with this report.

Risk Considerations

Key Corporate Risk Code and Category: LCL1

Key Corporate Risk Descriptor: Legal Compliance and Liability
Compliance management – regulatory or contract compliance, litigation, liability and prosecution

Previous Council Resolutions

This matter has not previously been considered by Council.

Related Documentation

An Aerial Map of the Lease Area is attached to this Report.

Critical Dates

There are no critical dates identified.

Implementation

1. Advise the Lessee of Council's resolution;
2. Prepare draft Trustee Lease; and
3. Register the Trustee Lease with the Department of Natural Resources, Mines and Energy (Titles Registry).

Attachments

- 1  Aerial Map



12. COMMUNITY & REGIONAL PROSPERITY REPORTS**12.1 Regional Arts Development Fund (RADF) Committee - Adoption of Terms of Reference and Appointment of Councillor Representatives**

Date: 24 June 2020
Author: Nicole Kilah, Coordinator Libraries & Galleries
Responsible Officer: Amanda Pugh, Group Manager Community & Regional Prosperity

Purpose:

The purpose of this report is to seek Council's adoption of Terms of Reference for the Regional Arts Development Fund (RADF) Committee, and the appointment of Councillor representatives to the Committee.

Officer's Recommendation:

THAT Cr _____ be appointed as Chairperson and Cr _____ be appointed as a Councillor Representative to the Regional Arts Development Fund (RADF) Committee.

And further;

THAT Council adopt the Terms of Reference for the RADF Committee, as attached.

Executive Summary

Terms of Reference have been drafted for Council's RADF Committee. In accordance with the draft Terms of Reference, Council is required to appoint two Councillors as members of the Committee.

Finance and Resource Implications

There are no finance and resource implications to this report. Existing staff support RADF and community representation on the committee is on a voluntary basis.

Corporate PlanCorporate Plan Theme

Lockyer Community

Outcome

- 1.2 Council optimised the use of its open spaces and facilities by improving access to and the quantity of the facilities for individuals and groups for cultural, recreational and community activities.
- 1.4 Council seek to understand community needs, resulting in partnerships that realise long-term benefits to the community in a timely manner.
- 1.5 Events and activities that bring together and support greater connectivity in the community.

ConsultationInternal Consultation

Governance and Strategy have been consulted regarding these Terms of Reference.

External Consultation

Arts Queensland was consulted on the drafting of the Terms of Reference.

Proposal

Overview

The Regional Arts Development Fund (RADF) Committee provides advice and assistance to Council on the delivery of the RADF program in the Lockyer Valley Region. The key responsibilities of the Committee are to:

- Assess RADF applications in a fair manner;
- Ensure that the funding is allocated in line with the RADF key performance; and
- Participate in RADF bidding and reporting cycles.

Council has conducted the RADF program since 2007, however Terms of Reference for the Committee have never been established. Terms of Reference will provide the Committee and Council with clear guidance and expectations supporting strong governance and management of the RADF program. Draft Terms of Reference (see attached) have been prepared and are presented for Council's approval.

The draft Terms of Reference state that:

- the Committee will consist of two Councillors appointed by Council, and at least two, but no more than six, community members;
- Councillor members will serve on the RADF Committee for their four-year Council term; and
- the Chairperson of the Committee is to be a Councillor appointed by Council.

It is recommended that Council appoints two Councillor representatives, one of which is to be appointed as Committee Chair.

Legal Implications

There are no known legal implications associated with this recommendation.

Policy Implications

This matter does not impact on Council policy.

Risk Considerations

Key Corporate Risk Code and Category: FE2

Key Corporate Risk Descriptor: Finance and Economic
Decision making governance, due diligence, accountability and sustainability

Previous Council Resolutions

Ordinary Council Meeting 28 November 2012 (2792)

Report Title: Advisory Committees

Related Documentation

Regional Arts Development Fund Guidelines 2020-21

Critical Dates

There are no critical dates associated with this report.

Implementation

The approved Terms of Reference will be published on Council's website and provided to Committee members.

Community nominations will be sought for the Lockyer Valley RADF Committee.

Attachments

1 [!\[\]\(d66ff64371a51729ac8c1cdaa685ba6f_img.jpg\)](#) RADF Committee - Draft Terms of Reference 5 Pages

Regional Arts Development Fund



Regional Arts Development Fund Committee *Terms of Reference*

Purpose

The Regional Arts Development Fund (RADF) Committee provides advice and assistance to the Lockyer Valley Regional Council on the delivery of the RADF program within the Lockyer Valley Region.

Background

The Regional Arts Development Fund (RADF) was established in 1991 as a state and local government partnership to support artists and art workers living in regional Queensland. RADF promotes the role and value of arts, culture and heritage as key drivers of diverse and inclusive communities and strong regions. RADF invests in local arts and cultural priorities across Queensland. RADF is delivered as a partnership between the Queensland Government (through Arts Queensland) and the Lockyer Valley Regional Council.

Funding

Lockyer Valley Regional Council and the Queensland Government contribute funds to the program. The scale of the Queensland Government investment varies depending on the contribution made by Council and the State RADF Assessment Panel's moderation and funding recommendations.

Membership

Council will establish a RADF Committee membership that is culturally and geographically representative of the community by:

- Publicly advertising for expressions of interest; and/or
- Direct invitation of Committee members.

The Committee will consist of two Councillors appointed by Council and at least two, but no more than six, community members.

Councillor members shall serve on the RADF Committee for their four-year Council term.

The Chairperson of the RADF Committee will be a Councillor appointed by Council. The Chairperson does not assess applications but chairs the meetings where grant funding is determined.

Community members may serve for a maximum term of four years with an option to step down after two years. Committee members who have served for a continuous four-year term are required to 'rest' for a period of 12 months before being again eligible for membership on the committee.

To be considered for a position as a community member on the RADF Committee, candidates will need to:

- Provide Council with a current CV highlighting relevant arts or cultural experience and outlining any involvement with relevant arts networks and organisations.

Regional Arts Development Fund



- Indicate which groups they represent within the community: young people (under 26), people with a disability, older people (55+), female, male, Indigenous people, Torres Strait Islanders, culturally and linguistically diverse individuals.

Nominations for community members will be assessed by a panel including the RADF Liaison Officer and two other Council employees appointed by the Chief Executive Officer. The panel will submit their recommendations for community members for endorsement by Council.

Members may resign at any time by notice in writing to the Chair. Members can be replaced at any time by resolution of Council. Replacement members may be sought in the event of a vacancy by a new or prior expression of interest process. Each appointment must be made by Council resolution.

As part of Lockyer Valley Regional Council's RADF partnership with Arts Queensland, Council's Chief Executive Officer will appoint a staff member as a RADF Liaison Officer to support the RADF Committee and the local RADF program.

Authority

The RADF Committee is an advisory group and does not have the authority to direct Council or Council staff or authorise purchasing or payments. The Committee's role is to make representations and recommendations to Council.

All selected members of a RADF Committee have full voting rights. Council's RADF Liaison Officer provides administrative support to the committee but has no voting rights.

All representations and recommendations to Council shall be decided by consensus (defined as general, but not necessarily unanimous) among the members of the committee. If the RADF Committee is unable to reach a majority decision, the Chair will have the casting vote.

All members of the Committee have access to the RADF Liaison Officer so that emergent matters can be tabled for consideration through the Chair at Committee meetings.

Frequency of Meetings

The Lockyer Valley Regional Council RADF program has two grant rounds per year and Committee meetings are held to assess applications following the close of each round.

Meeting Procedures

A quorum will consist of 50% of committee members.

If the Chairperson is absent, an interim chair will be appointed for that meeting. The interim chair will be a Committee member selected by the Committee or appointed by the Council's Chief Executive Officer (CEO) or the CEO's delegate.

Agendas, applications and support material will be provided online to members in sufficient time to enable consideration prior to each meeting. On completion of the assessment meeting, Committee Members are required to destroy all applications and support materials they may have downloaded.

Regional Arts Development Fund



In addition to Assessment meetings, Committee members may be required to attend additional meetings to set priorities for the coming grant round or to address any issues that may arise.

Members are required to demonstrate due diligence by the preparation for, attendance at and participation in Committee meetings.

The RADF Liaison Officer is responsible for the preparation of meeting agendas and minutes.

Meetings are not open to the public for observation.

The minutes of Committee meetings will be provided to:

- Lockyer Valley Regional Council; and
- All members of the Committee.

Responsibilities

Members of the RADF Committee are to:

- Attend and participate in RADF meetings where necessary.
- Assess RADF applications in a fair manner. If a committee member considers that they have a real or perceived conflict of interest in an application, they are required to inform the RADF Liaison Officer of the conflict prior to the Committee meeting. They will be required to remove themselves from the discussion and decision-making process in relation to that application.
- Ensure that funding allocated is in line with the RADF Key Performance Outcomes and Council's Arts and Cultural priorities.
- Participate in the RADF bidding and reporting cycles where necessary.
- Participate in RADF training.
- Advise the RADF Liaison Officer prior to the meeting if they are unable to attend, to ensure that a quorum can be met.

Committee members are also required to:

- Attend an induction for the RADF Program.
- Sign an agreement to abide by Council's Code of Conduct.
- Attend a Lockyer Valley Regional Council Volunteer induction session.

Committee members are not permitted to directly apply for a grant while they are on the RADF committee, but they may be associated with someone else's application. In such a case, the committee member would be required to declare a conflict of interest.

The RADF Liaison Officer is required to submit reports to Arts Queensland and prepare a detailed application for funding for the following financial year. These reports must contain detailed criteria for assessing the performance and effectiveness of the RADF program and its committee in any given year.

Grant Approval Process

Once the RADF Committee has reached agreement on which grant applications are to be recommended and for what level of funding, the RADF Liaison Officer will present the recommendations to Council at a Local Government meeting for ratification and approval.

Regional Arts Development Fund



Council can veto committee recommendations but only when they do not accord with Council's policies or compromise other Council initiatives.

Quick Response Grant Approval Process

A RADF Quick Response Grant is a mechanism for Council to respond to opportunities where it can be demonstrated that they have arisen at short notice and require a response that cannot be delivered within the timeframes of the standard grant rounds.

Quick response grants are assessed by a panel that includes a minimum of two RADF committee members and Council's Chief Executive Officer (CEO) or the CEO's delegate.

The RADF Liaison Officer will inform all applicants of the approval or rejection of their application within five working days of a decision being made.

The RADF Liaison Officer will complete arrangements for successful applications within 30 working days of approval being given.

The RADF Liaison Officer will submit a report to the next available Council meeting advising of Quick Response Grant approvals.

Confidentiality

All matters discussed at Committee meetings, together with all material provided to members of the Committee, are for the purposes of informed discussion and debate at the meeting. It is therefore not for public release unless directed by the Chair for the purpose of sector/community engagement.

All matters discussed by the Committee will be in accordance with the requirements of the *Information Privacy Act 2009* and *Right to Information Act 2009*. The views of Committee members will be treated with respect and will not be discussed with external parties.

Communication

All communication with the media will be undertaken by Council unless otherwise approved by Council's CEO or the CEO's delegate.

Committee members must refrain from making any public comment or issuing any information, in any form, concerning the Committee or the matters of interest to the Committee without the authority of Council.

Remuneration

Community members on the RADF Committee is on a voluntary basis and members are not eligible for any form of remuneration or reimbursement of expenses.

Obligations of the Committee

All members of the RADF Committee will:

Regional Arts Development Fund



- Comply with these Terms of Reference; and
- Declare any real or perceived conflicts of interest at the commencement of each meeting; and
- May be required to leave the meeting for any discussions in which they may have a real or perceived conflict of interest.

Performance Indicators

The RADF Liaison Officer is required to submit Biannual Reports to Arts Queensland and prepare a detailed application for funding for the following financial year. These reports contain detailed criteria for assessing the performance and effectiveness of the RADF program and its Committee in any given year.

Amendments of the Terms of Reference

Council may, at any time after consultation with the RADF Committee, vary these Terms of Reference. The RADF Committee may recommend to Council variations to the Terms of Reference which Council will consider.

The Terms of Reference will be reviewed every 3 years.

Further information on the RADF Program

Detailed information about the RADF program, including guidelines, assessment information, committee nomination forms and other information can be viewed at Lockyer Valley Regional Council's website.

For further information contact Council's RADF Liaison Officer, on 5462 0317 or galleries@lvrc.qld.gov.au.

12.2 Amendment to the Register of Cost Recovery and Commercial Fees and Charges 2020/2021 in relation to Planning & Development, Building Services, and Plumbing Fees

Date: 25 June 2020

Author: Tammee Van Bael, Graduate Planning Officer

Responsible Officer: Amanda Pugh, Group Manager Community & Regional Prosperity

Purpose:

The purpose of this report is to consider proposed amendments to the Planning and Development, Building Services, and Plumbing Fees in Council's 2020/2021 Register of Fees and Charges that are proposed to take effect from 15 July 2020. These changes are in relation to a change of officer title, annexed unit fee, technical report fees for development applications triggered by an overlay, spelling correction and the new process for Form 19s including flood information searches.

Officer's Recommendation:

THAT Council adopt the following amendments to the Register of Fees and Charges 2020/2021 to take effect from 15 July 2020:

1.5.1 – Planning Fees – Explanatory Notes

Replace the words "*Manager Planning, Environment and Regulatory Services*" with the words "*Manager Planning, Policy and Community Wellbeing*"

1.5.3 – Major Projects

Replace the words "*Manager Planning, Environment and Regulatory Services*" with the words "*Manager Planning, Policy and Community Wellbeing*"

1.6.1 – Residential & Residential Related

Gatton Shire Planning Scheme Area

Annexed Unit

Name	Amount (inc. GST)	GST
Annexed Unit	\$1,380.00	N

1.7.1 – Other

Development Application Triggered by Overlay

Fee per overlay

Name	Amount (inc. GST)	GST
Code Assessment	\$1,720.00	N

Impact Assessment	\$2,870.00	N
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Additional fees are not required to assess any technical reports associated with Development Applications Triggered by an Overlay.

Minor Change/Extension to Existing Use

Name	Amount (inc. GST)	GST
Minor Change to an approval (involving changes to approved plans only and not involving a change to or cancelling of conditions)	\$920.00	N

1.7.2 – Request for Building, Plumbing and Planning Information

Charge/Fee applies per lot to which the request applies.

Planning Information & Basic Flood Information

Name	Amount (inc. GST)	GST
Planning Information / Basic Flood Information / Form 19 per item requested	\$65.00	N

Flood Advice

Name	Amount (inc. GST)	GST
Detailed Flood Advice	\$455.00	N

1.9.3 – Supply of Plans and Information to Consultants/Building Certifier/Owner

Name	Amount (inc. GST)	GST
Request for Building, Plumbing and Planning Information / Form 19 – the application and the approval documents for the application (Part B – G1) per certificate	\$65.00	N
Building Record Search (including copy of site and floor plans if available)	\$330.00	N
50% of the fee charged is refundable when a search is cancelled by applicant prior to commencement of search. Refund requests must be in writing. (Search includes plumbing records & OSSF last inspection service date if available). Up to 10 business days processing time		
Commercial Building Record Search (includes copy of site and floor plans if available)	\$530.00	N
Request for Building, Plumbing and Planning Information-/ Form 19 – the decision notice or negotiated decision notice for the application (part B – G2) certificates relied on to decide the application (per certificate) (part B – G5)	\$65.00	N

Request for Building, Plumbing and Planning Information / Form 19 – a copy of the plans, drawings & specifications & other documents & information lodged by the applicant, stamped approved or otherwise endorsed by the assessment manager (excludes decision notice and inspection documents) (part B – G3) i.e. commercial or A1 plans may incur additional charges	\$130.00	N
Request for Building, Plumbing and Planning Information / Form 19 – certificate of classification (part C – H5)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – details of existing buildings on the property if available (part A – D1)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – Information relied on to decide the application in relation to the physical characteristics and location of infrastructure related to the application (part C – H1, 2, 3, 4, 6, 7 other) per item	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – relevant sections of register of show cause and enforcement notice information (for a particular lot on plan) (part A – F3)	\$65.00	N
Request for certificate of classification including under section 110 of Building Act minimum fee (additional hours after the first 2 hours charged at \$160 per hour)	\$500.00	N
Hourly Rate plus Minimum Fee for Site Inspection \$180.00.		

1.10.8 – Supply of Plans & Information to Consultants/Building Certifier/Owner

No refunds shall apply.

Name	Amount (inc. GST)	GST
Request for Building, Plumbing and Planning Information / Form 19 – plan of any sanitary drain within or adjacent to the property, including approved connection point and any limitations on capacity (class 1 and 10 'as constructed' sanitary drainage plan) (part A – A1)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – a copy of the plans, drawings & specifications & other documents & information lodged by the applicant, stamped approved or otherwise endorsed by the assessment manager (excludes decision notice and inspection documents) (part B – G3) i.e. commercial or A1 plans may incur additional charges	\$130.00	N
Request for Building, Plumbing and Planning Information / Form 19 – certificates relied on to decide the application (part B – G5) per certificate	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – hydraulic services plans (existing commercial buildings) class 2 to 9 'as constructed' (part A – D3)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19	\$65.00	N

– Information relied on to decide the application in relation to the physical characteristics and location of infrastructure related to the application (part C – H1, 2, 3, 4, 6, 7 other) per item		
Request for Building, Plumbing and Planning Information / Form 19 – the application and the approval documents for the application (Part B – G1) per certificate	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – details of any required land application area for on-site disposal of sewerage, including any reserve area (part A – A5)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – details of approved swimming pool discharge point (part A – A6)	\$65.00	N

Executive Summary

This report considers amendments to the Planning and Development, Building Services, and Plumbing Fees in relation to a change of officer title, Annexed Unit fee, technical report fees for development applications triggered by an overlay, spelling correction and the new process for Form 19s including flood information searches.

With a change of title for one of the delegated officers under the 2020/2021 Register of Fees and Charges it is necessary to delete the words “*Manager Planning, Environment and Regulatory Services*” and replace with “*Manager Planning, Policy and Community Wellbeing*”.

The changes to the Annexed Unit fee under the *Gatton Shire Planning Scheme 2007* are required to ensure it is consistent with an Apartment fee under the *Laidley Shire Planning Scheme 2003*.

The Planning, Policy and Community Wellbeing branch have reviewed the current processes for responding to Form 19 requests and providing flood information to ensure the type and extent of data provided is appropriate for the purpose of the request. As such, amendments to the Register of Fees and Charges are required to more appropriately reflect the cost of responding to requests and providing flood information searches.

Finance and Resource Implications

The amendments to the Register of Fees and Charges will ensure consistency of application fees and ensure that the stated fees reflect cost recovery.

Corporate Plan

Corporate Plan Theme

Lockyer Community

Lockyer Planned

Outcome

1.1 – A community with fair and reasonable access to services.

4.3 - A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

Consultation

Portfolio Councillor Consultation

Councillor Vela was consulted regarding the changes to the flood information searches.

Internal Consultation

Planning, Policy and Community Wellbeing
Finance

External Consultation

A communication strategy has been developed to roll out the revised Building, Plumbing and Planning Information (including flood information) searches process. In particular, there will be targeted communication with regular customers requesting flood searches.

Community Engagement

Once adopted, the revised 2020/2021 Register of Fees and Charges will be uploaded to Council's website.

Proposal

Overview

There are five types of amendments to the Planning and Development, Building Services, and Plumbing Fees under Council's 2020/2021 Register of Fees and Charges being:

1. Change of Officer Title;
2. Annexed Unit Fees;
3. Clarification of Fees for Technical Reports;
4. Spelling Error; and
5. Request for Building, Plumbing and Planning Information including Flood Information Searches.

1. Change of Officer Title

The Register of Fees and Charges refers to the Manager Planning, Environment and Regulatory Services which is the previous title for the Manager Planning, Policy and Community Wellbeing and should therefore be updated with the current and correct title.

It is recommended that Council's 2020/21 Register of Fees and Charges be amended as follows:

1.5.1 - Planning Fees – Explanatory Notes

Replace the words "*Manager Planning, Environment and Regulatory Services*" with the words "*Manager Planning, Policy and Community Wellbeing*"

1.5.3 – Major Projects

Replace the words "*Manager Planning, Environment and Regulatory Services*" with the words "*Manager Planning, Policy and Community Wellbeing*"

2. Annexed Unit Fees

The Annexed Unit fee for the *Gatton Shire Planning Scheme 2007* is currently \$1,385.00 under the current 2020/21 Fees and Charges. The fee was intended to be increased for the 2020/21 Fees and Charges by 2.5%. Under the *Laidley Shire Planning Scheme 2003* for the equivalent use of an Apartment, the fee is \$1,380.00, which was increased for 2020/21 by approximately 2.5%.

For consistency for the equivalent type of uses across the Gatton and Laidley Planning Schemes, it is recommended that the Annexed Unit charge be reduced by \$5.00 to \$1,380.00.

3. Fees for Technical Reports Associated with Development Applications Triggered by an Overlays Application

The Register of Fees and Charges sets separate fees for technical reports associated with development applications. The assessment of Development Applications triggered by an Overlay primarily involves the assessment of technical reports that address the overlay therefore it is not necessary to charge an additional fee for the technical report beyond the stated fee of \$1,720.00 for code assessable and \$2,870.00 for impact assessable applications

It is recommended that Council's 2020/21 Register of Fees and Charges be amended as follows:

1.7.1 – Other Development Application Triggered by Overlay

Insert the following words after the table stipulating the fee amounts:

"Additional fees are not required to assess any technical reports associated with Development Applications Triggered by an Overlay."

4. Spelling Correction

It is recommended that Council's 2020/21 Register of Fees and Charges be amended as follows:

1.7.1 – Other Minor Change/Extension to Existing Use

Name	Amount (inc. GST)	GST
Minor Change to an approval (involving changes to approved plans only and not involving a change to or cancelling of conditions)	\$920.00	N

Replace "invloving" with the word "involving"

5. Request for Building, Plumbing and Planning Information including Flood Information Searches

Current Process

Council currently issues building, plumbing and planning information including flood advice, when requested, for a specific property through the Form 19 – Request for Building Information. Form 19 is produced by the Department of Housing and Public Works for Council use in compliance with Schedule 22, Part 1, Section (1) (zl) of the *Planning Regulation 2017*. Form 19 currently provides information for

a range of Building, Planning and Plumbing matters. The issuing of flood advice is also a Council obligation from the recommendations of the Queensland Flood Commission of Inquiry 2012. On the Form 19, customers currently request flood advice through a B2 checkbox. The fee for providing this information is \$65.00 in accordance with the Register of Fees and Charges.

The Form 19 B2 search will provide customers with the following information for a specific property, if available:

- Flood height, depth and velocity;
- Hazard and risk assessment;
- Historical records or data; and
- Planning approval requirements if a proposed development is identified.

The current process for issuing Form 19 flood advice creates unnecessary complexity, utilises excess resources and exposes Council to unnecessary risk. The information currently issued under the Form 19 process is in excess of the information Council is required to provide for the purposes of the Queensland Development Code (QDC) building provisions. There are risks to providing additional information beyond Councils obligations due to factors such as consistency, accuracy, misinterpretation of data and changes in circumstances relating the site or surrounding area. In addition, there are also concerns with resourcing and cost implications to maintaining the current level of service which is not being operated as a cost recovery service. Addressing these issues has been the catalyst for the current business improvement project to review the Form 19 and flood advice process.

As part of the business improvement project, the process other Councils undertake for issuing flood advice was reviewed. In general, other Councils provide limited information on flooding including defined flood level, maximum flood depth and velocity. Larger Councils have the capabilities to issue this advice through an automated search portal. However, any information that a customer would like to obtain beyond this basic information, requires the customer to engage their own engineering consultant.

Proposed Process

The new Form 19 process will issue the same information as provided under the Form 19 currently, where Council holds that information. The process will be renamed to the Request for Building, Plumbing and Planning Information. As part of the change to the process, a new form being the Request for Building, Plumbing and Planning Information has been developed. The main change to the process is the issuing of flood information. No changes to the fees and charges for the other items are proposed.

Based on the above Council will issue flood advice through a new process as follows:

1. Basic Flood Information; and
2. Detailed Flood Advice.

The above process is a tiered approach to issuing flood advice. The information provided under each level of advice is as follows:

		Type of Flood Search	
		Basic Flood Information	Detailed Flood Advice
Information Provided	Defined Flood Level	✓	✓
	Maximum Flood Depth	✓	✓
	Velocity	✓	✓
	Hazard	✓	✓
	Planning Approval Requirements	✓	✓
	Observations on proposed use		✓
	Flood Risk Analysis		✓
	Historical Flood Information		✓

1. Basic Flood Information

Basic Flood Information will provide the Defined Flood Level, Maximum Flood Depth, Velocity and Flood Hazard data, if available, for a nominated location on the property. The response will also identify whether the property is mapped under Council's *Temporary Local Planning Instrument (TLPI) Flood Regulation*. If a proposed development is identified, advice will be provided on any planning approval requirements.

The information provided under this type of advice will satisfy the requirements of the *Planning Regulation 2017*. This type of request will generally be requested by conveyancers, builders or building certifiers for the purposes of the QDC building provisions. The information provided will satisfy the requirements of a Form 19. As such, it is recommended that the fee for providing this advice be consistent with the current fee of \$65.00 for a Form 19 providing flood information. This fee will be monitored to inform the Fees and Charges for next financial year to ensure Council appropriately recovers cost for providing this service.

Council is currently developing a Flood Information Portal (FIP) that will provide an online portal to provide the above Basic Flood Information.

2. Detailed Flood Advice

Detailed Flood Advice will provide the information under a Basic Flood Advice as well as Observations on the proposed use, Flood Risk Analysis and Historical Flood Information, where available. The response will provide information for multiple locations on the property.

This type of request will generally be requested by conveyancers or prospective purchasers (particularly where there is an existing building or house on the property), for valuation, and development uses. It is estimated that Detailed Flood Advice will require 4-5 hours processing by Council. As such, the recommended fee for Detailed Flood Advice is \$455.00. This fee is based upon the Council recovery of costs to provide the service. This fee will be monitored to inform the Fees and Charges for next financial year to ensure Council appropriately recovers cost for providing this service.

Council also has the ability to provide flood modelling data through a Data Licencing Agreement to customers. However, this is generally only requested by professional engineers to assist with undertaking further flood modelling for a specific development. There are no changes to the fee for providing this service.

Communication Strategy

A communication strategy has been developed to assist with the transition to the new process. The strategy includes the following:

- Fact Sheet developed for Council's website;
- Email to be sent to regular customers requesting Form 19s advising of the new process;
- New form to be uploaded to Council's website; and
- Internally the relevant teams will be advised of the updated process and knowledge base articles updated.

It is recommended that Council's 2020/21 Register of Fees and Charges be amended as follows:

1.7.2 – Request for Building, Plumbing and Planning Information

Charge/Fee applies per lot to which the request applies.

Planning Information & Basic Flood Information

Name	Amount (inc. GST)	GST
Planning Information / Basic Flood Information / Form 19 per item requested	\$65.00	N

Flood Advice

Name	Amount (inc. GST)	GST
Detailed Flood Advice	\$455.00	N

1.9.3 – Supply of Plans and Information to Consultants/Building Certifier/Owner

Name	Amount (inc. GST)	GST
Request for Building, Plumbing and Planning Information / Form 19 – the application and the approval documents for the application (Part B – G1) per certificate	\$65.00	N
Building record search (including copy of site and floor plans if available)	\$330.00	N
50% of the fee charged is refundable when a search is cancelled by applicant prior to commencement of search. Refund requests must be in writing. (Search includes plumbing records & OSSF last inspection service date if available). up to 10 business days processing time		
Commercial building record search (includes copy of site and floor plans if available)	\$530.00	N
Request for Building, Plumbing and Planning Information / Form 19 – the decision notice or negotiated decision notice for the application (part B – G2) certificates relied on to decide the application (per certificate) (part B – G5)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – a copy of the plans, drawings & specifications & other documents & information lodged by the applicant, stamped approved or otherwise endorsed by the assessment manager (excludes decision notice and inspection documents)	\$130.00	N

(part B – G3) i.e. commercial or A1 plans may incur additional charges		
Request for Building, Plumbing and Planning Information / Form 19 – certificate of classification (part C – H5)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – details of existing buildings on the property if available (part A – D1)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – Information relied on to decide the application in relation to the physical characteristics and location of infrastructure related to the application (part C – H1, 2, 3, 4, 6, 7 other) per item	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – relevant sections of register of show cause and enforcement notice information (for a particular lot on plan) (part A – F3)	\$65.00	N
Request for certificate of classification including under section 110 of Building Act minimum fee (additional hours after the first 2 hours charged at \$160 per hour)	\$500.00	N
Hourly Rate plus Minimum Fee for Site Inspection \$180.00.		

1.10.8 – Supply of Plans & Information to Consultants/Building Certifier/Owner

No refunds shall apply.

Name	Amount (inc. GST)	GST
Request for Building, Plumbing and Planning Information / Form 19 – plan of any sanitary drain within or adjacent to the property, including approved connection point and any limitations on capacity (class 1 and 10 'as constructed' sanitary drainage plan) (part A – A1)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – a copy of the plans, drawings & specifications & other documents & information lodged by the applicant, stamped approved or otherwise endorsed by the assessment manager (excludes decision notice and inspection documents) (part B – G3) i.e. commercial or A1 plans may incur additional charges	\$130.00	N
Request for Building, Plumbing and Planning Information / Form 19 – certificates relied on to decide the application (part B – G5) per certificate	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – hydraulic services plans (existing commercial buildings) class 2 to 9 'as constructed' (part A – D3)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – Information relied on to decide the application in relation to the physical characteristics and location of infrastructure related to the application (part C – H1, 2, 3, 4, 6, 7 other) per item	\$65.00	N
Request for Building, Plumbing and Planning Information /	\$65.00	N

Form 19 – the application and the approval documents for the application (Part B – G1) per certificate		
Request for Building, Plumbing and Planning Information / Form 19 – details of any required land application area for on-site disposal of sewerage, including any reserve area (part A – A5)	\$65.00	N
Request for Building, Plumbing and Planning Information / Form 19 – details of approved swimming pool discharge point (part A – A6)	\$65.00	N

Legal Implications

In accordance with the *Planning Act 2016*, *Building Act 1975* and the recommendations of the Queensland Flood Commission of Inquiry 2012, Council is obligated to provide Building, Plumbing and Planning information including flooding information. The changes to the fees and process for Building, Plumbing and Planning information including flood information searches will remain compliant with the requirements of the legislation.

Policy Implications

There are no policy implications associated with this report.

Risk Considerations

Key Corporate Risk Code and Category: EC1

Key Corporate Risk Descriptor: Environment and Community
Environment and the community, including sustainable development, social and community wellbeing, relationships, public health, recreation, regional profile and identity

Previous Council Resolutions**Ordinary Council Meeting 20 May 2020 (20-24/0025)**

THAT Council adopt the 2020/2021 Register of Fees and Charges, as attached to these Minutes, with an effective date of 1 July 2020.

Related Documentation

2020-2021 Register of Fees & Charges, effective 1 July 2020

Critical Dates

There are no critical dates in relation to this report.

Implementation

1. Communication of the revised fees and charges for Form 19 and flood information searches to all relevant stakeholders, both internal and external, together with the date of effect.
2. Publication of the updated Register on Council's website from the date of effect.

Attachments

- 1 [📄](#) Draft Flood Information Searches Fact Sheet 2 Pages



Lockyer Valley
REGIONAL COUNCIL

Flood Information Searches

1 JULY 2020

Lockyer Valley Regional Council has a variety of flood information searches available. This fact sheet outlines the type of flood advice that can be obtained from Council.

What are the types of flood advice that can be obtained from Council?

1. Basic Flood Information

The Defined Flood Level (DFL), Flood Depth, Velocity and Flood Hazard data, if available, will be provided for a nominated location on the property. Also included is whether the property is mapped under Council's *Temporary Local Planning Instrument (TLPI) 01/2020 Flood Regulation*. If a proposed development is identified, advice will be provided on any planning approval requirements.

Basic Flood Information is generally requested by conveyancers or building certifiers to satisfy the requirements of the Queensland Development Code building provisions.

What do I need to submit to obtain Basic Flood Information?

Basic Flood Information can be requested by completing a Request for Building, Plumbing & Planning Information Form, payment of the required fee and nominating a location on the property.

Note – All information is required including payment of the fee, prior to Council commencing the processing of the request.

2. Detailed Flood Advice

Detailed Flood Advice will provide the same information as a Basic Flood Information as well as Observations on the proposed use, Flood Risk Analysis and Historical Flood Information, if available. The response can be provided for multiple locations on the property.

Flood Advice is generally requested for multiple locations on a property, conveyancing, valuation, or specific development uses.

What do I need to submit to obtain Detailed Flood Advice?

Detailed Flood Advice can be requested by completing a Request for Building, Plumbing & Planning Information Form, payment of the required fee and providing plans of development such as a site plan.

Note – All information is required including payment of the fee, prior to Council commencing the processing of the request.

		Type of Flood Search	
		Basic Flood Information	Detailed Flood Advice
Information Provided	Defined Flood Level	✓	✓
	Maximum Flood Depth	✓	✓
	Velocity	✓	✓
	Hazard	✓	✓
	Planning Approval Requirements (if proposed development identified)	✓	✓
	Observations on proposed use		✓
	Flood Risk Analysis		✓
	Historical Flood Information		✓

For more information call **1300 005 872** or visit www.lockyervalley.qld.gov.au

Flood Information Searches

Fees & Charges

Refer to Council's website for the current Fees & Charges.

How do I lodge my request?

Council's preferred method of lodgement is via email to mailbox@lvrc.qld.gov.au. Alternatively, requests can be lodged at Gatton or Laidley Customer Service Centres, or sent in the post to Lockyer Valley Regional Council, PO Box 82, Gatton QLD 4343.

How do I know what type of search to request?

The type of search required depends on what flood advice you wish to obtain. It is recommended customers consult the information on the previous page. If further specific information is required, please contact Council on 1300 005 872.

Note – Council is only able to provide general advice on the type of search that may be suitable depending on the situation and information available. The ultimate decision on the type of search to obtain is at the discretion of the customer.

I used to submit a Form 19, what has happened to Form 19s? Does Council still process Form 19s?

Form 19 was developed by the Queensland Government for use by Councils to allow customers to request building information. To improve the efficiency and effectiveness of flood information searches for both Council and customers, a Request for Building, Plumbing and Planning Information process has been developed.

Customers are encouraged to use the new Request for Building, Plumbing and Planning Information Form which will streamline the process and provide better clarity on the information provided for the varying types of searches.

Can I request a search for multiple properties?

Yes, a separate request will need to be lodged for each property. The fees payable are per property.

Can I obtain Council's flood modelling data/files?

Council's Flood Modelling Data can be obtained through a Data Licencing Agreement. This is generally only required by professional engineers who are required to undertake further flood modelling for a specific development. It is recommended that Council be contacted on 1300 005 872 prior to requesting this data to ensure it is appropriate for your needs. There is a fee associated with accessing this data.

Need further information?

This fact sheet is designed to be a guide to flood information searches. If you require further specific information, please contact Council's Customer Service on 1300 005 872.

Please note this fact sheet may be updated by Council at any time with the most recent version available on Council's website. If you have a printed copy, please see Council's website to ensure you have the latest version. ■

12.3 Adoption of Amendments to the Gatton Shire Planning Scheme and Laidley Shire Planning Scheme

Date: 17 June 2020
Author: Annette Doherty, Acting Manager Economic Development and Community
Responsible Officer: Amanda Pugh, Group Manager Community & Regional Prosperity

Purpose:

Council has received Ministerial approval to adopt amendments to the Gatton Shire Planning Scheme and the Laidley Shire Planning Scheme. This report seeks a Council resolution to adopt the amendments.

Officer's Recommendation:

THAT Council adopts amendments to the Gatton Shire Planning Scheme and Laidley Shire Planning Scheme as attached, being Gatton Shire Planning Scheme - Planning Scheme Amendment No. 1 (2020) and Laidley Shire Planning Scheme - Planning Scheme Amendment No. 1 (2020).

Executive Summary

In 2015, Council decided to make amendments to the Gatton Shire Planning Scheme and the Laidley Shire Planning Scheme. The proposed amendments underwent public consultation in 2018 and two submissions were received. At its Ordinary Meeting on 12 February 2020, Council considered the submissions and decided to proceed with the proposed amendments. Council wrote to the Minister seeking approval to adopt the proposed amendments. Correspondence has now been received from the Minister advising that Council may proceed to adopt the proposed amendments.

Finance and Resource Implications

The amendments will have minimal impact on revenue in the form of application fees and infrastructure charges. The proposed changes mean that some matters currently dealt with through Exemption certificates (and therefore at nil charge) will become Exempt or Self assessable development and will not need to be dealt with by Council's Development Assessment Team.

There will be some costs associated with public notification of the adoption of the amendments, and budget allocation has been made for these costs.

Corporate Plan

Corporate Plan Goal
Lockyer Planned

Outcome

4.3 A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

Consultation

Portfolio Councillor Consultation

The portfolio Councillor is aware that the Minister has advised that Council may proceed to adopt the proposed amendments.

Internal Consultation

The proposed amendments were discussed with Council's planning staff prior to consideration by Council at its meeting on 12 February 2020.

External Consultation

Following Council's decision on 25 November 2015 to make the amendments, the proposed amendments were referred to the Minister for a State interest review in accordance with Statutory guideline 04/14 - Making and amending local planning instruments (MALPI). On 23 June 2016, the Minister provided advice that Council could proceed to publicly consult on the proposed amendments. Following Council's consideration of submissions at its meeting on 12 February 2020, and decision to proceed with the amendment process, Council wrote to the Minister seeking approval to adopt the proposed amendments. During this process, the proposed amendments were again considered by the Department of State Development, Manufacturing, Infrastructure and Planning.

Community Engagement

Public consultation of the proposed amendments was undertaken from 8 June 2018 to 21 July 2018 in accordance with the *Sustainable Planning Act 2009* and MALPI. Two submissions were received. The submitters will be formally advised of Council's decision in relation to the proposed amendments.

Proposal

Overview

The amendments proposed to be made to the Gatton Shire Planning Scheme and the Laidley Shire Planning Scheme are as follows:

- (a) To reduce the level of assessment for Catering shops and Health care premises when in existing commercial buildings in Precincts C1 and C2 of the Commercial zone of Gatton;
- (b) To reduce the requirements for Annexed units/Apartments and ensure consistency with how this type of development is dealt with throughout the Region;
- (c) To reduce the level of assessment for bed and breakfast accommodation in the Rural agricultural land area and the Rural upland area of the former Laidley Shire area; and
- (d) To reduce the level of assessment for Reconfiguring a lot, Operational works and Building works in areas of Very high ecological significance of the former Laidley Shire area, and where development does not involve the clearing of vegetation of ecological significance.

The proposed amendments underwent a State interest review in 2016 and public consultation in 2018. At its meeting on 12 February 2020 Council considered the two submissions received during public consultation and the changes made in response to those submissions. Council decided to proceed

with the proposed amendments, and write to the Minister seeking approval to adopt the amendments.

Advice was received from the Minister on 15 June 2020 that the proposed amendments had been assessed in relation to the changes made following public consultation, the now repealed *Sustainable Planning Act 2009*, the State Planning Policy 2017, the South East Queensland Regional Plan (Shaping SEQ), and whether or not the State interests would be adversely affected by the proposed amendments. The Minister was satisfied that the proposed amendments would not adversely affect relevant State interests and advised that Council may proceed to adopt the amendments. The Minister's approval is not subject to any conditions.

Legal Implications

The amendment process commenced under the *Sustainable Planning Act 2009* and therefore must continue in accordance with relevant guideline that applied at that time, i.e. Statutory guideline 04/14 - Making and amending local planning instruments (MALPI). The amendment process has been undertaken in accordance with MALPI.

Under the *Planning Act 2016*, a person may claim compensation because of an adverse planning change, i.e. a planning change that reduces the value of an interest in premises. As the proposed amendments reduce regulation and simplify the development process, it is unlikely an adverse planning change will arise that would lead to a claim of compensation.

Policy Implications

The proposed amendments to the Planning Schemes do not represent major changes to Council policy. The changes are proposed to increase consistency between the two Planning Schemes and to reduce regulation.

Risk Considerations

Key Corporate Risk Code and Category: Financial and Economic (FE2)
Key Corporate Risk Descriptor: Decision making governance, due diligence, accountability and sustainability

Key Corporate Risk Code and Category: Environment and the Community (EC1)
Key Corporate Risk Descriptor: Environment and the community, including sustainable development, social and community wellbeing, community relationships, public health, recreation, regional profile and identity

Previous Council Resolutions

At its Ordinary Meeting on 25 November 2015, Council resolved to make amendments to the Gatton Shire Planning Scheme and the Laidley Shire Planning Scheme.

At its Ordinary Meeting on 12 February 2020, Council resolved to proceed with the amendments and write to the Minister seeking approval to adopt the proposed amendments.

Related Documentation

Planning Act 2016

Sustainable Planning Act 2009 (now repealed)

State Planning Policy 2017

South East Queensland Regional Plan (Shaping SEQ)

Statutory guideline 04/14 - Making and amending local planning instruments

Gatton Shire Planning Scheme

Laidley Shire Planning Scheme

Critical Dates

There are no critical dates.

Implementation

In accordance with MALPI, a public notice advising of the adoption of the amendment must be published in the gazette, a newspaper circulating generally in Council's area, and on Council's website. The amendments do not take effect until notice of the adoption. Copies of the amended Planning Schemes must be provided to the Chief Executive of the Department of State Development, Manufacturing, Infrastructure and Planning.

The submitters will be formally advised of Council's decision and how the matters raised in their submissions were addressed.

The Planning Schemes documents on Council's website will be updated to incorporate the amendments.

The adoption and effect of the amendments will be communicated to relevant staff and customers.

Attachments

- 1 [↓](#) Gatton Shire Planning Scheme - Planning Scheme Amendment No. 1 (2020) 3 Pages
- 2 [↓](#) Laidley Shire Planning Scheme - Planning Scheme Amendment No. 1 (2020) 5 Pages

LOCKYER VALLEY REGIONAL COUNCIL

Gatton Shire Planning Scheme
Planning Scheme Amendment No. 1 (2020)

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Gatton Shire Planning Scheme – Planning Scheme Amendment No. 1 (2020)

Part 1 Preliminary

1 Short title

This amendment may be cited as Gatton Shire Council Planning Scheme – Amendment No. 1 (2020).

2 Adoption

Lockyer Valley Regional Council adopted this planning scheme amendment on [INSERT DATE].

3 Commencement

This amendment took effect on [INSERT DATE].

Part 2 Amendment of Gatton Shire Planning Scheme

4 Planning scheme amended

This part amends the Gatton Shire Planning Scheme.

5 Amendment of Part 4 – Zones

- (1) Part 4, division 17, section 4.50, table 1, row for 'Catering Shop'—
omit, insert—

Catering Shop	Self Assessable <i>if in an existing commercial building in precinct C1 or C2 and complying with the probable solutions of the applicable codes</i> Code assessable – <i>(a) in all other circumstances in precincts C1 or C2; or</i> <i>(b) if in precinct C4</i> Impact Assessable <i>in all other circumstances</i>	If Self Assessable: Advertising Device Code Landscaping Code Lighting Code Services and Infrastructure Code If Code Assessable: Commercial Zone Code Advertising Device Code Building Work Code Landscaping Code Lighting Code Services and Infrastructure Code Vehicle Access, Parking and On-Site Movement Code If Impact Assessable: Regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA
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Gatton Shire Planning Scheme – Planning Scheme Amendment No. 1 (2020)

- (2) Part 4, division 17, section 4.50, table 1, row for 'Health Care Premises'—
omit, insert—

Health Care Premises	Code Assessable <i>if in an existing commercial building in precinct C1 or C2</i>	If Code Assessable: Commercial Zone Code Advertising Device Code Landscaping Code Lighting Code Services and Infrastructure Code Vehicle Access, Parking and On-Site Movement Code Regard will be given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA
	Impact Assessable <i>in all other circumstances</i>	

6 Amendment of Part 6 – Assessment criteria for development for a stated purpose or of a stated type

- (1) Part 6, division 4, section 6.51, row for specific outcome 'P2.'—
omit, insert—

P2. The Annexed Unit is subordinate to the primary dwelling house and is integrated with the dwelling house so as to be compatible with the prevailing character of the locality.	A2.1 The Annexed Unit is part of the dwelling house, or where it is provided as a separate building, is separated from the primary dwelling house by no more than 20 metres from the dwelling house. A2.2 The gross floor area of the Annexed Unit does not exceed the lesser of two-thirds of the area of the dwelling house or 100m ² . A2.3 The Annexed Unit has no more than two bedrooms. A2.4 Materials used to construct the Annexed Unit are consistent with or complementary to those used in the primary dwelling house. A2.5 Vehicle access to the Annexed Unit is by means of the same driveway that services the primary dwelling house.
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7 Amendment of Part 7 - Schedules

- (1) Part 7, section 7.2, schedule 1, definition 'Annexed Unit'—
omit, insert—

"Annexed Unit" means a dwelling unit used in conjunction with, and subordinate to, a dwelling house on the same lot, as accommodation for relatives of the occupier of the dwelling house or carers thereof, or persons who due to age and/or physical condition are financially and/or socially dependent upon the occupier of the dwelling house. This definition does not include accommodation unit, caretaker's residence, dual occupancy or a rooming unit.

LOCKYER VALLEY REGIONAL COUNCIL

Laidley Shire Planning Scheme
Planning Scheme Amendment No. 1 (2020)

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Part 1 Preliminary

1 Short title

This amendment may be cited as Laidley Shire Council Planning Scheme – Amendment No. 1 (2020).

2 Adoption

Lockyer Valley Regional Council adopted this planning scheme amendment on [INSERT DATE].

3 Commencement

This amendment took effect on [INSERT DATE].

Part 2 Amendment of Laidley Shire Planning Scheme

4 Planning scheme amended

This part amends the Laidley Shire Planning Scheme.

5 Amendment of Part 4 – Areas

- (1) Part 4, division 4, section 4.8, table 7, after row for 'Secondary Rural Dwelling'—
insert—

Tourist Accommodation	Code Assessable if for bed and breakfast accommodation.	Advertising Devices Code Building Dimensions Code On-Site Effluent Disposal Code Rural Areas Code Tourism Uses Code Vehicle Access and Parking Code

- (2) Part 4, division 6, section 4.12, table 11, after row for 'Secondary Rural Dwelling'—
insert—

Tourist Accommodation	Code Assessable if for bed and breakfast accommodation.	Advertising Devices Code Building Dimensions Code On-Site Effluent Disposal Code Rural Areas Code Tourism Uses Code Vehicle Access and Parking Code

6 Amendment of Part 5 – Overlays

- (1) Part 5, division 1, section 5.2, Table 23A—

omit, insert—

Ecologically Significant Native Vegetation Areas (Overlay Maps E1 and E2)

Column 1 Defined Use or Use Class ¹²³	Column 2 Assessment Category	Column 3 Applicable Code
Public infrastructure	Exempt (for facilities and infrastructure in existing identified and proposed corridors and sites as indicated on Overlay Maps I1 and I2)	
Use for a Road ¹²⁴	Exempt All circumstances	
All other uses	Exempt if- (a) the site area is not located within an area, or within 200m of an area, identified as being of High or Very High Ecological Significance; or (b) no clearing of vegetation (as defined in the <i>Vegetation Management Act 1999</i>) is required. Code Assessable if the criteria for exempt do not apply.	If code assessable – Areas of Natural and Environmental Significance Overlay Code

- (2) Part 5, division 1, section 5.2, Table 24A—

omit, insert—

Ecologically Significant Native Vegetation Areas (Overlay Maps E1 and E2)

Column 1 Type of Development	Column 2 Assessment Category	Column 3 Applicable Code
Reconfiguring a lot	Code Assessable ¹²⁸ if the site area is located within an area identified as being of Moderate, High or Very High Ecological Significance.	Areas of Natural and Environmental Significance Overlay Code

Laidley Shire Planning Scheme – Planning Scheme Amendment No. 1 (2020)

Carrying out building works not associated with a material change of use Carrying out operational works for reconfiguring a lot	Exempt if- (a) the site area is not located within an area identified as being of High or Very High Ecological Significance; or (b) no clearing of vegetation (as defined in the <i>Vegetation Management Act 1999</i>) is required. Code Assessable if the criteria for exempt do not apply.	If code assessable – Areas of Natural and Environmental Significance Overlay Code
Carrying out operational work for vegetation clearing not associated with a material change of use or reconfiguring a lot	Code Assessable ¹²⁹ if the site area is located within an area identified as being of Moderate, High or Very High Ecological Significance.	Areas of Natural and Environmental Significance Overlay Code
Carrying out operational work for filling and/or excavating not associated with reconfiguring a lot or a material change of use	Exempt where the extent of cut does not exceed 100m ³ or extent of fill does not exceed 500m ³ ; or Code Assessable where the extent of cut exceeds 100m ³ or extent of fill exceeds 500m ³ ; and if the site area is located within an area identified as being of Moderate, High or Very High Ecological Significance.	If code assessable – Areas of Natural and Environmental Significance Overlay Code
Other	Exempt	

7 Amendment of Part 6 – Assessment criteria (codes)

- (1) Part 6, division 3, section 6.14.3, table 6, row for specific outcome '16.'—
omit, insert—

16. The apartment is subordinate to the primary dwelling house on the land and is integrated with the dwelling house so as to be compatible with the prevailing character of the locality.	16.1 The Apartment is part of the primary dwelling house, or where it is provided as a separate building, is no more than 20 metres from the primary dwelling house. 16.2 The gross floor area of the Apartment does not exceed the lesser of two-thirds of the area of the dwelling house or 100m ² . 16.3 The Apartment has no more than two bedrooms. 16.4 Materials used to construct the Apartment are consistent with or complementary to those used in the primary dwelling house. 16.5 Vehicle access to the Apartment is by means of the same driveway that services the primary dwelling house.
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8 Amendment of Schedule 1 - Dictionary

- (1) Schedule 1, division 1, definition for 'Apartment'—

omit, insert—

"Apartment" – means the use of any premises in conjunction with a dwelling house on the same lot, as accommodation for physically or mentally disabled persons or aged persons or the carers thereof. The term does not include an accommodation unit, caretaker housing or a multiple dwelling.

- (2) Schedule 1, division 2—

insert—

"Dwelling unit" – means habitable rooms and other spaces used or intended for use as a self-contained unit to accommodate one household.

12.4 Adoption of Temporary Local Planning Instrument 2020 (Flood Regulation)

Date: 26 June 2020
Author: Annette Doherty, Acting Manager Community Activation
Responsible Officer: Amanda Pugh, Group Manager Community & Regional Prosperity

Purpose:

The purpose of this report is to present Temporary Local Planning Instrument 2020 (Flood Regulation) for Council's adoption.

Officer's Recommendation:

**THAT Council adopts Temporary Local Planning Instrument 2020 (Flood Regulation) as attached;
And further;
THAT Council repeals Temporary Local Planning Instrument 01/2019 – Flood Regulation, effective
20 July 2020.**

Executive Summary

At its meeting on 20 May 2020, Council decided to make Temporary Local Planning Instrument 2020 (Flood Regulation) ('the TLPI'). Advice has now been received from the Minister that Council may proceed to adopt the TLPI.

Finance and Resource Implications

There will be minor costs associated with public notification of the adoption of the TLPI.

Corporate PlanCorporate Plan Theme

Lockyer Planned

Outcome

4.3 A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

ConsultationPortfolio Councillor Consultation

This matter has been discussed with the portfolio Councillor.

Internal Consultation

The proposed TLPI has been prepared following consultation with planning, building and plumbing staff.

External Consultation

The TLPI was reviewed by the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) prior to being referred to the Minister for approval.

Community Consultation

If Council adopts the TLPI, a public notice must be published advising of the making of the TLPI, and the purpose and general effect of the TLPI.

Proposal

Overview

The TLPI was prepared to address deficiencies identified in the current instrument (i.e. *Temporary Local Planning Instrument 01/2019*). In summary, the proposed TLPI:

- has been formatted to remove duplication and create a much more concise document;
- includes changes to terminology and phrasing to provide greater clarity and consistency;
- specifically states the types of commercial and industrial development to which the instrument does not apply;
- is more consistent with the Queensland Development Code (particularly as it relates to Dwelling houses and Class 10 buildings), and provisions of the current TLPI that replicate or contradict State legislated building and plumbing requirements have been removed.

There is no change proposed to the flood mapping associated with the TLPI. Flood modelling is currently being undertaken for the region and, when completed, this modelling will be used to create more accurate flood mapping which will be incorporated into the new Lockyer Valley Planning Scheme.

At its meeting on 20 May 2020, Council decided to make the TLPI and submit it to the Minister for approval. Advice was received on 23 June 2020 that the Minister was satisfied that the proposed TLPI complies with section 23(1) of the *Planning Act 2016*, the relevant state interests are not adversely affected, and Council may proceed to adopt the TLPI.

It is recommended that Council adopts the TLPI, and repeals the current TLPI, i.e. *Temporary Local Planning Instrument 01/2019 – Flood Regulation*.

Legal Implications

The future Lockyer Valley Planning Scheme will incorporate provisions relating to flood hazard, including mapping developed from the latest flood modelling. When the new planning scheme is adopted, the TLPI will be repealed.

Under the *Planning Act 2016*, a person may claim compensation because of an adverse planning change, i.e. a planning change that reduces the value of an interest in premises. However, the Act states that a planning change made to reduce a material risk of serious harm to persons or property for natural events (e.g. flooding), is not an 'adverse planning change'. Therefore, there is no risk that the making of a new TLPI for flood regulation will lead to a claim of compensation.

Policy Implications

The proposed TLPI does not represent a major change to Council policy.

Risk Considerations

Key Corporate Risk Code and Category: EC1 Environment and Community

Key Corporate Risk Descriptor: Environment and the community, including sustainable development, social and community wellbeing, community relationships, public health, recreation, regional profile and identity

Previous Council Resolutions

Council resolved to proposed to make the TLPI at its General Meeting on 20 May 2020.

Related Documentation

- *Planning Act 2016*
- Minister's Guidelines and Rules
- Temporary Local Planning Instrument 2020 (Flood Regulation)
- Temporary Local Planning Instrument 01/2019 – Flood Regulation
- Gatton Shire Planning Scheme
- Laidley Shire Planning Scheme
- Queensland Development Code MP 3.5 Construction of buildings in flood hazard areas

Critical Dates

Within 10 days of Council adopting the TLPI, a certified copy of the TLPI and a copy of the public notice must be given to the Chief Executive of the DSDMIP.

Implementation

In accordance with the Minister's Guidelines and Rules, a public notice advising of the adoption of the TLPI must be published.

The TLPI will be gazetted on the 17 July 2020 and will take effect on 20 July 2020.

The TLPI documents on Council's website will be updated to reflect the new TLPI.

The adoption and effect of the TLPI will be communicated to relevant staff and customers.

Attachments

- 1 [↓](#) Temporary Local Planning Instrument 2020 (Flood Regulation)

LOCKYER VALLEY REGIONAL COUNCIL
Temporary Local Planning Instrument 2020
(Flood Regulation)

1. Short Title

- 1.1 This temporary local planning instrument (TLPI) may be cited as Temporary Local Planning Instrument 2020 (Flood Regulation).

2. Purpose

- 2.1 The purpose of this TLPI is to:
- (a) provide improved flood regulation based on the identification of a Flood hazard overlay for the Lockyer Valley Region; and
 - (b) to protect life and property by ensuring development, other than commercial and industrial development (excluding Service stations), appropriately responds to, or is avoided in response to, the risk of flood hazard present on a site.

3. Commencement

- 3.1 This TLPI commences on *date*.

4. Expiry

- 4.1 In accordance with section 23 of the *Planning Act 2016*, this TLPI has effect for two (2) years from the date of commencement, unless repealed sooner.

5. Application of the TLPI

- 5.1 This TLPI applies to the Lockyer Valley local government area.
- 5.2 This TLPI affects the operation of the following planning schemes:
- (a) Gatton Shire Planning Scheme 2007; and
 - (b) Laidley Shire Planning Scheme 2003.
- 5.3 This TLPI applies to development on land shown on the Flood hazard overlay maps in Appendix E as being within a flood hazard area, investigation area or overland flow path, unless:
- (a) The development is for commercial and/or industrial development that is a defined use listed in the table below:

Defined uses under the Gatton Shire Planning Scheme	Defined uses under the Laidley Shire Planning Scheme
Animal product processing	Bulk retail
Art, crafts and antiques	Car repair station
Catering shop	Catering room
Commercial premises (excluding veterinary services)	Commercial premises
Extractive industry	Extractive industry
Health care premises	General store
Hotel (where not including accommodation)	Hotel (where not including accommodation)
Industry	Industry
Off-street car park	Junk yard
Rural service industry	Light industry
Service trade	Medical/paramedical centre
	Medium industry

Defined uses under the Gatton Shire Planning Scheme	Defined uses under the Laidley Shire Planning Scheme
Shop Showroom Transport depot Transport terminal Warehouse	Noxious, offensive and hazardous industry Passenger terminal Refreshment service Road freight depot Roadside stall Rural processing Shop Transport depot Truck stop (where not including accommodation) Warehouse

- (b) The development is Building work that is:
- (i) additions to a class 1 building where the additions constitute less than 50% of the floor area of the existing building;
 - (ii) alterations that are not additions to the floor area of an existing building;
 - (iii) raising an existing building;
 - (iv) repairing an existing building;
 - (v) adding an extra storey above an existing part of a building; or
 - (vi) a Class 10 building or structure.

6. Relationship with the Planning Schemes

- 6.1 If a planning scheme to which this TLPI applies is inconsistent with this TLPI, the TLPI prevails to the extent of any inconsistency.

7. Effect

- 7.1 The TLPI affects the operation of the Gatton Shire Planning Scheme and the Laidley Shire Planning Scheme by:
- (a) introducing a Flood hazard overlay and Flood hazard overlay maps (see Appendix E);
 - (b) suspending and replacing provisions of the Gatton Shire Planning Scheme (see Appendix A);
 - (c) suspending and replacing provisions of the Laidley Shire Planning Scheme (see Appendix B);
 - (d) identifying categories of development and categories of assessment for development within the Flood hazard overlay (see Appendix C); and
 - (e) introducing a new Flood hazard overlay code which includes assessment benchmarks for development within the Flood hazard overlay (see Appendix D).
- 7.2 The TLPI designates the flood hazard area and the defined flood level for the purposes of the Building Code of Australia and the Queensland Development Code.

8. Flood hazard area and defined flood level

- 8.1 In accordance with Section 13 of the *Building Regulation 2006*:
- (a) the Flood hazard overlay is designated as the flood hazard area; and

- (b) the defined flood level is declared to be the level to which it is reasonably expected flood waters may rise during a defined flood event. The defined flood level for a particular location within the Flood hazard overlay will be determined by Council based on the latest flood data available.

9. Interpretation

- 9.1 Unless otherwise defined in this TLPI, the Gatton Shire Planning Scheme or the Laidley Shire Planning Scheme, the terms used in this TLPI have the same meaning as defined in the *Planning Act 2016*.

- 9.2 In this TLPI the following terms have the meaning below:

defined flood level the level to which it is reasonably expected flood waters may rise (see Section 13(5) of the *Building Regulation 2006* and section 8.1(b) of this TLPI).

defined flood event means a flood event that would result in the extent of flooding shown on the Flood hazard overlay maps in Appendix E.

flood hazard overlay means the area identified on the Flood hazard overlay maps in Appendix E as being a defined flood event, investigation area or overland flow path.

flood investigation area means the area on the Flood hazard overlay maps identified as investigation area. Land within the flood investigation area is known to be, or has the potential to be, affected by a defined flood event, but due to the limits in the modelling process has not yet been quantified. During a defined flood event, land in this area is exposed to a level of flood risk, although the level of risk has not been determined.

floor area, for a building, means the gross area of all floors in the building measured over the enclosing walls other than the area of a verandah, roofed terrace, patio, garage or carport in or attached to the building.

habitable room has the same meaning as in the Building Code of Australia.

high flood hazard area means the area on the Flood hazard overlay maps identified as high hazard. Development of land in this area may pose unacceptable risks to life and property during a defined flood event. Generally, in this area during a defined flood event:

- (a) major to extreme risk to life is likely;
- (b) able bodied adults cannot walk safely; and
- (c) light frame buildings can structurally fail.

low flood hazard area means the area on the Flood hazard overlay maps identified as low hazard. Development of this land, after application of relevant mitigation actions, is not considered to pose any significant risk to life or property during a defined flood event. Generally, in this area during a defined flood event:

- (a) there is no significant risk to life; and
- (b) property is only at risk when exposed and in direct contact with flood waters.

medium flood hazard area means the area on the Flood hazard overlay maps identified as medium hazard. Development of land in this area may pose a risk to life and property during a defined flood event. Generally, in this area during a defined flood event:

- (a) able bodied adults may not be able to walk safely;
- (b) cars can float and precautions must be taken; and
- (c) only large vehicles (trucks) may be able to travel safely.

overland flow path means an area on the Flood hazard overlay maps identified as overland flow path.

rural area means an area that:

- (a) if in the Gatton Shire Planning Scheme area, is located in the Rural agriculture zone, Rural general zone or Rural uplands zone; or
- (b) if in the Laidley Shire Planning Scheme area, is located in the Rural agricultural land area, Rural landscape area or Rural uplands land area.

sport and recreation – means the use of premises for any activity, purpose or pursuit which includes, but is not limited to the following: archery, athletics, basketball, baseball, boating, bowling (other than indoor bowling), children's playgrounds, commercial or community swimming pools (uncovered), cycling tracks, football, gardens, golf, hockey, netball, outdoor cricket, parks, picnic areas, playing fields, soccer, softball, tennis.

vulnerable persons means persons who are identified as having a high degree of susceptibility and low resilience to flood hazard, including unaccompanied minors, the infirmed, the mentally and physically disabled and elderly.

10. Advisory notes

- 10.1 It is a matter of common law that any owner of a property who develops or alters their property in any way, owes a duty of care to ensure that changes caused by the development do not cause adverse impacts in relation to flooding.
- 10.2 Council has flood models for some localities within the Region. These flood models can be obtained for undertaking flood hazard assessments, subject to the execution of a Data Sharing Agreement and payment of the applicable fee.
- 10.3 If approval is issued by Council for building work within the Flood hazard overlay, building materials and surface treatments used below the defined flood level should be resilient to water damage and should not include wall cavities.

APPENDIX A

EFFECT OF THE TEMPORARY LOCAL PLANNING INSTRUMENT
ON THE GATTON SHIRE PLANNING SCHEME

Scheme Reference	Effect of Temporary Local Planning Instrument
Page 11 Section 3.1(3) Desired environmental outcomes, item (i)	Suspend (i) and replace with revised (i) as follows: (i) Planning and design takes into account the potential adverse effects from natural hazards such as bushfire, landslip or flooding. The adverse effects of flood on development: (a) in the high and medium flood hazard areas are avoided; and (b) in the low flood hazard area are minimised to the greatest extent practicable and development is designed to provide protection to persons and property.
Pages 184-185 Services and infrastructure code 6.25 Specific outcome and probable solutions for code assessable development, Probable solution A2.2	Suspend A2.2 and replace with revised A2.2 as follows: A2.2 Where Council's a reticulated sewerage service is not available: (a) the minimum size of a lot is 3,000m² or the minimum size lot for a specific zone, whichever is the greater; (b) the proposed on-site effluent disposal system is located on the allotment in accordance with the <i>Plumbing and Drainage Act 2018. Standard Sewerage Law 2001 and AS1547-2000;</i> (c) the proposed on-site effluent disposal system is located on land which: (i) has slopes less than 10%; or (ii) the land is terraced to receive the full disposal area; (iii) is situated above the Q10 flood level; (iv) is above the level of 5 metre AHD; (v) contains soils with permeability greater than 0.05m/day and less than 3.5m/day; (vi) contains soils which do not include mainly sand, gravel or fractured rock; (vii) is more than 0.6 metres of the seasonally high water table; (viii) is more than 1.0 metre above bedrock; (d) the lot contains an area capable of supporting a land application area sized in accordance with the Interim Code of Practice for On-site Sewerage Facilities; (e) at least 100% of the design area is available on the lot and reserved for waste disposal application; and (f) the effluent irrigation area is not separated from the effluent source by features such as gullies, creeks, dams, roads, driveways etc.
Page 200 Accommodation unit and dual occupancy code 6.47 Specific outcomes and probable solutions for code assessable development, Specific outcome P3 and Probable solutions A3.1-A3.3	Suspend P3 and A3.1-A3.3, and replace with revised P3 and A3.1 as follows: P3 The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for new accommodation units and dual occupancy units. A3.1 The floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm. A3.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm. A3.3 Within the Withcott town area, the habitable floor level is RL 235m AHD plus 300mm.
Page 205 Annexed unit code	Suspend P1 and A1.1-A1.6, and replace with revised P1 and A1.1 as follows:

Scheme Reference	Effect of Temporary Local Planning Instrument																					
6.51 Specific outcome and probable solutions for code assessable development, Specific outcome P1 and Probable solutions A1.1-1.6	<p>P1 The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a new annexed unit.</p> <p>A1.1 The floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A1.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A1.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p>A1.6 Otherwise, no probable solution is provided</p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Page 209 Caravan and relocatable home parks code 6.55 Specific outcome and probable solutions for code assessable development, Probable solution A3.1	<p>Suspend A3.1, and replace with revised A3.1 as follows:</p> <p>A3.1 A site provides for all residential buildings and structures and access to them, on stable land that is located at least 300mm above the defined flood level and flood free land away from scenically or environmentally sensitive areas.</p>																					
Page 211 Caretaker's residence code 6.59 Specific outcome and probable solutions for code assessable development, Specific outcome P2 and Probable solutions A2.1-2.6	<p>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</p> <p>P2 The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a new caretaker's residence.</p> <p>A2.1 The floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p>A2.6 Otherwise, no probable solution is provided</p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Scheme Reference	Effect of Temporary Local Planning Instrument																					
Page 213 Dwelling house code 6.62 Specific outcomes and probable solutions for code assessable development, Specific outcome P2 and Probable solutions A2.1-2.6	<p>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</p> <p>P2 The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a new Dwelling House.</p> <p>A2.1 The floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p>A2.6 Otherwise, no probable solution is provided</p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Pages 217-218 Motel code 6.70 Specific outcome and probable solutions for code assessable development, Specific outcome P2 and Probable solutions A2.1-A2.6	<p>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</p> <p>P2 A new motel is designed to be a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a new motels.</p> <p>A2.1 The floor level is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, level not less than the level of the closest land listed in the table below, plus 300mm.</p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p>A2.6 Otherwise, no probable solution is provided</p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Scheme Reference	Effect of Temporary Local Planning Instrument																					
Page 220 Small lot house code 6.74 Specific outcomes and probable solutions for code assessable development, Specific outcome P1 and Probable solutions A1.1-A1.6	<p>Suspend P1 and A1.1-A1.6, and replace with revised P1 and A1.1 as follows:</p> <p>P1 The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a small lot house.</p> <p>A1.1 The floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</p> <p>A1.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A1.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A1.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A1.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p>A1.6 Otherwise, no probable solution is provided.</p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Lots 15-16 RP25732	35 Harris Street	118.4																				
Page 238 Service station and car wash code 6.82 Specific outcome and probable solutions for code assessable development, Specific outcome P2 and Probable solutions A2.1-A2.6	<p>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</p> <p>P2 A new service station and car wash is designed to minimise risk from the adverse effects of flooding to the greatest extent practicable. An acceptable level of flood immunity is provided for a new service station and car wash.</p> <p>A2.1 The floor level is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</p> <p>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</p> <p>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</p> <p>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</p> <p>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p>A2.6 Otherwise, no probable solution is provided.</p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Page 252 Intensive animal industries, animal product processing industries, kennels and catteries code 6.91 Specific outcome	<p>Suspend A2.1, and replace with revised A2.1 as follows:</p> <p>A2.1 Facilities are developed on a site which:</p> <ul style="list-style-type: none">(a) has land with slopes less than 10%;(b) is above the defined flood level is not on land subject to flooding at a frequency of greater than 1 in 50 years;(c) is otherwise not low-lying;(d) has sealed road access;																					

Scheme Reference	Effect of Temporary Local Planning Instrument
and probable solutions for code assessable development, Probable solution A2.1	<p>(e) is provided with a reliable water supply and has a capacity to store a minimum of 2 days' supply; and</p> <p>(f) is connected to an electricity supply.</p>
Pages 260-261 Reconfiguring a lot code 6.107 Specific outcome and probable solutions for code assessable development, Specific outcome P1 and Probable solutions A1.1-A1.6	Suspend P1 and A1.1-A1.6.
Pages 267-268 Reconfiguring a lot code 6.107 Specific outcome and probable solutions for code assessable development, Specific outcome A19.4	<p>Suspend A19.4, and replace with revised A19.4 as follows:</p> <p>A19.4 Where connection to Council's a reticulated sewerage service is not available:</p> <p>(a) the minimum size of a lot is 3,000m² or the minimum size lot for a specific zone, whichever is the greater; and</p> <p>(b) each lot is connected to an approved common effluent drainage scheme, and where that is not available:</p> <p>(i) each lot disposes waste on-site for the specified used; and</p> <p>(ii) the proposed on-site effluent disposal system is located on the allotment in accordance with the Standard Sewerage Law 2001 and AS1547-2000; and</p> <p>(iii) the proposed on-site effluent disposal system is located on land which:</p> <p>I. has slopes less than 10% OR the land is terraced to receive the full disposal area;</p> <p>II. is situated over the Q10 flood level;</p> <p>III. is above the 5 metre AHD;</p> <p>IV. contains soils with permeability greater than 0.05m/day and less than 3.5m/day;</p> <p>V. contains soils which do not include mainly sand, gravel or fractured rock;</p> <p>VI. is more than 0.6 metres of the seasonally high water table;</p> <p>VII. is more than 1.0 metre above bedrock;</p> <p>(b) (c) each lot contains an area capable of supporting a land application area sized in accordance with the Plumbing and Drainage Act 2018. Interim Code of Practice for On-site Sewerage Facilities;</p> <p>(d) an area of up to 100% of the design area is available on each lot and reserved for waste disposal application;</p> <p>(e) the effluent irrigation area is a minimum of 50 metres from features such as gullies, waterways and wetlands.</p>
Page 272 Reconfiguring a lot code 6.107 Specific outcomes and probable solutions for code assessable development, Specific outcome P37	<p>Suspend P37, and replace with revised P37 as follows:</p> <p>P37 In addition to provisions at P14 and P15, the major drainage network has the capacity to control stormwater flows under normal conditions, and allowing for a 100% design blockage of inlets, minor system blockage conditions for a 1 in 100 year rainfall event so that:</p> <p>(a) no dwelling is inundated during a 1 in 100 year flood,</p> <p>(b) habitable rooms have floor levels 250 mm above the estimated flood level resultant from a 1 in 100 year flood are protected,</p>

Scheme Reference	Effect of Temporary Local Planning Instrument
	<p>(b) (c) overland flow paths floodways are restricted to areas where there is minimal risk of damage to life or property; and</p> <p>(c) (d) runoff is directed to a lawful point of discharge through competently designed and constructed outlet works.</p>
<p>Page 274</p> <p>Reconfiguring a lot code 6.107 Specific outcome and probable solutions for code assessable development, Specific outcome A43.1</p>	<p>Suspend A43.1, and replace with revised A43.1 as follows:</p> <p>A43.1 New lots resulting from the realignment have a minimum area of 1.0 hectare, and contain:</p> <p>(a) each contains a flood free building sites located above the defined flood level;</p> <p>(b) have slopes less than 20%;</p> <p>(c) have effluent disposal areas; and</p> <p>(d) maintain a viable land size for ongoing agricultural use if on good quality agricultural land.</p>

APPENDIX B
EFFECT OF TEMPORARY LOCAL PLANNING INSTRUMENT ON
THE LAIDLEY SHIRE PLANNING SCHEME

Scheme Reference	Effect of Temporary Local Planning Instrument
Page 12 Section 3.1(3)k Desired environmental outcomes	Suspend k, and replace with revised k as follows: k. The adverse effects from natural and other hazards, including flooding and bushfires, are minimised. The adverse effects of flood on development: (i) in the high and medium flood hazard areas are avoided; and (ii) in the low flood hazard area are minimised to the greatest extent practicable and development is designed to provide protection to persons and property.
Page 65 Table 23B, Flood inundation areas (Overlay Map F)	Suspend Table 23B.
Page 68 Table 24B, Flood inundation areas (Overlay Map F)	Suspend Table 24B.
Page 82 Section 6.7.3, Specific outcomes and acceptable solutions for the areas of natural and environmental significance overlay code	Suspend 6.7.3, and replace with revised 6.7.3 as follows: 6.7.3 Specific outcomes and acceptable solutions for the areas of natural and environmental significance overlay code The Overlay Maps for Areas of Natural and Environmental Significance (Maps E1, E2, F , G1, G2) are the maps that apply for this Code. They include areas with steep or unstable lands, dryland salinity, areas identified as wetlands, flood-prone , bush-fire prone or ecologically significant.
Page 83 Table 1 – Specific outcomes and acceptable solutions for the areas of natural and environmental significance overlay code, Item 1	Suspend 1, and replace with revised 1 as follows: 1. Buildings and development are protected from potential conflict, such as: <ul style="list-style-type: none"> • bushfire; • steep or unstable land; • ridgelines; • remnant vegetation – regeneration; • high visual quality; • erosion; • dryland salinity; • wetlands; • flood-prone land; • water quality; • permanent or intermittent streams; • major drainage lines; • wildlife corridors.
Page 84 Table, Flood inundation areas	Suspend table.
Page 101 Table 6 – Specific outcomes and acceptable solutions for the residential uses code, Acceptable solution 4.1	Suspend 4.1, and replace with revised 4.1 as follows: 4.1 The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level Where a lot is on floodable land, the minimum flood level for habitable rooms is 300mm above the Q100 flood line on the allotment; and
Page 120 Table 5 – Specific outcomes and acceptable solutions for the on-site effluent disposal code, Acceptable solution 2.2	Suspend 2.2.

Scheme Reference	Effect of Temporary Local Planning Instrument
Page 192 Overlay Map F – Areas of natural and environmental significance – Flood inundation areas	Suspend Overlay Map F.

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APPENDIX C

CATEGORIES OF DEVELOPMENT AND CATEGORIES OF ASSESSMENT
FOR FLOOD HAZARD OVERLAY

1. Categories of development and categories of assessment for the Flood hazard overlay

- (1) The categories of development and categories of assessment for development within the Flood hazard overlay are identified in Column 2 of Table 1.
- (2) If development is identified in the planning scheme as having a different category of development or category of assessment than under Table 1 below, the highest level of assessment applies as follows:
 - (a) Accepted development subject to requirements prevails over Accepted development;
 - (b) Code assessment prevails over Accepted development subject to requirements and Accepted development; and
 - (c) Impact assessment prevails over Code assessment, Accepted development subject to requirements and Accepted development.

2. Assessment benchmarks for development within the Flood hazard overlay

- (1) The relevant assessment benchmarks for development within the Flood hazard overlay are identified in Column 3 of Table 1.

Table 1 Categories of development and categories of assessment

Column 1 Type of development or use	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
Material change of use		
Agriculture	Accepted development if no building work is proposed.	
	Accepted development subject to requirements if – (a) not Accepted development; and (b) the use complies with all relevant Acceptable outcomes identified in the Assessment benchmark column.	Flood hazard overlay code
	Code assessment in all other circumstances.	Flood hazard overlay code
Sport and Recreation	Accepted development if no building work is proposed.	
	Accepted development subject to requirements if – (a) not Accepted development; and (b) the use complies with all relevant Acceptable outcomes identified in the Assessment benchmark column.	Flood hazard overlay code
	Code assessment in all other circumstances.	Flood hazard overlay code
All other uses	Accepted development if no building work is proposed.	
	Accepted development subject to requirements if –	Flood hazard overlay code

Column 1 Type of development or use	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
	(a) not Accepted development; and (b) the use complies with all relevant Acceptable outcomes identified in the Assessment benchmark column. Code assessment in all other circumstances.	Flood hazard overlay code
Reconfiguring a lot		
Reconfiguring a lot	Code assessment if the site area is located within an area identified as a high, medium or low flood hazard area, an investigation area, or an overland flow path.	Flood hazard overlay code
Building works		
Carrying out building works not associated with a material change of use	Accepted development subject to requirements if complies with all relevant Acceptable outcomes identified in the Assessment benchmark column. Code assessment in all other circumstances.	Flood hazard overlay code
		Flood hazard overlay code
Operational works		
Carrying out operational works associated with Reconfiguring a lot or a Material change of use	Code assessment if the site area is located within an area identified as a high, medium or low flood hazard area, investigation area, or overland flow path.	Flood hazard overlay code
Carrying out operational works for filling or excavating, where not associated with reconfiguring a lot or a material change of use	Accepted development if the works are associated with bona fide agricultural activities. Code assessment if – (a) not Accepted development; and (b) the site is located in a rural area, and the extent of cut or fill exceeds 10m ³ ; or (c) the site is located within an area other than a rural area.	Flood hazard overlay code
Advertising device, where not associated with a material change of use	Code assessment if the site area is located within an area identified as a high, medium or low flood hazard area, investigation area, or overland flow path.	Flood hazard overlay code
Other development		
All other development	Accepted development	

APPENDIX D

FLOOD HAZARD OVERLAY CODE

1. Application

This code applies to Accepted development subject to requirements and Assessable development involving land wholly or partially within the Flood hazard overlay as identified on the Flood hazard overlay maps in Appendix E.

2. Purpose

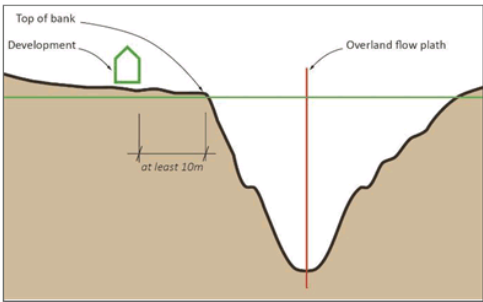
The purpose of this code is to manage development outcomes in the floodplain so that risk to life, property, community and the environment during flood events is minimised, and to ensure that development does not increase the potential for flood damage on the site or to other property.

3. Compliance with the Flood hazard overlay code

Development that complies with the purpose of the code, complies with the code.

Development that complies with the performance outcomes or acceptable outcomes of the code, complies with the purpose of the code.

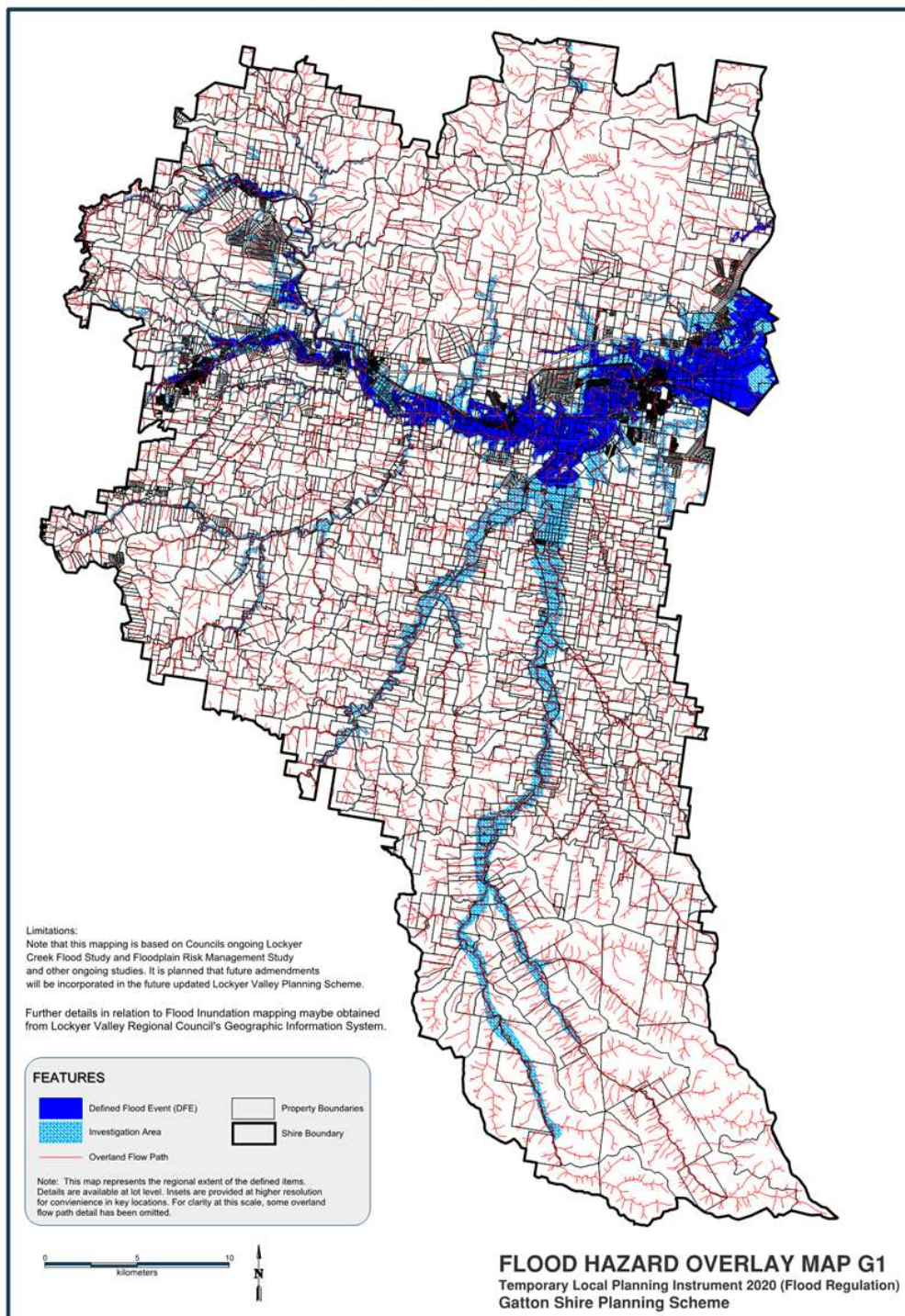
4. Assessment benchmarks

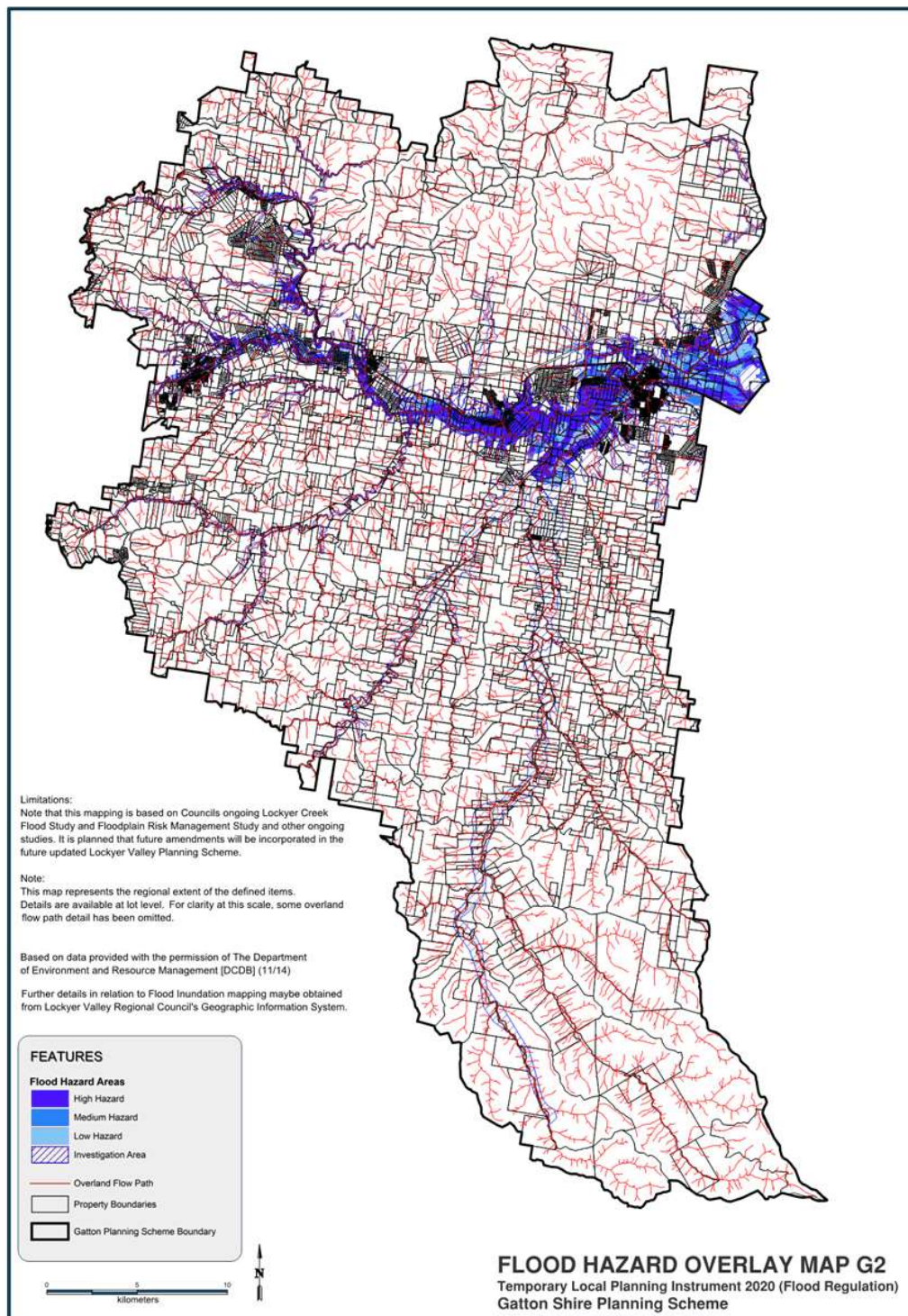
Column 1 Performance outcomes	Column 2 Acceptable outcomes
For Accepted development subject to requirements	
PO1 To the greatest extent practicable, development avoids areas known to be, or have the potential to be, affected by flooding.	AO1.1 Development does not occur on land identified as: (a) high flood hazard area; or (b) medium flood hazard area. AO1.2 If located on land in a flood investigation area or overland flow path, a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is not exposed to high or medium flood hazard. AO1.3 Development is located at least 10m from the top of bank of an overland flow path. 

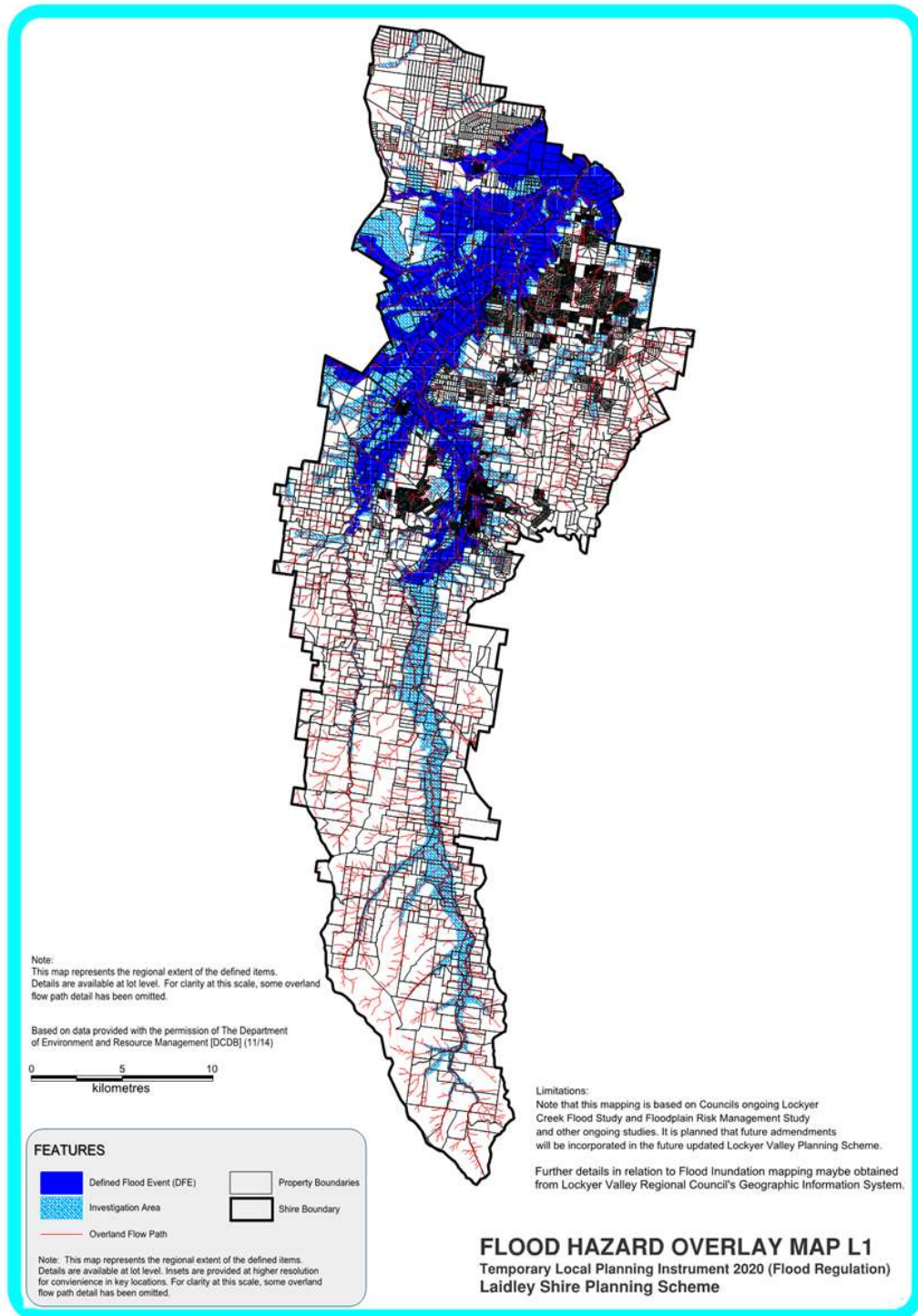
Column 1 Performance outcomes	Column 2 Acceptable outcomes
For Accepted development subject to requirements and Assessable development	
<p>PO2</p> <p>In the low flood hazard area, development that provides for vulnerable persons is avoided, otherwise development minimises risk from the adverse effects of flooding to the greatest extent practicable.</p> <p>Note — Development that provides for vulnerable persons may include annexed units, apartments, child care centres, community care centres, community uses, education establishments, health care services, hospitals, residential care facilities and retirement facilities.</p>	<p>AO2.1</p> <p>A new building or structure is sited on the highest part of the lot.</p> <p>AO2.2</p> <p>Development does not involve the filling of land to achieve flood immunity.</p> <p>AO2.3</p> <p>The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level.</p> <p>AO2.4</p> <p>The area below habitable rooms is left open so as to not impede flood inundation.</p> <p>AO2.5</p> <p>If understorey screening is provided, it must allow for the flow through of floodwater, and provide a minimum 50% permeability (e.g. using vertical battens with a batten width gap between battens).</p> <p>AO2.6</p> <p>The understorey may be used for parking of vehicles or storage of items that are capable of being easily moved in the event of a flood.</p> <p>AO2.7</p> <p>Utilities and services not regulated by the Queensland Development Code MP 3.5 or the <i>Plumbing and Drainage Act 2018</i> (e.g. air conditioners, electrical services, gas), are located a minimum of 300mm above the defined flood level.</p> <p>AO2.7</p> <p>Development does not alter the predevelopment profile of the site or interfere with an overland flow path.</p> <p>AO2.8</p> <p>Development does not expose vulnerable persons to flood hazard.</p>
<p>PO3</p> <p>In the flood investigation area and overland flow paths, development:</p> <p>(a) minimises risk from the adverse effects of flooding to the greatest extent practicable; and</p> <p>(b) only occurs where it is designed to respond to the hazard level applicable to the site.</p> <p>Note—Land in the flood investigation area is susceptible to some degree of flooding. Detailed modelling of this land has not been undertaken. A site specific assessment is required to determine the hazard classification of the land, and its suitability for development.</p>	<p>AO3</p> <p>In a flood investigation area or overland flow path:</p> <p>(a) written advice is obtained from Council stating that the latest data available to Council confirms that the site is not subject to flooding; or</p> <p>(b) a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is not exposed to high, medium or low flood hazard; or</p> <p>(c) where a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is exposed to low flood hazard, the development satisfies AO2.1-AO2.8; or</p> <p>(d) where a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is exposed</p>

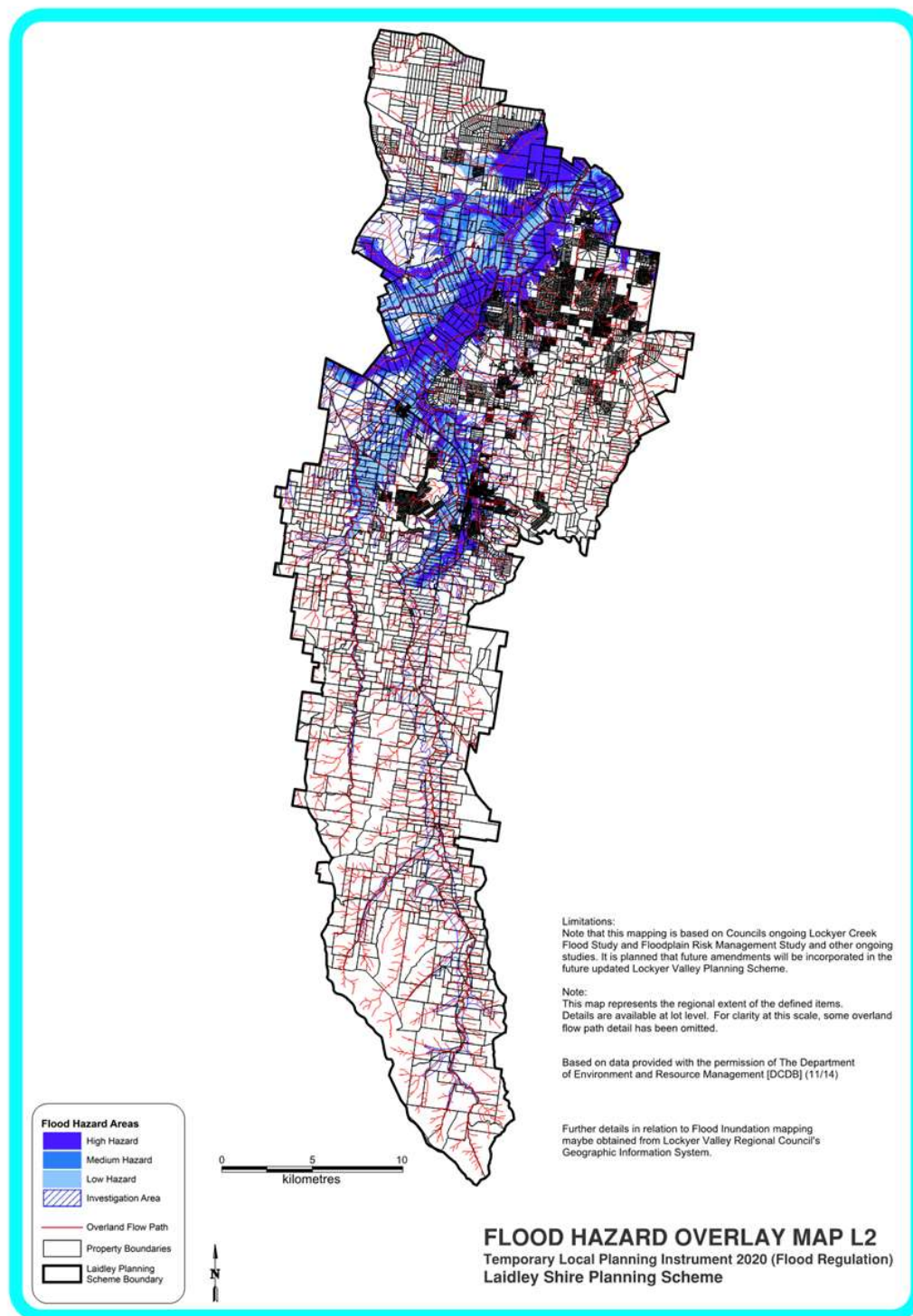
Column 1 Performance outcomes	Column 2 Acceptable outcomes
	to high or medium flood hazard, the development satisfies AO4 or PO4.
PO4 In areas of medium or high flood hazard, development is avoided. Where development cannot be avoided, risks associated with flooding are mitigated to an acceptable level.	AO4 In a medium or high flood hazard area, a report prepared by a suitably qualified person is provided demonstrating that the risks associated with flooding, including (but not limited to): (a) risk of isolation; (b) risk to road access; (c) risk to life; (d) risk to property; and (e) off-site impacts; are mitigated to an acceptable level.
PO5 Reconfiguration of a lot responds to flooding potential and maintains personal safety at all times. Note — Applicants are advised to refer to the Queensland Government's Evacuation: Responsibilities, Arrangements and Management Manual — M.1.190.	AO5.1 Each lot includes an area for the construction of buildings and structures that is located above the defined flood level that: (a) if in the Gatton Shire Planning Scheme area and: (i) located in the Emerging communities zone, Urban residential zone or Village zone — comprises the entire lot; (ii) located in the Park residential zone or Rural residential zone — is a minimum of 1500m ² in area (exclusive of access handle) with a minimum dimension of 20m; (b) if in the Laidley Shire Planning Scheme area and: (i) located in the Residential expansion area, Urban residential area, Urban residential (small lots) area or Village area — comprises the entire lot; (ii) located in the Rural residential area — is a minimum of 1500m ² in area (exclusive of access strip) with a minimum dimension of 20m; (c) if in any other area — is of an adequate size and shape to accommodate any buildings and outbuildings that would be anticipated. AO5.2 Development provides at least one road access to service the development which is higher than the defined flood level and capable of remaining passable for evacuation.

APPENDIX E
FLOOD HAZARD OVERLAY MAPS









12.5 Proposed dwelling on Lot Plan 4 SP283635

Date: 22 June 2020
Author: Tanya O'Brien, Planning Officer
Responsible Officer: Amanda Pugh, Group Manager Community & Regional Prosperity

Purpose:

The purpose of the report is to seek Council's consideration of a request from the owners of lot on Plan 4 SP283635 for financial relief by way of a refund of the building application fees for their dwelling and a 50% reduction in rates over the next several years.

Officer's Recommendation:

THAT with respect to the correspondence received from the owners of Lot on Plan 4 SP283635 requesting financial relief by way of a refund of the building application fees for their dwelling and a 50% reduction in rates over the next several years Council decline the request.

Executive Summary

This report provides information to Council in relation to a request from the landowners for financial relief by way of a refund of the building application fees for their dwelling and a 50% reduction in rates over the next several years for Lot 4 SP283635. The landowners have provided details of the additional costs they have incurred and additional time taken to obtain approvals for the construction of their dwelling.

Finance and Resource Implications

There are no financial or resources implications associated with the recommendation associated with this report.

Corporate PlanCorporate Plan Theme

Lockyer Planned

Outcome

4.3 – A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

ConsultationPortfolio Councillor Consultation

Portfolio Councillor, Councillor Rick Vela and Mayor Tanya Milligan were consulted in relation to this report.

Internal Consultation

Legal Services and Property

Proposal

Overview

The landowner made written representations to Council on 7 June 2020 requesting a refund of the building application fees and 50 percent of the property rates for the next several years to allow the landowner to recoup some of the additional costs incurred for the approval by Council.

The landowner purchased the property on 22 October 2018 after the lot was created as part of a 48 lot subdivision on 3 November 2016. The property is mapped with the Steep and Unstable Land overlay under the *Gatton Planning Scheme 2007*, which requires a Material Change of Use application to be submitted prior to the construction of a dwelling. The constraints associated with the property were addressed in accordance with the processes in place at the time the subdivision application was being assessed by Council. It should be noted that the owners of another property in the estate which also triggered the Steep and Unstable Land overlay have undertaken the same process in obtaining a planning approval prior to their building approval.

The landowners of Lot Plan 4 SP283635 have identified that they assumed that in buying a block within an approved development, the block that they were purchasing was in a ready to build state.

In addition, the landowners have identified that prior to their purchase, earthworks were undertaken on site which resulted in a sandstone batter and building pad being constructed (identified in the attached site plan). The landowners believe these works were undertaken by the developer, who has indicated to the landowners that the wall was constructed as per Council requirements given to them at the time. A review of Council's records indicate that these works were not approved by Council. The landowners believe the developer has not been transparent in his business dealings and hopeful of some shared responsibility and financial relief to offset the costs of Council requirements they have endured.

In order to build their dwelling, the landowners have lodged the following three development applications with Council for assessment at a total cost of \$4,795.00 in application fees:

- Development Permit for Development triggered by an overlay (Dwelling in Steep and Unstable Land) at a fee of \$1,640.00;
- Development Permit for Operational Works for Earthworks at a fee of \$1,315.00; and
- Plumbing and Drainage Works Permit at a fee \$1,840.00.

It is noted that the Building application was assessed by a Private Certifier not Council's Building Section and therefore no refund for the building application fees can be provided by Council.

The current rates associated with the property is \$1,099.00 per six months.

The landowners have identified that they have incurred an additional cost of \$17,100 for the preparation of technical reports and engineering fees required to support the applications to Council. The landowners have also noted that there has been a time delay of approximately 19 months while the technical reports were being prepared and that additional monies have been wasted on rent, legal, interest on loans, water and rates.

As noted above the original subdivision application was appropriately assessed in accordance with the accepted practices at the time, which did not negate the need for the Steep and Unstable Land Overlay Code of the Gatton Planning Scheme 2007 to be addressed at the dwelling application stage.

Additional earthworks in the form of a sandstone batter and building pad were undertaken subsequent to the lot being created through the subdivision and plan sealing process. These works were not approved by Council.

While it is unfortunate that the landowners were unaware of the status of these works and of the need to address the for the Steep and Unstable Land Overlay Code at the dwelling application stage when they purchased the property, Council is not responsible for the circumstances the landowners found themselves in. As it is considered Council has no culpability in these circumstances financial relief as requested by the landowners has not been recommended.

Legal Implications

There are no legal implications associated with this report.

Policy Implications

There are no policy implications associated with this report.

Risk Considerations

Key Corporate Risk Code and Category: R1

Key Corporate Risk Descriptor: Reputation and Goodwill

Previous Council Resolutions

There is no previous Council resolution in relation to this matter.

Related Documentation

Representations from landowner

Site Plan

Critical Dates

There are no critical dates in relation to this report.

Implementation

The applicant is to be informed of Council's decision.

Attachments

12.6 Application for Material Change of Use for Bulk Retail, Refreshment Service, Shop and Advertising Device on Lot 1009 SP297361 at Warrego Highway, Plainland

Date: 08 July 2020
Author: Miriam Sharp, Planning Officer
Responsible Officer: Amanda Pugh, Group Manager Community & Regional Prosperity

Purpose:

The purpose of this report is to consider an application for a Material Change of Use for Bulk Retail, Refreshment Service, Shop and Advertising Device on Lot 1009 SP297361 at Warrego Highway, Plainland.

The application has been assessed in accordance with the requirements of the *Planning Act 2016* and it is recommended that the proposal be approved in accordance with the Officer's Recommendation.

Officer's Recommendation:

THAT the application for Material Change of Use for Bulk Retail, Refreshment Service, Shop and Advertising Device (MC2019/0072) at Lot 1009 SP297361 at Warrego Highway, Plainland be approved subject to the following conditions:

APPROVED PLANS

The following plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
DA01	F	Site Plan of Layout Ground Floor, prepared by Group 4 Architects as amended by Council in red	22.06.2020
DA02	F	Site Plan of Layout Roof Plan, prepared by Group 4 Architects as amended by Council in red	11.06.2020
DA03	E	Elevations, prepared by Group 4 Architects as amended by Council in red	11.06.2020
40-982-SD001B	B	Landscape Character, prepared by Citicene	14.10.2019
40-982-SD002C	C	Landscape Concept Plan, prepared by Citicene as amended by Council in red	18.06.2020

REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
2019.0451	3	Stormwater Management Plan, prepared by Bligh Tanner Pty Ltd	15/10/2019
TPS279Rep4	4	Traffic Engineering Report, prepared by TPS Traffic and Parking Systems Pty Ltd	14/11/2019

VARIATION APPROVAL

Not Applicable.

FURTHER PERMITS REQUIRED

- Development Permit for Building Work
- Development Permit for Plumbing and Drainage Works
- Development Permit for Operational Work

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) 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*).

ASSESSMENT MANAGER CONDITIONS

No.	Condition	Timing
General		
1.	Undertake the development generally in accordance with the approved plans. These plans will form part of the approval, unless otherwise amended by conditions of this approval.	At all times.
2.	Maintain the approved development in accordance with the approved drawing(s) and/or document, and any relevant Council or other approval required by conditions.	At all times
3.	The use must not commence until all conditions of this approval have been met.	At all times.
4.	The development must be undertaken in accordance with the Concurrence Agency response by the State Assessment and Referral Agency (SARA) received by Council on 30 June 2020 (ref. 1911-14326 SRA dated 30 June 2020).	At all times.
5.	Pay Infrastructure Charges in accordance with the Lockyer Valley Regional Council Adopted Infrastructure Charges Resolution in effect at the time of payment.	Prior to commencement of use.
Façade treatment		
6.	The final materials, colours and finishes for the built form of the development must be generally in accordance with the Elevations Finishes Schedule shown on Approved Plan DA03 issue E <i>Elevations</i> , prepared by Group 4 Architects and dated 11/06/2020.	In conjunction with a development application for a development permit for operational works.
Advertising Device		
7.	This signage approved under this development permit is one (1) Pylon Sign and building signage generally in accordance with the approved plans. Additional signage will require further approval.	At all times.

8.	The advertising device (pylon sign) must not exceed 12m in height above ground level.	At all times.
9.	The approved signage is to advertise the Bulk Retail, Refreshment Service and Shop located on the subject land only.	At all times.
10.	The advertising device (pylon sign) is to be located wholly within the boundaries of the subject site.	At all times.
11.	The advertising device (pylon sign) must comply with the Department of Transport and Main Roads Roadside Advertising Manual 2017 or equivalent.	At all times.
12.	Building approval is required for the advertising device (pylon sign).	Prior to construction.
Outdoor Lighting		
13.	Lighting for the development must be designed and installed in accordance with the requirements of Australian Standard AS1158:2005 – <i>Road lighting</i> and Australian Standard AS4282 <i>Control of the obtrusive effects of outdoor lighting</i> . The lighting design must be certified by an RPEQ competent in electrical reticulation design.	Prior to the commencement of use.
14.	All outdoor lighting must be directed downwards from the lighting source to illuminate a targeted area with the main light beam kept below 70 degrees from the horizon. Utilise shields or hoods to ensure there is no light spillage to adjoining properties and the Warrego Highway.	At all times.
15.	Lighting must be provided to all pedestrian areas, parking areas and building entries.	At all times.
Waste storage		
16.	<p>A Waste Management Plan for all waste generated by the development during construction and operation of the use must be submitted to Council for endorsement. The plan must include at a minimum the following:</p> <ul style="list-style-type: none"> • Description of the development project, and the purpose, structure, scope and objectives of the plan; • List of references and definitions of any specific terms and acronyms; • Details regarding the scale of the development, types of waste streams likely to be generated and estimate of volumes of waste material generated; • Detailed information on waste and recycling storage; • Detailed information on waste and recycling collection/servicing arrangements; and • Adequate plans to support the report and demonstrate the adequacy of the waste management provisions included in the development. <p>The development must be designed, constructed and operated in accordance with the Waste Management Plan at all times.</p>	Prior to issuance of a Development Permit for Building Works.
Landscaping and Fencing		
17.	Submit an Operational Works application for Landscaping prepared by	Prior to the

	<p>a suitably qualified person, in accordance with the Gehrke Road Area Preliminary Approval Document (PAD), which addresses at a minimum the following:</p> <p>a) Provide a planting schedule and maintenance plan prepared by a suitably qualified person which should indicate the following at minimum:</p> <ul style="list-style-type: none"> (i) Botanical names, mature heights and widths of plants, pot sizes, different key symbols and numbers of plants; (ii) Planting bed preparation details including any topsoil depth, subgrade preparation, mulch type and depth, type of turfing used; (iii) Any hardscaping details including pebbled, paved or garden edged areas; (iv) Ongoing maintenance of plants; and (v) Irrigation system details if any; <p>b) Landscaping to be located generally in accordance with the <i>Landscape Concept Plan</i>, prepared by Citicene and dated 18/06/2020;</p> <p>c) Provide street trees along the Endeavour Way road frontage and the Burdekin Street road frontage;</p> <p>d) Provide a minimum of one (1) shade tree per six (6) car parking spaces or shade structures that provide shade to at least 30% of the car parking spaces;</p> <p>e) Provide details of any retaining wall treatment/s;</p> <p>f) Provide details of all fencing provided (if any); and</p> <p>g) Provide details of the refuse storage area (along Endeavour Way). Details must include the provision of a purpose-built enclosure.</p>	commencement of any landscaping works.
18.	Apart from any screen fencing associated with waste management, any proposed fencing must be chainwire (security) fencing only.	At all times.
19.	All landscape works must be established and maintained for the life of the use. All plants must be allowed to grow to full form and any plants that die must be replaced with a like species.	Prior to commencement of use and to be maintained thereafter.
Public Utilities		
20.	Provide evidence (e.g. connection certificates / current supply agreement) from applicable service providers that the development has been connected to wastewater infrastructure, reticulated water infrastructure, electricity and telecommunications.	Prior to commencement of use.
Stormwater General		
21.	All works associated with this development must be undertaken without resulting in stormwater damage, ponding or nuisance to surrounding and/or downstream properties or infrastructure.	At all times.
22.	<p>Submit to Council a final Detailed Stormwater Management Plan including, but not limited to, the following:</p> <ul style="list-style-type: none"> a) Management of external catchment flow; and b) Maintenance of rain gardens. 	In conjunction with the development application for a development permit for operational

		works.
23.	<p>Provide all necessary internal stormwater drainage to service the development. Such drainage works must be designed by a suitably experienced Registered Professional Engineer Queensland (RPEQ) and constructed in accordance with the <i>Queensland Urban Drainage Manual 2017</i> and Council's Planning Scheme such that the overall drainage system caters for a storm event with a 1% annual exceedance probability (AEP).</p> <p>Provide connections to the existing external stormwater drainage infrastructure in Endeavour Way. Such drainage works must be designed by a suitably experienced Registered Professional Engineer Queensland (RPEQ) and constructed in accordance with the <i>Queensland Urban Drainage Manual 2017</i> and Council's Planning Scheme such that the overall drainage system caters for a storm event with a 1% annual exceedance probability (AEP).</p>	<p>Design – in conjunction with a development application for operational works.</p> <p>Construction – prior to the commencement of use, and to be maintained thereafter.</p>
24.	Construct stormwater drainage and stormwater quality management devices in accordance with the development permit for operational works.	Prior to the commencement of use, and to be maintained thereafter.
Stormwater Quality		
25.	Provide stormwater quality management device/s for the development in accordance with the <i>State Planning Policy 2017</i> water quality objectives.	Prior to the commencement of use, and to be maintained thereafter.
26.	Submit an Erosion and Sediment Control Plan designed in accordance with the International Erosion Control Association (Australasia) Best Practice Erosion and Sediment Control Guidelines.	In conjunction with a development application for operational works.
Car Parking, Vehicular Access and Driveways		
27.	All car park access, parking and manoeuvring areas must be imperviously sealed and designed (including linemarking) in accordance with <i>AS/NZS2890.1 Parking facilities Part 1: Off-street car parking</i> , <i>AS/NZS2890.6 Parking facilities Part 6: Off-street parking for people with disabilities</i> and <i>AS2890.2 Parking facilities Part 2: Off-street commercial vehicle facilities</i> to facilitate the safe and efficient movement of vehicles.	In conjunction with a development application for operational works.
28.	Provide internal traffic movement in accordance with section 8.6 of the Traffic Engineering Report prepared by TPS Traffic and Parking Systems Pty Ltd, dated 14 November 2019.	In conjunction with a development application for operational works.
29.	Ensure that loading and unloading operations are conducted wholly within the site and all vehicles enter and exit the site in a forward direction.	At all times.
30.	Provide loading bay facilities for Heavy Rigid Vehicles and for	At all times.

	Articulated Vehicles in the locations generally shown on the approved plans of development that are designed in accordance with Australian Standard 2890.2 – <i>Off-street Commercial Vehicle Facilities</i> .	
31.	Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.	At all times.
32.	Construct vehicular entry and exit crossovers at the locations indicated on the approved plans generally in accordance with the Institute of Public Works Engineering Australasia's standard drawing number RS-051 <i>Vehicle Crossings Heavy Duty</i> (general wide configuration) and AS2890.2 <i>Parking facilities Part 2: Off-street commercial vehicle facilities and crossover splays of:</i> a) Crossover for Goods inward entry from Burdekin Street and exit to Endeavour Way to accommodate turning movements of an Articulated Vehicle; b) Crossover for customer entry/exit at cul-de-sac end of Burdekin Street to accommodate turning movements of a B99 vehicle with a trailer attached.	Prior to the commencement of use.
33.	Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (e.g. power pole, telecommunications pit), road infrastructure (e.g. street sign, street tree, etc).	Prior to the commencement of use.
34.	Provide the following generally in accordance with the approved site plans: <ul style="list-style-type: none">• 182 car parking spaces including 4 spaces for people with disabilities;• 4 parking spaces for a B99 with a Trailer; and• 10 bicycle parking spaces. The parking areas for people with disabilities must be appropriately located e.g. closest to the building entry/ies. The car parking and manoeuvring areas must facilitate the largest anticipated design vehicle to enter and exit the site in a forward gear.	In conjunction with a development application for operational works.
35.	Line mark the car park aisles and circulation driveways within the development with directional arrows on the pavement to enable all vehicles to enter and leave the site in a forward gear.	Prior to the commencement of use, and to be maintained thereafter.
36.	Signage and line marking must be provided in accordance with AS1742 <i>Manual of Uniform Traffic Control Devices</i> and in accordance with the Manual of Uniform Traffic Control Device (MUTCD).	Prior to the commencement of use, and to be maintained thereafter.
37.	Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.	At all times.
38.	Construct the car park, line marking, signage and manoeuvring areas in	Prior to the commencement of

	accordance with the development permit for operational works.	use, and to be maintained thereafter.
External Road Works		
39.	Unless already constructed in association with the approved Reconfiguration of a Lot of the subject land, design the extension of Burdekin Street from the existing southern end as an Urban Access, in accordance with the Lockyer Valley Regional Council Road Hierarchy Table, relevant Austroads Standards and more specifically, include the following: a) a minimum road reserve width of 20 metres; b) concrete barrier kerb and channel; c) a minimum carriageway width to match with the existing road; d) constructed using a compacted gravelled pavement asphalt surface; e) provision for stormwater drainage, line marking, signage, and street lighting associated with the required road works; and f) cul-de-sac ends with a minimum 11 metre radius to the bulb end and a minimum 30 metre approach curve, all measured to the invert of kerb and channel and designed in accordance with the requirements of the applicable Planning Scheme and Council's adopted standards.	In conjunction with a development application for operational works.
40.	Construct a 2m wide shared path to provide access to pedestrians and cyclists, as indicated in Section 8.2, Figure 8.1 – Proposed Traffic Design and Recommended Pedestrian Access, of the Traffic Engineering Report prepared by TPS Traffic and Parking Systems Pty Ltd, dated 14 November 2019 and provide connectivity to existing paths in Endeavour Way.	Prior to the commencement of use.
41.	Provide pram ramps at suitable locations in Burdekin Street and Endeavour Way.	Prior to the commencement of use.
42.	Install appropriate signage to prohibit pedestrians or cyclists entering the development from the vehicle crossover at Endeavour Way.	Prior to the commencement of use.
43.	Install and/or relocate any street signs and/or line marking in accordance with the Manual of Uniform Traffic Control Device (MUTCD). Install new or relocated signage using the V-Lok installation system.	Prior to the commencement of use.
44.	Provide 'No Parking or Standing at any Time' signs along the development frontage to Endeavour Way and Burdekin Street to allow sufficient space for the largest anticipated vehicle to manoeuvre the exit without impediments from standing/parked vehicles.	Prior to commencement of use.
45.	Construct all roadworks in accordance with the development permit for operational works.	Prior to commencement of use.
Pavement Design		
46.	Engage a suitably experienced Registered Professional Engineer	Prior to pre-start

	Queensland (RPEQ) to prepare and submit a pavement design for all roadworks. Pavement design must be undertaken in accordance with Austroads Guide to Pavement Technology Part 2 <i>Pavement Structural Design</i> .	meeting.
47.	Construct all roads in accordance with the approved pavement design.	Prior to On Maintenance inspection.
Street Lighting		
48.	Submit to Council for endorsement a streetlight design plan showing the proposed public lighting system.	In conjunction with a development application for operational works.
49.	Install street lighting for the extended road section of Burdekin Street in accordance with AS/NZS1158 and the road classifications contained within this approval.	Prior to the commencement of use.
50.	Submit to Council written confirmation from an electricity provider that an agreement has been made to provide a public lighting system.	In conjunction with a development application for operational works.
51.	Ensure that any new street light poles required on external streets are of a consistent standard (i.e. steel poles) to street light poles within the immediate vicinity of the development.	Prior to the commencement of use.
52.	Install street lighting in all road reserves generally on the same side of the road that accommodates any footpath or shared path or on the side that approved by the Council in the event shared paths to be constructed on both side of the road.	Prior to the commencement of use.
53.	Submit a lighting design from a suitably experienced Registered Professional Engineer Queensland (RPEQ).	Prior to Council's issuing a development permit for operational works.
54.	On completion of the works, a certificate must be submitted to Council by a suitably experienced RPEQ certifying that the works have been constructed in accordance with industry construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification.	Prior to the commencement of use.
Earthworks and Retaining Walls		
55.	<p>Unless otherwise required by conditions of this approval, earthworks associated with this development must be designed in accordance with:</p> <ul style="list-style-type: none"> a) Laidley Shire Planning Scheme <i>Filling and Excavation Code</i>; b) Australian Standard AS3798 <i>Guidelines for Earthworks for Commercial and Residential Developments</i> (Level 1 Supervision); c) Australian/New Zealand Standard AS/NZS1170 <i>Structure design actions</i>; and 	In conjunction with a development application for operational works.

	d) Australian Standard AS4678 <i>Earth-retaining structures</i> and include relevant drainage.	
56.	All earthworks must include erosion and sediment control measures in accordance with the International Erosion Control Association's <i>Best Practice Erosion and Sediment Control 2008</i> .	At all times during construction.
57.	A minimum 100mm capping layer of good quality, non-dispersive soil on all areas disturbed during the earthworks operation or otherwise approved by the Assessment Manager. The capping treatment and procedure must form a part of the erosion and sediment control plan for the site.	Prior to On Maintenance inspection.
58.	Construct all earthworks in accordance with the development permit for operational works.	Prior to the commencement of use.
59.	All batter slopes must be protected from erosion and scour by the installation of appropriate drainage and re-establishment of ground cover. Top soiling and hydro-mulching must be applied to all exposed surfaces greater than 1:5 grade.	Prior to the commencement of use and to be maintained thereafter.
Engineering Certificates		
60.	Submit to Council a RPEQ design certification stating that approved development works have been designed under the direct supervision of a suitably qualified Registered Professional Engineer Queensland (RPEQ), in accordance with the conditions of approval and in accordance with the approved engineering design and specifications.	In conjunction with a development application for operational works.
61.	Submit to Council a RPEQ Certificate of Supervision stating that approved development works have been constructed under the direct supervision of a suitably qualified Registered Professional Engineer Queensland (RPEQ), in accordance with the conditions of approval and in accordance with the approved engineering design and specifications.	Prior to the commencement of use.
Requirements for Operational Works Applications		
62.	<p>Submit a development application and obtain a development approval for Operational Works for External Roadworks, Access, Earthworks, Stormwater Drainage, Stormwater Quality Management, Vehicle Manoeuvring, Signage, Line Marking and Erosion and Sediment Control, and Street Lighting addressing the requirements of this development approval. The application must include as a minimum the following:</p> <ul style="list-style-type: none"> a) Development application form/s; b) Application fees (design checking as well as inspection) in accordance with Council's Fees and Charges schedule current during the time of lodgement; c) Detailed design drawings addressing the requirements of this development approval that have been prepared and signed by a suitably experienced and current Registered Professional Engineer Queensland (RPEQ) with their name and registration number; 	Prior to the commencement of construction works.

	<p>d) Roadworks drawings must detail existing infrastructure, proposed new infrastructure as well as any rectification/tie in works;</p> <p>e) Stormwater drainage design must include (but not limited to):</p> <ul style="list-style-type: none"> • Location and details, including hydraulic design, of all proposed drainage; • Stormwater catchment plan/s; • Stormwater calculation table/s; and • Details of any diversion banks or drains; <p>f) Erosion and sediment control measures in accordance with “Best Practice Erosion and Sediment Control” published by the International Erosion Control Association (Australia) for both the construction (including vegetation clearing) and operational (maintenance) phases of the development. Due consideration must be given to dispersive soil types within this region; and</p> <p>g) Engineering Certification by the RPEQ that the design complies with the conditions of this approval as well as relevant engineering standards and best practice.</p>		
63.	<p>Engage a suitably experienced and current Registered Professional Engineer Queensland (RPEQ) to prepare and submit engineering Certification that includes the following:</p> <p>a) the development application number, type of works, location, name/stage(s) of development (where applicable);</p> <p>b) date of certification;</p> <p>c) name of certifying individual, the name of engineering consultancy that the certifying individual works for, and the name of developer;</p> <p>d) a full schedule of the latest set of detailed design drawings;</p> <p>e) state applicable Planning Scheme that design is compliant with, including the relevant Codes/Schedules/Specifications;</p> <p>f) state applicable design standards/guides that it has been designed and checked to be compliant with;</p> <p>g) state that the design is compliant with the development permit – include relevant preceding development permit number;</p> <p>h) state that there are appropriate procedures for supervising, inspection, testing in place to deliver the infrastructure to assure the quality of works and will actively ensure that these procedures will be followed during the construction of the works; and</p> <p>i) signature, name and RPEQ number of certifying individuals</p> <p><u>Note:</u> Contact Council to obtain a template for Engineering Certification.</p>	In conjunction with a development application for operational works.	
64.	No construction works must commence until approval for operational works has been obtained from Council.	Prior to the issue of an operational works permit.	
Erosion and Sediment Control			
65.	Erosion and sediment control measures must be implemented and maintained to prevent the tracking of sediment to and from the site onto the adjoining street network for the duration of the construction period. Any sediment discharging from the site to the road network	Prior to the commencement of construction and at	

	must be cleaned immediately at the expense of the developer.	all times.
Dust Control		
66.	Dust mitigation measures must be implemented to minimise any dust problems which may occur during construction works and in accordance with requirements of the <i>Environmental Protection Act 1994</i> .	At all times.
Alterations and/or relocations		
67.	Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council.	At all times.
68.	Replace existing Council infrastructure (including but not limited to any street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works.	At all times.
69.	Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times: a) Where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or b) Where otherwise, upon completion of the works associated with the development. Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.	At all times.
Environmental Health		
70.	Hours of construction must not exceed Monday to Saturday 6:30am to 6:30pm. Construction work must not be conducted from or on the premises outside the above hours or on Sundays or public holidays.	To be complied with at all times during construction.
71.	Noise generated from building works is limited to the requirements set out in the <i>Environmental Protection Act 1994</i> , Chapter 8, Part 3B, Division 3, Section 440R. a) A person must not carry out building work in a way that makes an audible noise:- (i) on a business day or Saturday before 6.30a.m. or after 6.30p.m; or (ii) on any other day, at any time.	At all times.
72.	The land owner must comply with <i>Environmental Protection (Air) Policy 2019</i> during construction of added facilities and during operation of normal activities including suppression of airborne particles including dust so that the qualities of the air environment that are conducive to; health and biodiversity of ecosystems, human health and wellbeing, protecting the aesthetics of the environment, including the	At all times.

	appearance of buildings, structures and other property, and to protecting the agricultural use of the environment.	
73.	The land owner must comply with <i>Environmental Protection (Water) Policy 2009</i> during construction of added facilities and during operation of normal activities including: <ul style="list-style-type: none"> a) Water contaminated with sand, silt or mud must not be released into stormwater drainage or roadside gutters; and b) Sediment controls must be installed where necessary to prevent the release. 	At all times.
74.	All 'Mechanical Plant', 'Regulated Devices', 'Pumps', 'Air-conditioning equipment' and 'Refrigeration equipment' as defined by the <i>Environmental Protection Act 1994</i> must be designed, installed, operated and maintained in order to comply with the noise standards as specified within the <i>Environmental Protection Act 1994</i> and <i>Environmental Protection (Noise) Policy 2019</i> .	At all times.
75.	All things, materials, disused equipment at the premises must be stored in a way that does not: <ul style="list-style-type: none"> • Afford or form a potential shelter or harbourage or attraction for vermin; • Hold water which may allow the breeding or harbourage of mosquitos; and • Seriously detract from the visual amenity of the land by causing visual pollution. 	At all times.

ADVISORY NOTES

- (i) Council will issue an Infrastructure Charges Notice. These charges are required to be paid prior to the commencement of the use.
- (ii) All works associated with this approval may not start until all subsequent approvals have been obtained, and its conditions complied with.
- (iii) Any additions or modifications to the approved use (not covered in this approval) may be subject to further application for development approval.
- (iv) Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

It is a legal obligation to report any sighting or suspicion of fire ants within twenty-four (24) hours to Biosecurity Queensland on 13 25 23.

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants.

Advice for Queensland Urban Utilities

On 1 July 2014, Queensland Urban Utilities became the assessment manager for the water and wastewater aspects of development applications. An application will need to be made directly to Queensland Urban Utilities for water supply connections for the proposed development.

THAT the Chief Executive Officer be authorised to negotiate an Infrastructure Agreement with the applicant stipulating the terms and eligibility criteria provided for under the Development Incentives - Infrastructure Charges Policy and providing for the staged payment of Infrastructure Charges with the 1st payment prior to commencement, then two further payments on the yearly anniversary of the initial payment, should the applicant wish to avail themselves of this opportunity.

Executive Summary

The purpose of this report is to consider an application for a Material Change of Use for Bulk Retail, Refreshment Service, Shop and Advertising Device on Lot 1009 SP297361 at Warrego Highway, Plainland.

The application has been assessed in accordance with the requirements of the *Planning Act 2016* and it is recommended that the proposal be approved in accordance with the Officer's Recommendation.

Finance and Resource Implications

There could be financial implications should the decision be contested in the Planning and Environment Court. The applicant may seek to utilise the Development Incentives – Infrastructure Charges Policy should the eligibility criteria be met.

Corporate Plan

Corporate Plan Theme

Lockyer Planned

Outcome

4.3 – A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

Proposal

Overview

1. Introduction

Council is in receipt of an application which seeks approval for a Development Permit for Material Change of Use for Bulk Retail, Refreshment Service, Shop and Advertising Device. It is envisaged that the development will be occupied by a Bunnings Warehouse.

2. Background

Council received an application for Bulk Retail, Refreshment Service, Shop and Advertising Device on 17 October 2019. The subject site is part of the land contained within the Gehrke Road Area Preliminary Approval Document (PAD) dated 12 October 2011. This document was approved as part of a Preliminary Approval for Material Change of Use to Override the Planning Scheme under Section

3.1.6 of the *Integrated Planning Act 1997* from a Rural Residential Area to an Urban Residential Area and a Business Area as well as a Reconfiguration of a lot (6 into 184 residential lots and a Business Area balance lot). The subject site is located within the Business Area Precinct of the PAD. The proposed uses require Code Assessment in this area.

3. Report

Subject Site

The following details apply to the site:

SITE AND LOCALITY DESCRIPTION	
Land Area:	5.123ha
Existing Use of Land:	Vacant
Road Frontage:	Endeavour Way, Burdekin Street, Gehrke Road and Warrego Highway
Topography:	East to west
Surrounding Land Uses:	Residential, business

It is noted that an approval was issued on 28 February 2020 (RL2019/0033) for Reconfiguring a Lot for Subdivision (2 into 4 Lots and Balance Lot) which includes the subject site. This subdivision sought to create the lot that will ultimately accommodate the proposed Bunnings development (Lot 55). The lot will have a size of 2.165ha. This approval has not yet been acted upon and the current application for Bunnings is therefore over the original lot.



Figure 1 Approved Plan for Lot 55

Proposed Development

The following details apply to the proposed development:

MATERIAL CHANGE OF USE	DEVELOPMENT PARAMETERS	
	Required	Proposed
Gross Floor Area	-	9,339.27m ²
Building Height/Storeys	Max 10m	7.85m
Setbacks	-	11m from the southern boundary (Warrego Highway) to roofed landscape yard and 35m to timber trade sales building 14m to northern boundary (Endeavour Way) 3m from the western boundary (Burdekin Street) 9.7m from the proposed eastern side boundary (of Lot 55)
Site Cover	Max. 75%	43%
Parking	Bulk retail and Shop: 206 Refreshment service: 3	182 car parking spaces including 4 PWD spaces 4 car and trailer spaces

On 23 June 2020 a Minor Change to the application was received to raise the floor levels by 400mm. The change to the application did not affect the assessment process.

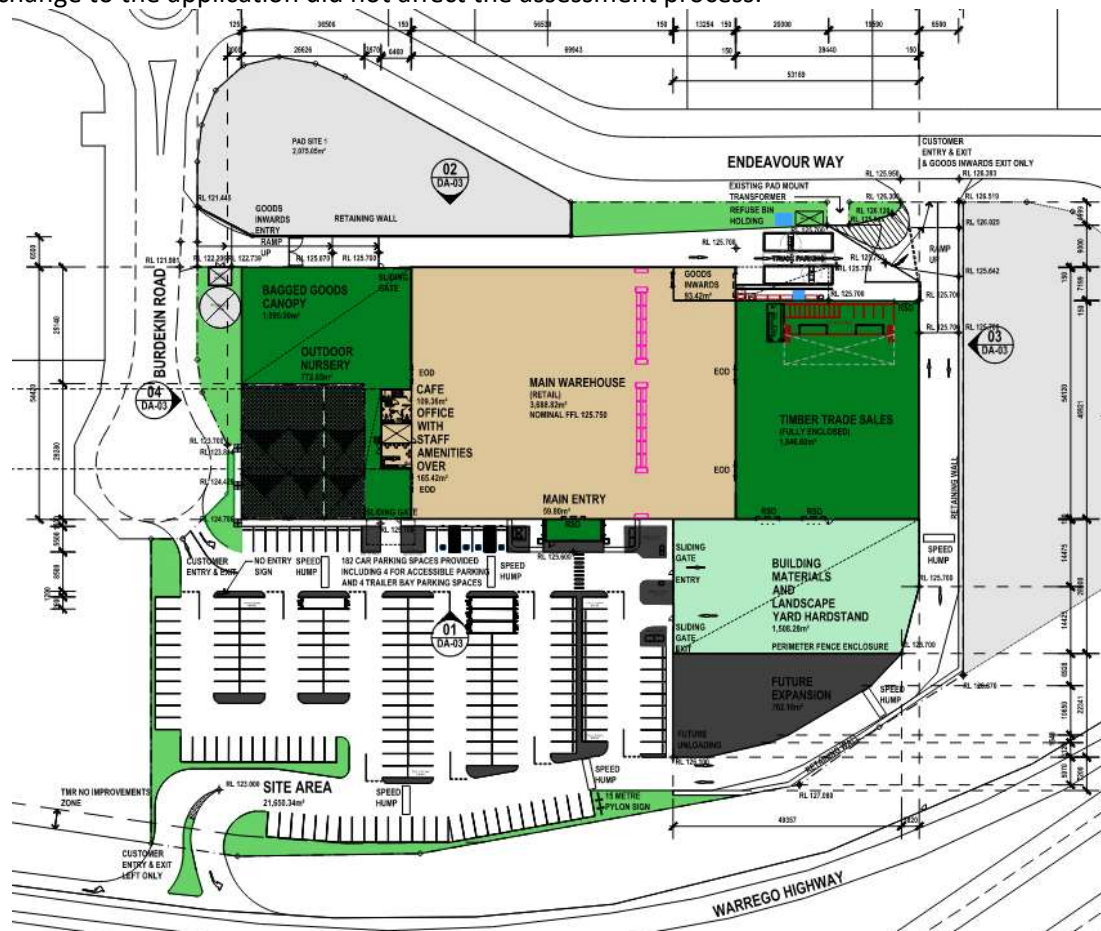


Figure 2 Proposal Site Plan

Assessment

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Pertaining to the *Planning Regulation 2017*

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	State Planning Policy: <ul style="list-style-type: none"> • Water Quality (Water resources catchments) • Natural Hazards Risk and Resilience (Flood hazard area – local government mapping)
SEQ Regional Plan Designation:	Urban Footprint

State Planning Policy

Water Quality

The subject site is located within a water resource catchment. A Stormwater Management Report was provided with the application which demonstrates that water quality objectives can be met. No further assessment is required.

Natural Hazards Risk and Resilience

The subject site is mapped as being included in the Local Government flood hazard mapping. Council's mapping shows the site to be partially contained within the Flood Investigation Area of the *Temporary Local Planning Instrument – Flood Regulation*. This issue was addressed at the time of the Preliminary Approval for the area and does not require any further assessment.

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is *Laidley Shire Planning Scheme 2003*. The following sections relate to the provisions of the Planning Scheme and the Gehrke Road PAD.

Planning Scheme:	<i>Laidley Shire Council Planning Scheme 2003</i>
Zone:	<ul style="list-style-type: none"> • Rural Residential • Business Area Precinct under the PAD
Consistent/Inconsistent Use:	Consistent
Assessment Benchmarks:	<ul style="list-style-type: none"> • Gehrke Road Area Preliminary Approval Code (including

	Business Area Precinct Code) • Advertising Devices Code • Building Dimensions Code • Commercial/Retail Uses Code • Vehicle Access and Parking Code
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Assessment Benchmarks – Planning Scheme Codes

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each of the codes. The pertinent issues arising out of assessment against the codes are discussed below:

Gehrke Road Area Preliminary Approval Code (including Business Area Precinct Code)

The proposed development provides employment opportunities to the local and sub-regional area and integrates well into the existing business area through the diversification of commercial uses. The development is accessible by car from the existing road network, with the bulk of traffic located away from the residential area to reduce the impacts from traffic on the existing dwellings to the north. Residents of the local area are also able to conveniently and safely access the development via alternative transport modes, such as walking and cycling utilising the existing footpath and road network. This assists in integrating the business area with the residential area and improves local connectivity and cohesion. The proposed uses are envisaged in the Business Area of the PA area and will contribute to a consistent overall development of the area and the establishment of an integrated business centre. It will potentially provide a catalyst for other commercial developments to establish within this area.

Acceptable Solution AS10.1 specifically states that no direct access is to be had from a development to the Warrego Highway. As the highway is a State-controlled Road, this aspect of the development required assessment by the Department of Transport and Main Roads (DTMR). A response was provided by DTMR which allows the proposed left in – left out access arrangement onto the highway. No other direct access between the site and the highway is permitted.

The Acceptable Solutions of the code also refer to integrated car parking arrangements between sites. In this instance, the subject land has yet to be reconfigured and the proposed development could achieve integrated parking arrangements with adjoining properties. Where it is considered that the development in due course is to be provided on its own title, car parking could be integrated with the adjoining proposed lots to the north and east. Given the lay of the land it is difficult to do likewise on the eastern boundary of proposed Lot 55 as a large retaining wall is proposed along the eastern edge of the development. However, the balance lot to the east remains of a size where access and parking arrangements are able to be considered holistically when that parcel of land is developed.

The proposed development provides a transition between the Warrego Highway and the residential area. The building is orientated to the Warrego Highway. This will assist with any potential noise generation from the development being deflected away from the residential area to the north as well as reducing any highway traffic noise impacts to the north. The visual impact of the building will be reduced through articulation in the façades to break up any long walls, and the use of a variety of colours and finishes. Further, the specific outcomes of the code also require the inclusion of landscaping to soften the building and enhance the overall appearance of the subject site. The applicant provided a Landscape Concept plan, which identifies landscaped areas on the site plan and an indicative planting schedule. This initial concept was assessed by Council's Environment Officer,

who determined the proposal to be satisfactory subject to the submission of a detailed plan. A condition has been recommended that a further operational works application is required for landscaping.

Relevant infrastructure services are available to the subject site. Stormwater connections are able to be made to the existing infrastructure within Endeavour Way. Conditions are recommended for the development to connect to all infrastructure.

It is considered that the proposed development satisfies the requirements of the code.

Advertising Devices Code

The proposed development includes wall signage on each façade, as well as a Pylon Sign with a height of 15m. The Code requires that signage does not detract from the amenity and is compatible with the character of the locality. The size is to take into account the predominant land uses, the built environment and the orientation of the site with respect to adjacent roads.

The proposed signage is typical for the use. It assists in readily identifying the business from a distance. However, it is considered that the height of the proposed Pylon Sign is excessive in this context. It is noted that Council has previously approved signs up to 12m in height along the Warrego Highway. This height would serve the purpose of indicating the development from a distance that is sufficient to enable travellers to exit the highway in time. It is therefore recommended that the height of the Pylon Sign is conditioned to not exceed 12m.

Vehicle Access and Parking Code

Based on the gross floor area of the development a minimum of 126 car parking spaces is required, plus 80 spaces for employees, making the total 206. The applicant proposes a total of 182 spaces, which include 4 PWD spaces and 4 spaces for cars with trailers. The traffic report provided with the application has considered the demand rates at a number of other similar developments to establish typical parking and traffic generation rates. The analysis within the report demonstrates that the proposed number of car parking spaces is sufficient to satisfy the peak demand of the development. Further, the proposed number of spaces is commensurate with other similar developments in Queensland. It is considered that the proposed development satisfies the requirements of the code.

Internal Referrals

The application was referred to Council's Building and Plumbing Team, Environmental Health Team, and Development Engineering and Infrastructure Group.

Building and Plumbing did not have any requirements other than the standard requirement for subsequent approvals.

The application was assessed by the Development Assessment Engineer and Infrastructure Group, which recommended approval of the proposed development subject to conditions. These conditions relate to road construction (Burdekin Street extension), car park construction and earthworks and are included in the recommendation of the report.

CONSULTATION:

Referral Agencies

The application required referral in accordance with the *Planning Act 2016* and the *Planning Regulation 2017* to the following referral agency:

Referral Status	Referral Agency and Address	Referral Trigger
Concurrence	State Assessment and Referral Agency (SARA) PO Box 129 IPSWICH QLD 4305	<i>Planning Regulation 2017:</i> <ul style="list-style-type: none"> Schedule 10, Part 9, Division 4, Subdivision 2, Table 4

The application was referred to SARA on 22 November 2019. The referral agency responded on 6 February 2020 with conditions. The response provides conditions to allow access to the subject site via the on-ramp to the Warrego Highway (left in, left out only), and approves the Stormwater Management Plan.

An amended SARA response was received on 30 June 2020 (ref. 1911-14326 SRA) to include the updated proposal plans. No change to the conditions was required.

Public Notification

The application was code assessable and did not require public notification in accordance with the *Planning Act 2016*.

Adopted Infrastructure Charges Resolution

Infrastructure charges are payable in accordance with the *Lockyer Valley Regional Council Adopted Infrastructure Charges Resolution (No.4) 2019* as expressed in the following table:

LOCKYER VALLEY REGIONAL COUNCIL				
Charge Type	Description	Demand Units	Rate	TOTAL
PROPOSED DEMAND				
Charge	Commercial (Bulk Goods) – Bulk Retail	20,159.47m ²	\$10.00 per m ² impervious	\$201,594.70
	Commercial (Retail) – Refreshment Service and Shop	109.36m ²	\$10.00 per m ² impervious	\$1,093.60
	Commercial (Bulk Goods) – Bulk Retail	5,115.44m ²	\$69.00 per m ² GFA	\$352,965.36
	Commercial (Retail) – Refreshment Service and Shop	109.36m ²	\$109.00 per m ² GFA	\$11,920.24
TOTAL PROPOSED DEMAND				\$567,573.90
EXISTING DEMAND				
Credit	Existing Allotment	1	-\$12,500.00	-\$12,500.00
TOTAL EXISTING DEMAND CREDIT				-\$12,500.00
TOTAL PAYABLE				\$555,073.90

It is noted that the applicant previously made a request for a reduction in the above Infrastructure Charges. This request was presented to Council on 22 January 2020. Council resolved at the time to refuse the request, but to authorise the Chief Executive Officer to negotiate an Infrastructure

Agreement for the payment of the full charges over a maximum period of three (3) years. The applicant has not availed themselves of this opportunity as yet.

The applicant is likely to seek to utilise the Development Incentives – Infrastructure Charges Policy upon completion of construction of the project subject to the eligibility criteria being met. This policy was recently amended by Council to include an additional provision which provides for a 25% reduction in infrastructure charges in recognition of the impacts of the COVID pandemic.

A recommendation has been included authorising the Chief Executive Officer to negotiate an Infrastructure Agreement with the applicant to provide for staging of the infrastructure charges payments and incorporate the reduction and necessary eligibility criteria required to be met in order to secure the 25% reduction, should the applicant wish to avail themselves of this opportunity.

CONCLUSION:

The proposed development generally complies with the requirements of the planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. The application is therefore recommended for approval.

Legal Implications

Legal implications arising from the recommendation provided in this report are that the applicant may choose to appeal the decision in the Planning and Environment Court.

Policy Implications

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

Risk Considerations

Key Corporate Risk Code and Category: EC1

Key Corporate Risk Descriptor: Environment and Community
Environment and the community, including sustainable development, social and community wellbeing, relationships, public health, recreation, regional profile and identity

Previous Council Resolutions

A request for the reduction in Infrastructure Charges for the development was presented to Council on 22 January 2020. Council resolved unanimously to refuse the request, but to authorise the Chief Executive Officer to negotiate an Infrastructure Agreement for the payment of the full charges over a maximum period of three (3) years (Resolution Number 16-20/1634). The applicant has not yet availed themselves of this opportunity.

Related Documentation

The proposal plans are attached to this report.

Critical Dates

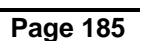
The decision making period for the application finishes on 24 July 2020.

Implementation

The decision of Council will be formally communicated to the applicant.

Attachments

1 [📄](#) MC2019/0072 Approved Plans 5 Pages



Large Format Retail Facility Development

Project Address:
Endeavour Way, Plainland, Qld, 4341
Client: Mecone

LANDSCAPE AIM

To provide an aesthetically pleasing, safe and low maintenance environment for car users, which reduces the visual impact of the development from neighbouring roads and properties.

LANDSCAPE OBJECTIVES

1. Integrate the landscape with the surrounding context through a plant selection which is primarily endemic and currently present within the site locality.
2. Provide an adequate landscape buffer to all site boundaries, especially those adjoining streets to enhance the appearance of the development from the streetscape.
3. Screen unsightly elements within the landscape such as infrastructure, large black walls and fences from pedestrian views.
4. Provide shade to carpark through the placement of shade trees in accordance with local climate and site conditions. Trees and low growth shrubs are strategically positioned to maximise light levels throughout carpark.
5. Ensure trees are located a suitable distance from buildings to enable safety, enhance a sense of security and meet noise requirements.
6. Provide shade trees and turf to street verges, to improve pedestrian safety and maintain the existing streetscape character.
7. Provide evidence, vegetation to stormwater treatment mechanisms in accordance with W.S.U.D. (Water Sensitive Urban Design) requirements.
8. Consider and adopt C.P.T.E.D. (Creative Planning Through Environmental Design) requirements throughout the landscape to maintain safety for all users.

LANDSCAPE CHARACTER

The development landscape is to be a landscaped contemporary landscape that is drought tolerant and aesthetically pleasing. The landscape design will be a mix of native and introduced plants which are aesthetically pleasing and commercially available. The site character will be established to enable integration of the site with the surrounding context, streetscape and overall Local Government Region.

Shade will be provided by medium canopy shade trees and feature trees positioned adjacent to buildings and carpark. The landscape design will be a mix of native and introduced plants which are aesthetically pleasing and commercially available. The site character will be established to enable integration of the site with the surrounding context, streetscape and overall Local Government Region.

LOCALITY MAP



Source: <https://www.google.com.au/maps> Downloaded 09th October 2019

TYPICAL SECTIONS



TREES & PALMS

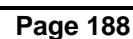


SHRUBS & GROUNDCOVERS



PRELIMINARY PLANT SCHEDULE

Botanical Name and Common Name	Notes
<i>Acacia saligna</i> - Green Wattle	
<i>Banksia integrifolia</i> - Banksia	
<i>Banksia laevis</i> - Banksia	
<i>Banksia speciosa</i> - Banksia	
<i>Banksia thicketii</i> - Banksia	
<i>Banksia verticillata</i> - Banksia	
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13. INFRASTRUCTURE REPORTS**13.1 Group Manager Infrastructure Monthly Report - June 2020**

Date: 29 June 2020
Author: Angelo Casagrande, Group Manager Infrastructure
Responsible Officer: Angelo Casagrande, Group Manager Infrastructure

Purpose:

This report is to update Council on key issues currently being actioned within the Infrastructure Group for June 2020.

Officer's Recommendation:

THAT Council receive and note the Group Manager Infrastructure Monthly Report for June 2020.

Executive Summary

This report provides an update on key matters and issues ongoing in the Infrastructure Group since the last report to Council.

Background

Activities undertaken for respective Branches of the Infrastructure Group are described in the body of this report.

Report**COMMUNITY FACILITIES BRANCH**

The Community Facilities Branch has undertaken the following key activities during the month:

Parks, Garden and Cemeteries**Maintenance Works**

Project	Updates
Mowing	<ul style="list-style-type: none"> Mowing of areas across the park network.
Playgrounds	<ul style="list-style-type: none"> Topping up and aerating soft fall in playground areas across the region. Repairs to the kerb at Enoch Sempf Park, Laidley.
Furniture Maintenance/Landscaping	<ul style="list-style-type: none"> Repairs to the seats in Main Street, Laidley. Cleaning of the footpaths in Gatton and Laidley. Painting of seats in Littleton Park, Gatton. Surveying of future graves at Gatton Cemetery. Replacing of bollards at Central Oval, Laidley.

Project	Updates
Funerals/Ashes Interments	<ul style="list-style-type: none"> 10 held during the month of June.

Event Assistance

- Event equipment delivered to the Gatton Racecourse for the Gatton Races.

Capital Works

Project	Update	Next Step
Fairways Park at Hatton Vale/Kensington Grove	Grant approved for Fairways Park Stage 1A, worth 1.6 million.	Creation of tender package to go out to market for construction of Stage 1A.
Littleton Park Memorial Guns refurbishment	Military guns have been painted and reinstalled at Littleton Park. Pavers around the memorial have been relaid.	Project is completed.

FacilitiesBuildings

- Pigeon spikes installed to the Laidley gym roof and surfaces professionally cleaned.
- Pigeon proofing installed at Das Neumann house over café area. To be monitored.
- Cored drilling and treatment for termites at the depot stores building. To be monitored.
- Bus shelter maintenance and repairs continues.
- Safety shields installed at the Gatton Administration Building, Visitor Information Centre and the Laidley Library/Customer Service Centre.
- Annual roof anchor point safety testing underway.

Plumbing

- Upgrade of the amenities at the Gatton Administration Building is completed.
- Automation to Grantham bore water retention tank (at the backpackers' site) is completed.
- Repairs and pipe replacement to balance tanks at the Laidley pool.

Electrical

- Building Management System (BMS) software controlling the air conditioning at the Lockyer Valley Cultural Centre has been upgraded.
- Testing and repairs to the Gatton pool are underway prior to the re-opening.
- Annual compliance works are continuing – exit lights, switchboard testing and Residual Current Device (RCD) testing.

Waste

- Compliance audits at all 8 facilities are completed.
- The annual Waste Levy Volumetric survey and topographical plan field work is complete – results are to be submitted by 31 July 2020.
- A Resource Recovery Area (RRA) amendment form for the Laidley Waste Facility was lodged to include the boundary extension (purchase of the road reserve).
- 5 high priority collection points were upgraded to all-weather access roads to minimise disruptions in wet weather.

INFRASTRUCTURE PLANNING BRANCH

The Infrastructure Planning Branch has undertaken the following key activities during the month:

Infrastructure Planning**Inland Rail Project**

Work continuing on the submission of Council requirements to Australian Rail Track Corporation (ARTC) in their Performance Specification Technical Requirements (PSTR) document, along with discussions made on both maintenance and repair of potential haul roads for the project.

Lockyer Valley Planning Scheme

The Infrastructure Planning Branch has continued to assist in the preparation of the Lockyer Valley Regional Council Development Manual. The draft manual has been completed and is under review.

2019/2020 Capital Project Designs

Current projects in design are: -

- Amos Road – Design 95% complete. Planned to be finalised in early July.
- Spa Water Road Blackspot 2020/2021 – Design 90% complete and for construction in 2020/2021.
- Woodlands Road/Rangeview Drive Blackspot 2020/2021 – Design in progress.
- Culvert replacements
 - Ropeley Road Blenheim – Design 80% complete, to be finalised in 2020/2021 for construction.
 - Forest Hill-Blenheim Road/Glen Cairn Road – Design 80% complete, to be finalised in 2020/2021 for construction.
- William Street/Laidley IGA Carpark - Footpath – Design in progress.
- Cooper Street Drain – Design in progress as well as the verification of design with flood model.
- Woodlands Road Stage 3 – Design nearing completion.

Funding Applications

- Lockyer District State High School funding application submitted for reverse in angle parking on Highview Avenue through the School Transport Infrastructure Program (STIP).
- 2021/2022 Blackspot applications being prepared for submission in mid-July.

Asset Management

- Continuing work on long term asset renewal planning.
- Stormwater Asset Management Plan has been completed.
- Finalisation of the draft Infrastructure Group Capital Program for 2020/2021.
- Liaison with Councils external valuer on the 2020 asset valuations to meet reporting deadlines.
- Rollout of the 2020/2021 operations and maintenance costing within TechnologyOne has been completed to support minimal standing work orders for the year, noting the majority will now be direct task costing to improve the availability of service level information.

CIVIL OPERATIONS BRANCH

The Civil Operations Branch has undertaken the following key activities during the month:

Capital Works

Belmore Road, Withcott – Reconstruction Project - Project is complete.



Hatton Vale School Parking Improvements – TIDS – Project is complete.



Summerholm Road, Culvert Replacement and Road Renewal – TIDS – Project is complete.



Murphys Creek Footpath – TIDS – Stage 1 is complete.



Bitumen Reseal Program – Program is complete.

Gravel Re-sheet Program – Program is complete.

Translink Bus Shelter Upgrades – Bus stop locations are Drayton Street Laidley, William Street Gatton and Mary Street Laidley – Project is complete.

Dolleys Road, Withcott Upgrade – Project has commenced with clearing and grubbing works underway.

Woodlands Road – Stage 3, Road Widening – Project has commenced with extension to drainage structures underway.

TSRC Haulage Rods Package of Works – Works commenced on Roches Road, Little Oakey Creek and Jones Road.

Maintenance Works

Activity	Suburb		
Gravel Road Grading	<ul style="list-style-type: none"> Pickering Road, Black Duck Creek Waller's Road, Ringwood 	<ul style="list-style-type: none"> Black Duck Creek Road, Black Duck Creek 	<ul style="list-style-type: none"> Adare Road, Gatton
Road spraying	<ul style="list-style-type: none"> Evans Road, Grantham Nunns Road, Helidon 	<ul style="list-style-type: none"> Cemetery Road, Helidon 	<ul style="list-style-type: none"> Lockyer Creek Road, Helidon
Road pavement repairs	<ul style="list-style-type: none"> Roches Road, Withcott 		
Drainage works	<ul style="list-style-type: none"> Lower Tenthill Road, Ma Ma Creek 	<ul style="list-style-type: none"> Qually Road, Lake Clarendon 	<ul style="list-style-type: none"> Anthony Court, Summerholm
Road patching works	<ul style="list-style-type: none"> Withcott 	<ul style="list-style-type: none"> Regency Downs 	
Traffic signs and linemarking works	<ul style="list-style-type: none"> Regency Downs Hatton Vale 	<ul style="list-style-type: none"> Morton Vale 	<ul style="list-style-type: none"> Laidley Heights

Road and Drainage Defects

Attached to this report is the comparative details of the road and drainage defects (Attachment 1).

The overall Maintenance Priority Level (MPL) will reduce over the next few weeks as the capital works projects are closed out, part of this process is closing out all defects that have been rectified through the capital works programs. The prolonged period of dry weather that we are currently experiencing is resulting in an increase in cracking in sealed pavements. This is a normal environmental factor which leads to increases in defects across the network.

EXTERNAL FUNDING UPDATES

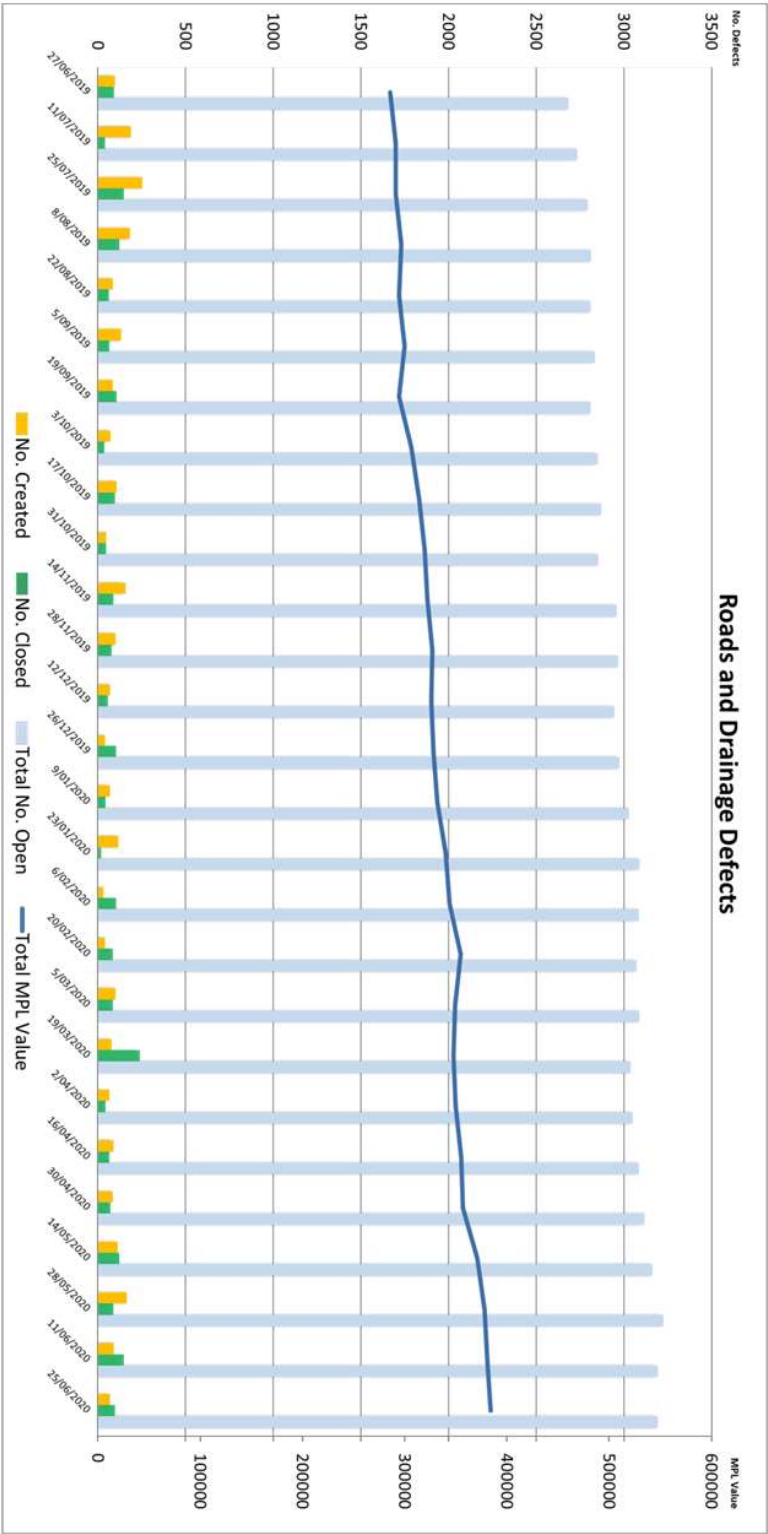
Applications

Program	Project	Funding Amount (Excl. GST)	Status
2020/21 Blackspot Road Safety Program	Woodlands Drive/Rangeview Intersection Upgrade	\$138,500	Design for works being progressed with design reviews currently underway.
	Spa Water Road Upgrade	\$223,000	Design for works being progressed with design reviews currently underway.
2018/19 Cycle Network Local Government Grants	Gatton North South Connection – Stage 1 Design and Construction. <i>(Lake Apex Drive on-road cycle facility and off-road facility along part of William Street, Gatton.)</i>	\$225,000	Extension of time has been granted for the project to 30 June 2021.
2019-21 Local Government Grants and Subsidies Program	Installation of new LED street lighting in Laidley CBD	\$150,000	Design project scoped, and design being progressed.
	Zischke Road (Mountain View Drive to Thallon Road), Regency Downs <i>(Install signs, delineation, guideposts and road marking)</i>	\$17,500	Project is complete.
	Blanchview Road, Blanchview <i>(Improve warning signs for curves, delineation and road marking)</i>	\$17,000	Project is complete.
	Jones Road, Withcott (Bridge Guardrail Upgrade) <i>(Replace existing substandard guardrail, install signage, delineation and road marking)</i>	\$58,000	Project is complete.
2019/20 Transport Infrastructure Development Scheme	Murphys Creek Road <i>(Construct footpath from school to Jack Court)</i>	\$170,000	Project is complete.
	Summerholm Road <i>(Culvert replacement)</i>	\$270,447	Project is complete.
	Safe Schools Project <i>(Hatton Vale State School parking improvements)</i>	\$44,330	Project is complete.
	Niemeyer Road <i>(Strengthening pavement)</i>	\$50,000	Project is complete.

Program	Project	Funding Amount (Excl. GST)	Status
	<i>contribution)</i>		

Attachments

1 [↓](#) Roads and Drainage Defects 1 Page



14. ITEMS FOR INFORMATION**14.1 Group Manager Community and Regional Prosperity Monthly Report - June 2020****Date:** 08 June 2020**Author:** Amanda Pugh, Group Manager Community & Regional Prosperity**Responsible Officer:** Amanda Pugh, Group Manager Community & Regional Prosperity

Purpose:

This report provides Council with a summary of key operational activities undertaken by the Community and Regional Prosperity Group during June 2020.

This report is for Council's information only.

Executive Summary

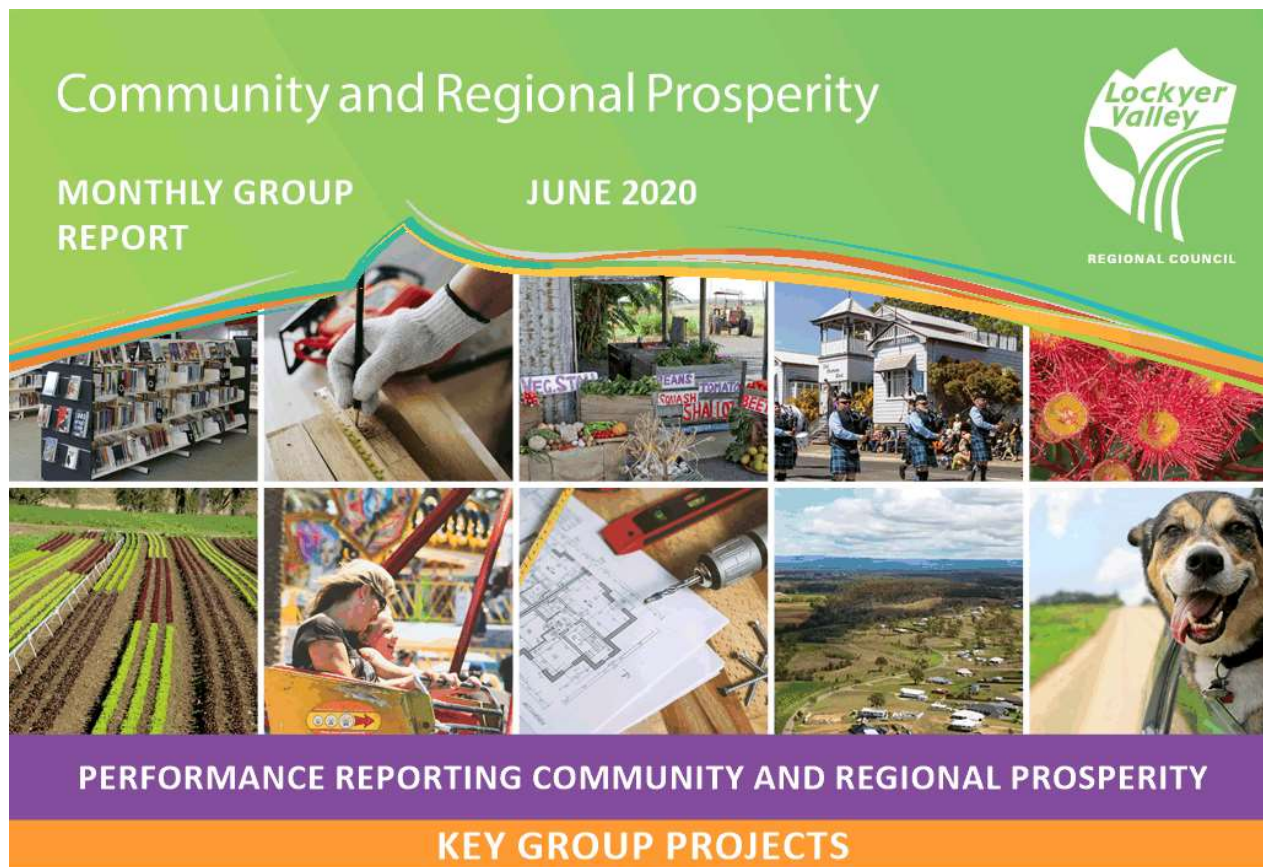
This report provides Council with a summary of key operational activities undertaken by the Community and Regional Prosperity Group during June 2020.

Proposal

That this report be received and noted.

Attachments

1 [↓](#) Community and Regional Prosperity Monthly Group Report 12 Pages



PROPOSED AMENDMENTS TO GATTON SHIRE AND LAIDLEY SHIRE PLANNING SCHEMES

Advice has been received from the Minister that Council may proceed to adopt the amendments. A report is being presented to the July meeting of Council recommending adoption of the amendments.



DRAFT TEMPORARY LOCAL PLANNING INSTRUMENT 2020 (FLOOD REGULATION)

Advice has been received from the Minister that Council may proceed to adopt the TLPI. A report is being presented to the July meeting of Council recommending adoption of the TLPI.



PLAINLAND STRUCTURE PLANNING

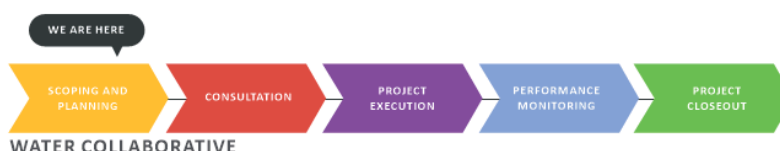
Infinitem Partners Pty Ltd have finalised the draft structure plan and have commenced stakeholder consultation. Infinitem Partners Pty Ltd met with Council staff on 25 June 2020 to discuss their findings, and will now move to finalising this project by the end of August 2020.



Infinitum Partners Pty Ltd have finalised the draft study and have commenced stakeholder consultation. Infinitum Partners Pty Ltd met with Council staff on 25 June 2020 to discuss their findings and will now move to finalising this project by the end of August 2020..



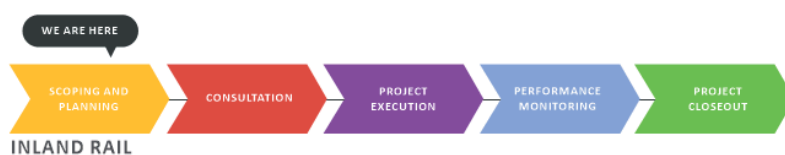
The Natural Resource Management (NRM) Strategy was adopted by Council in January 2020. The more detailed NRM Plan was drafted in conjunction with the community working group in February 2020. The NRM Plan was due for adoption by Council in June 2020, however internal Council consultation has been delayed due to COVID-19.



Jacobs completed the Round 2 Expression of Interest (EOI) process and delivered 13 community landholder information sessions between 22 and 30 June 2020. Approximately 170 potential investors in the scheme attended.

Key Information on the proposed water scheme:

- The minimum demand for each land owner (regardless of the number of properties) is 20 ML.
- The proposed one-off customer capital contribution is \$1,600/ML, which may change based on Round 2 demand, Expression of Interest
- The proposed annual charges to cover operating costs and asset renewal will be approximately \$271 to \$342/ML calculated as follows:
 - (a) a fixed annual bulk charge of \$205/ML to extract water from Wivenhoe;
 - (b) a fixed annual distribution charge of \$55/ML
 - (c) a variable water charge of \$11 to \$82/ML depending on pumping zone and location.
- The water right will be a tradeable supply agreement with a 25 to 30-year term and an option to extend.
- Average reliability will be 75% over 30 years, but this changes over time. Initially, average reliability will be as high as 94%, but by 2044 it could be as low as 52%. Average reliability will then rise to 78% after supply augmentation.
- Minimum pressure will be 5 kpa (7 psi) but could be as high as 50 kpa (70 psi).
- Flow rates will be low and on-farm storage may be needed.



Work has continued on legal agreements which address a range of matters between the Australian Rail Track Corporation (ARTC) and Council, and will govern the relationship between Council and the consortium that will deliver the rail project during the design and construction phase.

Both the Helidon to Calvert and Gowrie to Helidon projects are undergoing an Environment Impact Statement (EIS) process and have documents have been submitted to the Coordinator-General for adequacy assessment prior to public consultation later in the year.

Ernst Young have submitted a draft project plan to the Commonwealth government under the Inland Rail Interface Improvement Program. This project will be looking for potential benefits for the region from the Inland rail project.



The project is anticipated to be practically completed in October 2020 with final completion expected 31 December 2020.



The project is anticipated to be practically completed in October 2020 with final completion expected 31 December 2020.



The project is anticipated to be practically completed in October 2020 with final completion expected 31 December 2020.

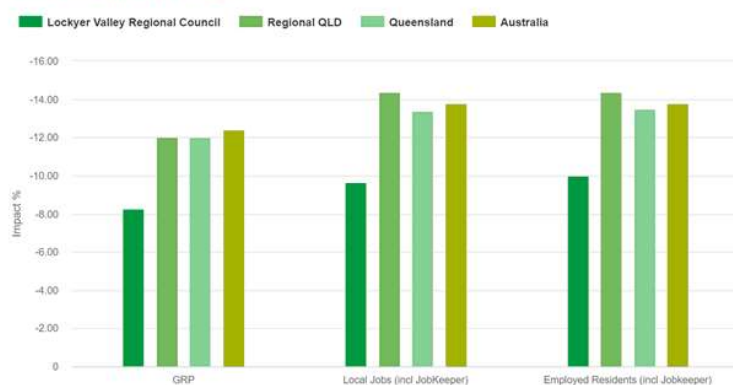
ECONOMIC DEVELOPMENT AND COMMUNITY

ECONOMIC DEVELOPMENT

- The RSIS Coordinator has been collaborating with Growcom to help further gauge and understand the skills gaps identified by businesses in primary industry. Growcom has been allocated funding to implement an AgFood Connect program to help place local residents into local jobs with the correct skill levels.



COVID-19 Impacts by Region



Source: National Institute of Economic and Industry Research (NIEIR) Version 1.1 (May 2020) 62020 Compiled and presented in economy id by all the population experts. Impacts have been split into: (1) not on JobKeeper – unemployed as defined by the ABS; and (2) JobKeeper – performing reduced hours or not working (i.e. 0 hours). Many will not be contributing to economic activity.

Assistance was provided in relation to funding and grants:

1. Faith College – applying to National Careers Institute Partnership for funding for Virtual Reality work experience. Council provided assistance to source localised detailed demographic data, youth engagement data and statistics, population growth projections by age, jobs data by industry, and how it differs from state data.
2. Grantham Backpackers – Discussions were held in relation to the Tourism Infrastructure Fund and making an application for funding for Stage 2 of the development. The application did not progress.
3. 3PK Developments – The developer was referred to Brisbane Marketing in relation to the Tourism Infrastructure Fund. An Expression of Interest has been submitted in relation to the proposed development at 41 Railway Street.

TOURISM



BRISBANE MARKETING UPDATE

- Tourism rebound is patchy across the State with some areas showing strong drive support, whilst others are dealing with continued downturn due to interstate and international restrictions.
- Consensus that the “travel experience” has become more difficult for consumers, many of whom are still in fear of the conditions.

TOURISM EVENTS QUEENSLAND MEDIA FAMIL OUTCOMES

- Lockyer Valley feature on Weekend Notes blog <https://www.weekendnotes.com/branell-homestead/>
- A double-page Lockyer Valley feature was in the Weekend lift-out of 22 Queensland newspapers on 13 June.
- Six-page feature on Awassi Cheesery in RUTH magazine



VISITOR INFORMATION CENTRE

The Visitor Information Centre (VIC) reopened on 15 June 2020 following closure due to COVID restrictions. Despite travel restrictions only just being eased there were many travellers dropping into the VIC for information.

Total number of Visitors to LuvYa Lockyer website 8,563 for June 2020

Queensland Transport Museum

Twelve new exhibits were added to the QTM, including a 1926 Arrol Johnston Tourer, a 1928 Reo Speed Wagon, and a 1939 Leyland Lynx.



Virtual Tour

The Queensland Transport Museum gets savvy with technology!

COVID-19 had a huge effect on travel and tourism; locally the QTM had been closed to visitors with Facebook being used to communicate with museums followers. The museum wanted to remain relevant and available to as many online visitors as possible so when Merv Starr, Secretary of the Coonabarabran Automobile Restorers Society (CARS) approached the QTM about participating in a Virtual Tour, it was an offer that simply could not be refused.



The Virtual Tour was conducted during the museum closure so unlimited access to all facets of the displays was ensured. Organised and facilitated by Visitor Information Officers, a long standing dedicated and knowledgeable QTM volunteer Nick, the Virtual Tour was a huge hit! Sixteen members of their group logged onto zoom to watch, listen and learn about the vehicles featured within the museum and the history of Western Transport. Merv is adamant that once the borders open again the Queensland Transport Museum will be one of the group's first stops!

Scavenger Hunt

The QTM's scavenger hunt is an educational resource put together to teach children through play. All throughout the museum are hidden words; each with an image next to it and a special letter. Once all the words have been found the puzzle will be solved. This is an easy, learning game and letter matching activity to help children associate real life items in our case 'transport' with uppercase and lowercase letters. This also helps children build their fine motor skills by writing each letter down. This has been a huge success over the school holidays. We have even had local home-schooled children attend with their parents and utilise it as a fun English lesson.



TOP 5 LUVYALOCKYER WEB SEARCHES FOR THE MONTH OF JUNE 2020

	THINGS TO DO	888
	WHAT'S ON	861
	ACCOMODATION	799
	LAKE DYER CAMPING GROUND	367
	FOOD AND DINNING	521



COMMUNITY ENGAGEMENT AND EVENTS



COMMUNITY ENGAGEMENT

Community Engagement support was provided on the following projects:

- Dolleys Road upgrade works
- Laidley and Gatton cemeteries upgrades
- COVID-19 related activities including community signage for reopening facilities
- Gatton and Laidley CBD loading zone sign changes
- Pets in Emergencies animated whiteboard series
- Illegal dumping and misuse of rural bulk bin sites
- Assisted Queensland Rail with advising stakeholders of a proposed hazard reduction burn.

The refurbishment of the artillery at the Gatton Anzac Memorial, Littleton Park, has now been completed.



STATUS OF EVENTS

- Markets at Laidley every Friday, Mulgowie, Ma Ma Creek, Murphys Creek, Plainland, Ferrari Park Laidley will all be commencing again in July. All will be working within the COVID-19 guidelines. These markets are listed on the LuvyaLockyer website and are included in the quarterly event calendar. Market organisers have been provided with requirements in relation to COVID Safe operations.
- Social dances will restart at Postmans Ridge at the end of July 2020.
- Sixty-seven (67) single events were cancelled between 1 March to 30 June 2020 due to COVID-19. Further cancellations are expected for July and August 2020.



SPORT AND RECREATION

The BrightSports Lighting software program has been installed at Cahill Park. This program will be used by sporting clubs at Cahill Park to operate the lights, and allows for automatic billing to individual clubs.

The Lockyer Valley Netball Association recommenced activities on 20 June 2020. During July, Touch football at Gatton and Laidley, Gatton Junior Rugby League (some activities only), and Laidley Soccer club will all be recommencing.



Assistance has been provided to Cricket, Netball and Rugby League clubs in relation to their COVID Safe Return to Play plans.



Youth

Online activities targeted to the older age groups (12+) have been schedule for the June/July school holidays including:

1. Photograph like a Pro - Photography tutorial and photography opportunity to have photographs included as the Lockyer Valley Youth Facebook background photo
2. ABC iView – Link to educational videos
3. Alphabet fitness challenge - Complete the activities that spell out the name in order (e.g. BEN = 5 squats, 2 push-ups and 8 arm circles)
4. Queensland Ballet classes – Link to free ballet classes
5. Healthy Foody Creations – Link to Queensland Government website offering food recipes

Mission Australian Youth Survey

The Mission Australia Youth Survey is a free engagement opportunity that Council is using to collect insights from the youth in the Lockyer Valley Region. Mission's survey asks focused questions to better understand the thought processes of our youth when it comes to bullying, disability and having a say about issues that impact them. By registering in this survey, Council will receive a report on the survey results and collect valuable data/information for future programs. Mission Australia also uses the results to lobby government for increased youth services.

7 COMMUNITY GROUPS GIVEN ASSISTANCE IN RELATION TO COVID-19

-  Laidley Pioneer Village
-  Gatton & District Historical Society
-  Spirit of the Valley Events
-  Junction View Hall Committee
-  Murphys Creek Progress Association
-  Lockyer Waters Hall Committee
-  Lockyer Valley Community Shed

LIBRARIES AND GALLERIES

72,968
ITEMS IN OUR
COLLECTION

3,914
PHYSICAL
LOANS

5,746 ITEMS ISSUED
393 WITHDRAWALS
125 ITEMS RENEWED
284 ACQUISITIONS
81% ITEMS ISSUED VIA
SELF-SERVICE

For 2019-2020 Financial Year

Total Visitors to Lockyer Valley Libraries 97,457

Total physical loans 90,252

Total digital loans 22,212

All new items added to our collection 4,503

Pre-Covid, we held 574 events with 7832 participants



The Libraries received a fabulous opportunity to promote our Online Storytime Sessions and other services on ABC radio, television and social media. As a result we saw an increase in activity in library services. The Libraries reopened on Monday, 15 June, with reduced opening hours – Monday to Friday 9.00am to 4.00pm. Customers have provided very positive feedback regarding the Library re-opening. A few customers are continuing to use the 'click and collect' service. eResource usage has plateaued since the COVID restrictions have lessened.

A media launch for the Story Paths in Lake Apex park and Nada Lagoon Park occurred on 30 June. Jo Cuskelly, the book's illustrator, attended the launch in Gatton.

Partnerships with the Gatton Child Care Centre continue with fortnight story time sessions.

FACEBOOK

9 PROGRAMS AND EVENTS
1,905 EVENT REACH
51 EVENT RESPONSES
982 TOTAL FACEBOOK LIKES
16 NEW FACEBOOK PAGE LIKES

eRESOURCES

PLATFORM	APRIL 2019	MAY 2020	JUNE 2020	VARIANCE FROM APRIL 2020 TO MAY 2020
eAudiobooks (Borrowbox)	841	853	906	+6.2%
eBooks (Borrowbox)	709	1,084	860	-26%
eAudiobooks (RB Digital)	69	109	66	-39.4%
Kanopy (Movies)	110	79	66	-16.4%

14,286
ACTIVE LIBRARY
MEMBERS

1,499 NEW LIBRARY
MEMBERS
FOR 2019-20



CHILDCARE



85% OCCUPANCY RATE

Several enquiry were received which look like converting to enrolments.

The Director of the Childcare Centre commenced six months long service leave on 29 June. During her absence, Sue Corke will be Acting Director. Sue started at the childcare centre on 15 June 2020. The Acting Director, in collaboration with centre staff, are putting together an improvement plan for the centre with the purpose of identifying any current issues which may be preventing enrolments, and addressing these issues where possible.

Last week some of the children had the opportunity to participate in the launch of the story path at Apex Park. The children enjoyed walking around, listening and being involved. Positive feedback has been received from parents after they viewed the video of the story path launch.

In addition to the Federal Government's

Early Childhood Education and Care Relief Package (which provides up to 50% of revenue and continues until 12 July 2020) and a Transition Payment (25% of fee revenue from 13 July 2020 to 27 September 2020), Council has also been advised that Council's application for a supplementary payment under the Relief Package was successful. The amount of this payment is unknown at this time.

In addition to the funding received from the Federal Government, the Queensland Department of Education has provided \$116,200 as part of the State government's '\$2 million in funding to support the continued operation and viability of local government early childhood education and care services through the COVID-19 pandemic'. This funding matches the 50% funding received from the Federal government under the Relief Package.

PLANNING, ENVIRONMENT AND REGULATORY SERVICES

STRATEGIC LAND USE PLANNING

PLAINLAND STRUCTURE PLAN AND THE GATTON NORTH MEIA STUDY

Council's consultants for the Plainland Structure Plan and Gatton North MEIA Study, Infinitum Partners, will be presenting to Councillors on these projects at a workshop on 7 July 2020. The consultants are finalising the current state and opportunities identified for future land uses/activities to infrastructure requirements for these areas, and confirm with officers the direction the consultants propose to take including suggestions on how the areas should be reflected in the draft Lockyer Valley Planning Scheme. It is anticipated that the final reports will be completed by the end of August 2020.

DRAFT DEVELOPMENT MANUAL

Complete Urban have been engaged to conduct a review of the draft Development Manual. Following the review, it is intended to present the document to Council for adoption as a Council policy. Consultation will be held with members of the development industry to advise them of the implementation of the Development Manual, and request their feedback regarding the document so improvements can be made before the Development Manual is incorporated into the Lockyer Valley Planning Scheme as a Planning Scheme Policy.



DEVELOPMENT ASSESSMENT

ACTIVITY	CURRENT MONTH	2020 YTD	2019 SAME YTD PERIOD
DEVELOPMENT APPLICATIONS			
RECEIVED	14	99	114
DECIDED	12	82	99
EXEMPTION CERTIFICATES			
RECEIVED	6	50	39
DECIDED	10	51	39
FORM 19s			
RECEIVED	46	173	187
COMPLETED	46	159	166
PRELODGE MEETINGS HELD	6	25	

DEVELOPMENT COMPLIANCE

7  COMPLAINTS RECEIVED THIS MONTH

6  COMPLAINTS RESOLVED THIS MONTH

1  SHOW CAUSES ISSUED THIS MONTH

100%
RESOLVED WITHOUT
LEGAL ACTION 

ZERO
ENFORCEMENT
NOTICES ISSUED
THIS MONTH



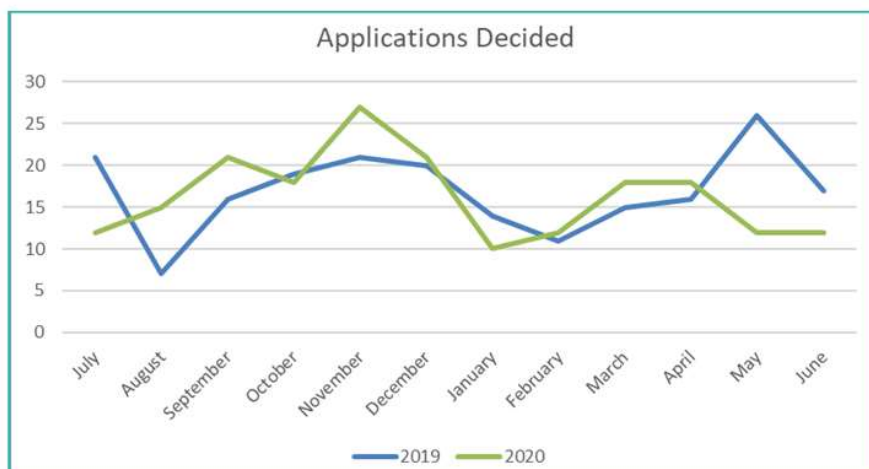
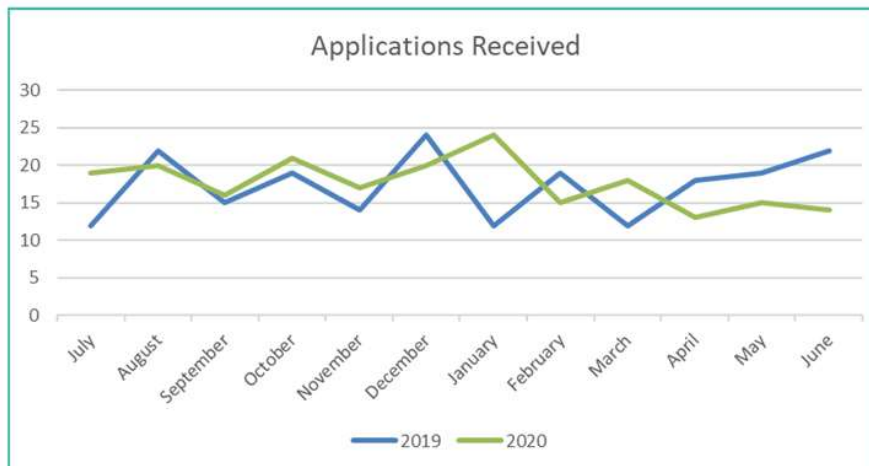
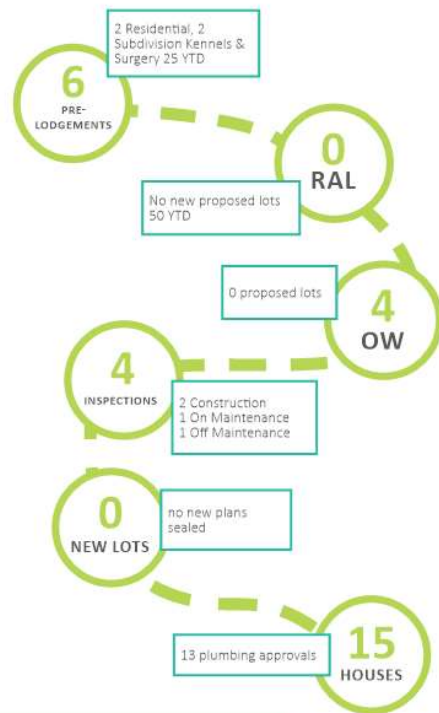
INFRASTRUCTURE CHARGES PAID YTD = \$280,964.08

INFRASTRUCTURE CHARGES OUTSTANDING YTD = \$121,398.92





LAND DEVELOPMENT PIPELINE



BUILDING AND PLUMBING

BUILDING APPROVALS ISSUED BY PRIVATE CERTIFICATION AND LVRC CERTIFICATION

Total Building approval issued in June = 54 with 8 issued by LVRC in an **average of 11 days**.

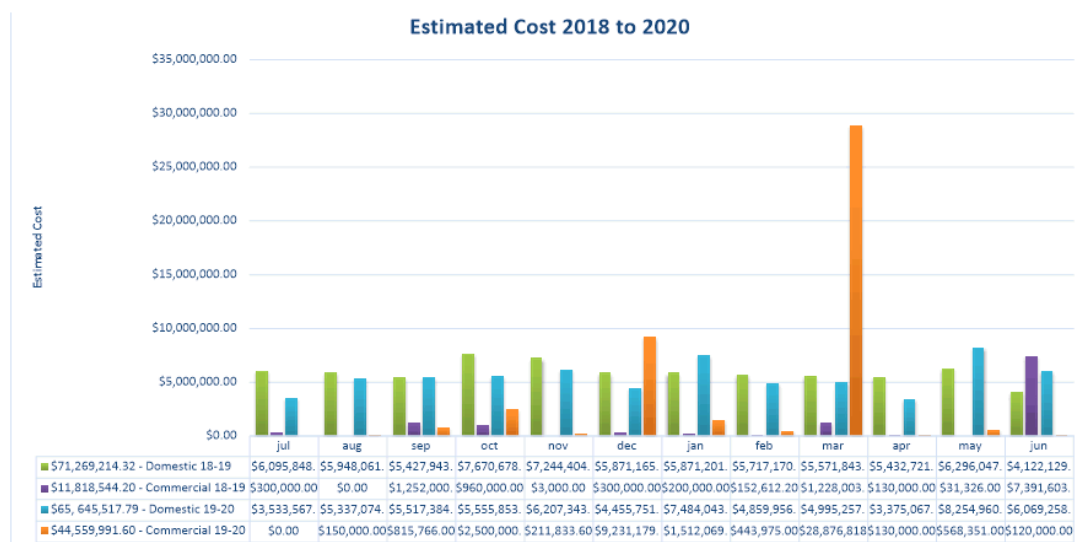
54



BUILDING
APPROVALS
DURING MAY

ESTIMATED COST 2018 TO 2020

The graph below of approved building work has being simplified to reduce down to 2 years of data.



PLUMBING

29 plumbing approvals issued in June in an **average of 8.7 days**

Total number of inspections during June = 169 with 123 being plumbing inspections.

29



PLUMBING
APPROVALS
DURING MAY

ENVIRONMENT AND PEST

STEWARDSHIP OF NATURAL ASSETS

Land for Wildlife

Interest in the program continues to grow with an additional 4 landholders enquiring to join the program. Interaction in the LFW program has assisted officers with the Matters of local Environmental Significance data, recording almost 2300 species of significant local fauna and flora!



WEED SURVEYS ON LOCAL ROADS & RESERVES =

29 ha

WEED TREATMENT ON LOCAL ROADS & RESERVES=

6,992m²

SURVEYS ON STATE ROADS =

337klm

WEED TREATMENT ON STATE ROADS

8,000m²

FOCUS OF PEST MANAGEMENT ENQUIRIES

WINTER WEEDS

FOCUS OF ENVIRONMENTAL ENQUIRIES

LAND FOR WILDLIFE

RESILIENT RIVERS

Cats Claw Creeper treatment has concluded in the Junction View area.

WILD DOGS

Wild dogs continue to be a concern for landholders in the last four weeks with efforts to control being supported by council officers. Winter flowering Mother of Millions is highly visible now with treatment of the pest weed on local and state roads continuing.



FUNDING

Councils successful bushfire recovery grant bid has officers preparing to deliver two projects for cultural burn workshops and lantana control.

The Riparian Rangers – creek reserve weed management program, as part of the Federal Drought Communities Funding, will proceed to Expressions of Interest stage for during July. The program aims to support the local economy affected by the ravages of drought, by engaging local landholders to treat weeds in creek reserves adjacent to their properties. The program delivers training, upskilling and support for participants, their staff and is a great opportunity for local contractors with the suitable licences, to assist with weed management in riparian areas. The 2019 program was successful in providing paid work for 69 individuals across a range of industries and agricultural pursuits and treated approximately 42 kilometres of creek reserve.

Eligible landholders will receive an invitation to forward an expression of interest in July.



Participants at the 2019 Weed Identification and treatment workshop (Junction View Hall)



Koala food trees thriving after being planted in the deep rips of the Brightview Reserve.

Council has undertaken a series of activities to restore the natural habitat of the Brightview reserve including weed control, deep ripping and planting of trees and shrubs suitable to the regional ecosystem and as koala food trees. The most recent work included replacing and repairing a number of neighbouring fences.



SQW teams have been working with FOLA and LACAC on maintenance of the Lake Apex Arboritum

Council is currently working with Skilling Queenslanders for Work program, training a group of eager participants towards their Cert 3 in Conservation Land Management. The team are undertaking projects at Lake Apex, Brightview reserve and other sites to manage weeds, plant native trees and improve native habitat.

STEWARDSHIP OF NATURAL ASSETS

Land for Wildlife (LFW)

Interest in the program continues to grow with an additional four landholders enquiring to join the program. Interaction in the LFW program has assisted officers with the Matters of local Environmental Significance data, recording almost 2,300 species of significant local fauna and flora!

		2020	2019
REGISTERED PROPERTIES	207	11,014 ha	10,209 ha
REGISTRATION PENDING	47	1,640 ha	0

REGULATORY SERVICES

143 

TOTAL NUMBER
OF INFRINGEMENT
NOTICES ISSUED YTD

5,946 

NUMBER OF DOGS
REGISTERED CURRENT
RENEWAL PERIOD

8,055 

2019/2020

NUMBER OF DOGS
REGISTERED

5,946 

2020/2021

- 218 dogs have been impounded YTD. June 2020 resulted in the 2nd lowest number of dogs being impounded by Council in the last 10 years
- 81% of all impounded dogs released to owners/rehoused to agencies 2019/2020.
- The Easing of COVID-19 Restrictions has seen:
 - Council's Cattery reopen for the acceptance of impounded cats (13 cats impounded since 15 June 2020)
 - Cat Traps now being available for hire and being totally booked out since 15 June 2020. There is now a waiting list for hire of cat traps.
 - Animal Rehoming Agencies recommencing the acceptance of unclaimed impounded dogs and cats that may be suitable for rehoming.

2,558 

NUMBER OF CUSTOMER
REQUESTS RECEIVED YTD

2,367 

NUMBER OF CUSTOMER
REQUESTS RESOLVED YTD

COMPARISON OF ANIMAL RELATED CRMs RECEIVED JULY 2017 TO JUNE 2020



ENVIRONMENTAL HEALTH

THE FOLLOWING HAVE BEEN ISSUES YEAR TO DATE



173

FOOD RELATED
LICENCES YTD



5

PERSONAL APPEARANCE
SERVICES LICENCES YTD

7

LOCAL LAWS
PERMITS YTD



4 CARAVAN



2 EVENTS



1 ROADSIDE
STALL

Council's Environmental Health officer is continuing to liaise with West Moreton Health in relation to COVID-19 restrictions and protocols.

14.2 Quarterly Investment Report - April to June 2020

Date: 26 June 2020
Author: Jodi Marchant, Chief Financial Officer; Kacey Bachmann, Management Accountant
Responsible Officer: Ian Church, Chief Executive Officer

Purpose:

The purpose of this report is to advise Council of the performance of its investment portfolio.

This document is for Council's information only.

Executive Summary

As outlined in Council's 2019-20 Investment Policy, a quarterly report is required to be submitted to Council on the performance of its investment portfolio.

The investment of surplus funds has been made in accordance with the requirements of *the Statutory Bodies Financial Arrangements Act 1982* as well as Council's Investment Policy. As at 30 June 2020 Council had a total investment holding of \$25.84 million.

Overall, investments continued to perform well in comparison to targeted benchmarks, with Council's current investments exceeding these benchmarks. The interest revenue is on target to budget, with the final actual result 99.38% of the forecast budget for the financial year. Investment opportunities will continue to be reviewed as ongoing low interest rates available on short term deposit investments which have been directly affected by COVID-19 means that this revenue line item will need to be closely monitored into the new year.

Proposal

As required by Council's 2019-20 Investment Policy, a quarterly report is to be submitted updating Council on the performance of its investment portfolio.

As at 30 June 2020, Council had a total investment holding of \$25.84 million.

Council's 2019-20 Investment Policy sets out Council's investment guidelines including the time horizon, maximum exposure, credit risk guidelines and performance benchmarks of its investments.

The two following tables show the investment institution, credit rating and product type of our investment portfolio at 30 June 2020:

Table 1

Institution	Amount \$	Percentage Holding	Credit Rating
QTC	21,241,641	82.20%	AA
NAB	500,000	1.93%	AA-
AMP Bank	4,100,000	15.87%	BBB+
Total	25,841,641	100.00%	

Table 2

Product Type	Amount \$	Percentage Holding
Cash Fund - QTC	21,241,641	82.20%
Term Deposit	4,600,000	17.80%
Total	25,841,641	100%

The following tables display the performance of Council's investments, identified by investment type and days invested, against the Bank Bill Swap Rate (BBSW) and the Bloomberg AUSBOND Index (AUSBOND). The tables compare the rate of return on Council's investments at 30 June 2020, against the benchmarks indicated above (BBSW and AUSBOND).

Overall, the investments continued to perform well in comparison with these benchmarks although there has been a significant decrease in interest rates for term deposits with new investments now offered below 1.2%.

Table 3

Cash Fund Performance Against RBA Cash Rate & AUSBOND Index	QTC	RBA Cash Rate	AUSBOND Index
Cash Fund Performance	0.86%	0.25%	0.835%

Table 4

Term Deposit Performance Against BBSW Index & AUSBOND Index	Av Return on Deposits	BBSW Index	AUSBOND Index
Term Deposits	1.66%	0.0929%	0.835%

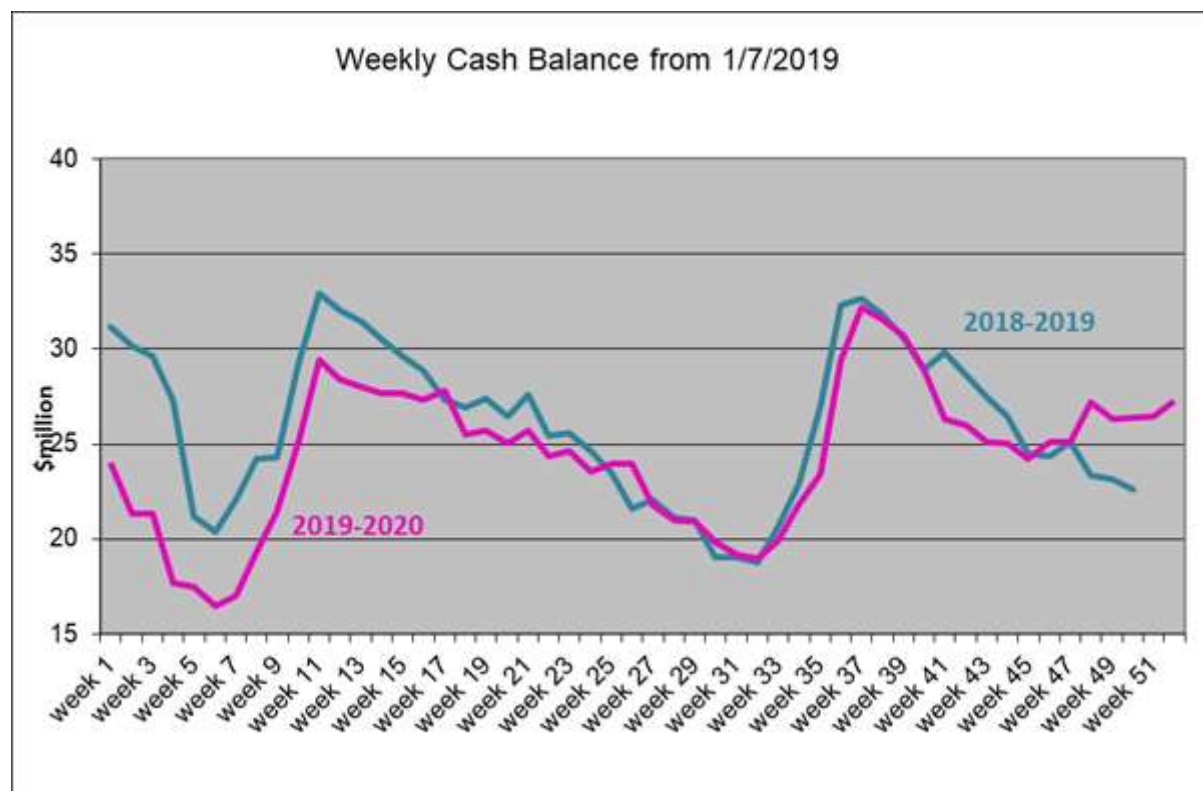
Interest rates remain below 1.20% for rates of less than twelve months. While the QTC cash fund rate is lower than some term deposit interest rates, the liquidity of cash is imperative, especially given the uncertainty surrounding cash inflow during the COVID-19 pandemic. The best regular rates on offer at present are around 0.55% and 1.20% for investment periods from three to twelve months. As cash balances increase, attractive term deposits will be engaged while ensuring sufficient cash balances are available on short notice.

Table 5

Interest Income vs Budget	YTD Actual	YTD Budget	% Annual YTD Budget
Interest Income on investments	\$417,679	\$420,300	99.38%

As reflected in table 5, interest revenue is on target to budget, with the final actual result 99.38% of the forecast budget achieved for the financial year. Forecast revenue has been reduced throughout the 2019-2020 financial year with interest rates steadily declining over this period.

During the fourth quarter, cash at bank has decreased as our next major injection of cash will be the rates levy in August. Only minimum cash remains in Council's general funds each day with any excess being invested as Term Deposits or transferred to the QTC Cash Fund. The following graph shows a comparison over time of Council's weekly cash balances.



The table below shows that Council's investments at 30 June 2020 is in overall compliance with the 2019-2020 Investment Policy.

Table 6

Investment Policy Credit Risk Compliance	Current Exposure	Allowable Exposure	Difference
Cash Funds			
QTC Cash Funds	82.20%	100%	17.80%
Term Deposits			

Investment Policy Credit Risk Compliance	Current Exposure	Allowable Exposure	Difference
AAA to A+	1.93%	85%	83.07%
A to BBB+	15.87%	45%	29.13%
BBB to BBB	0%	30%	30.00%

Attachments

There are no attachments for this report.

14.3 Outcome of LGAQ Annual Conference Motions 2019

Date: 29 June 2020
Author: Erin Carkeet, Governance and Strategy Officer
Responsible Officer: Anna Hebron, Group Manager People and Business Performance

Purpose:

The purpose of this report is to advise Council on the individual outcomes of the seven motions submitted to the Local Government Association of Queensland (LGAQ) Annual Conference held 14 – 16 October 2019.

This document is for Council's information only.

Executive Summary

The Local Government Association of Queensland (LGAQ) called for motions to be included on the agenda for the 2019 Annual Conference. The intent of proposing motions is to influence changes in government policy and legislation and to address matters common to local government across Queensland. Council, at its Ordinary Meeting held 24 July 2019 endorsed seven motions for submission to the 2019 Annual Conference. These motions related to:

- Annual Property Valuations for Rating Purposes;
- 2020 Local Government Elections;
- Collection of Emergency Management and Other Levies;
- Swimming Pool Safety;
- *Building Act 1975* definition of a 'Fixed Structure';
- Building Certifiers Training and Complaint Process; and
- The establishment of a Building Advisory Group.

Proposal

Council at its Ordinary Meeting held 24 July 2019 endorsed seven motions for submission to the 2019 Annual Conference. Of the seven motions endorsed by Council, six of the motions were made to the LGAQ conference, supported and carried successfully. The LGAQ have now responded to the Mayor, providing feedback on four of the motions submitted by LVRC and as amended. This report provides Council with an update on these motions.

Motion 1 (Conference Resolution 74):

That LGAQ calls on the State government to amend the Land Valuation Act 2010 to ensure property valuations for rating purposes are conducted every year without exemption to ensure as far as possible rating fluctuations are minimised.

The LGAQ is awaiting a response from the Minister for Natural Resources, Mines and Energy, the Hon Dr Anthony Lynham. A report on the outcome of this motion will be presented to Council at a future meeting.

Motion 2 (Conference Resolution 16):

That LGAQ calls on the Electoral Commission of Queensland to introduce measures to reduce costs and improve efficiencies in order to minimise the significant increases in election costs forecast for the 2020 local government election.

Attached to this report for Councillors information is the response on this matter from the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs, the Hon Stirling Hinchliffe.

Motion 3 (Conference Resolution 77):

That LGAQ calls on the State Government and QFES to accept responsibility for the administration of their legislation and collect fire levies directly rather than cost shift that responsibility by placing that imposition on local governments.

The LGAQ is awaiting a response from the Minister for Fire and Emergency Services and Minister for Aboriginal and Torres Strait Islander Partnerships, the Hon Craig Crawford. A report on the outcome of this motion will be presented to Council at a future meeting.

Motion 4 (Conference Resolution 36):

That the Local Government Association of Queensland call on the Queensland Building and Construction Commission (QBCC) to:

- *Increase training for Pool Safety Inspectors (PSIs);*
- *Accept their responsibilities as a regulatory body and provide a single point of advice to PSIs and local government regarding the interpretation of the swimming pool legislation; and*
- *Act on complaints about PSIs inappropriately issuing pool safety certificates, rather than relying predominantly on Local Governments to take action against pool owners for non-compliance.*

Attached to this report for Councillors information is the response on this matter from the Minister for Housing and Public Works; Minister for Digital Technology; Minister for Sport, the Hon Michael (Mick) de Brenni.

Motion 5 (Conference Resolution 66):

That the Local Government Association of Queensland call on the State Government to amend the Building Act 1975 to provide greater clarity over what is a "fixed structure" within the definition of a "building".

Attached to this report for Councillors information is the response on this matter from the Minister for Housing and Public Works; Minister for Digital Technology; Minister for Sport, the Hon Michael (Mick) de Brenni.

Motion 6 (Conference Resolution 35):

That the Local Government Association of Queensland call on the Queensland Building and Construction Commission (QBCC) to:

- *provide more training and advice for building certifiers, and to*
- *streamline and make more effective the process for complaints against certifiers who are not acting in accordance with the legislation.*

Attached to this report for Councillors information is the response on this matter from the Minister for Housing and Public Works; Minister for Digital Technology; Minister for Sport, the Hon Michael (Mick) de Brenni.

Motion 7:

That the LGAQ establish within their organisation a Building Advisory Group (or expand the scope of the existing Planning and Development Advisory Group) to specifically advocate for positive change within building, plumbing, swimming pool regulation (and other related matters) to provide a whole of state position on such issues that are directly affecting local governments.

This motion was not made to the LGAQ conference. The LGAQ advised that the development of an advisory group would be explored following the Local Government election.

Attachments

1	2019 LGAQ Conference Motions overview	18 Pages
2	Response to Conference Resolution 16	3 Pages
3	Response to Conference Resolutions 35, 36 & 66	11 Pages

7/3/2020

2019 - Resolution 016 - 2020 Local Government Elections - Asset Publisher

2019 - Resolution 016 - 2020 Local Government Elections

Lockyer Valley Regional Council

That the LGAQ lobby the State Government and the Electoral Commission of Queensland to introduce measures to reduce costs and improve efficiencies in order to minimise the significant increases in election costs forecast for the 2020 local government election.

MOVER: Cr Patrick Vela

SECONDER: Cr Karen Williams

CARRIED

Background

In accordance with section 202 of the Local Government Electoral Act 2011, costs incurred by the Electoral Commission of Queensland (ECQ) in conducting a local government election are to be recovered from the respective council. The 2016 Quadrennial election (conducted by postal ballot) cost-recovery amount for Lockyer Valley Regional Council was \$191,584 (exclusive of GST). The 2018 Councillor By-election (conducted by polling booth) cost recovery amount was \$113,316 (exclusive of GST). In correspondence received from the Electoral Commission of Queensland (ECQ), the cost for the upcoming local government election for Lockyer Valley Regional Council is estimated to be \$390,939 (exclusive of GST) for a polling booth ballot. This is more than double the cost of the 2016 election. The ECQ advise that the cost estimate was done to include improvements that are being implemented to enhance voter's awareness and experience. The ECQ states that costs recovered from councils for the last two local government elections were heavily subsidised by the State Government. This was due to economies of scale realised in 2012 because the local government quadrennial and State general elections were conducted one month apart. At the 2016 local government elections, the ECQ received additional funds from the State Government to conduct a referendum ballot concurrently. ECQ advises that the subsidy received lessened the costs for all councils. Further, the ECQ advise that significant improvements must be implemented prior to the 2020 local government elections. These include:

A transparent recruitment process for Returning Officers and Assistant Returning Officers to attract suitable candidates with the right expertise and experience

An enhanced training strategy to ensure temporary election staff are equipped to fulfil their responsibilities

The ECQ also acknowledges a shift in voter behaviour towards early voting and greater accessibility to voting; project plans to accommodate these expectations are currently underway. While it is recognised that there has been some subsidisation in the past and additional improvements may be required, a more than a doubling of costs in a four-year period is unacceptable. A reduction of costs and enhanced efficiencies must be encouraged for this model to be sustainable.

What is the desired outcome sought?

That the Electoral Commission of Queensland review the planning for the 2020 Local Government Election to reduce the cost impact on local governments and achieve a more sustainable cost model.

LGAQ comment

The LGAQ Policy Statement does not cover the issue of election costs.

The LGAQ has made several representations with the ECQ in response to concerns expressed by members about the significant increase in the estimated cost to councils for the conduct of the 2020 quadrennial local government elections. The aggregate statewide ECQ cost of running local government elections - which is passed on in full to councils - has more than doubled from \$13 million in 2016 to \$27 million in 2020. We understand some councils' costs have trebled.

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2019 - Resolution 016 - 2020 Local Government Elections - Asset Publisher

The Economics and Governance Committee also canvassed this issue with the ECQ during the 27 May 2019 hearing on the Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Bill 2019.

The ECQ has been transparent about the reasons for the estimated cost increase (as outlined in the background above). The Soorley Review of the ECQ's conduct of the 2016 local government elections found many shortcomings which needed to be addressed and the increase in part can be explained by those positive improvements in ECQ processes.

The LGAQ's fundamental concern is that the ECQ performs well at the 2020 council poll. However, the LGAQ sees merit in requesting the ECQ to identify efficiencies that could be achieved without sacrificing performance at the 2020 elections.

Formal Response/s

A letter was received from the Pat Vidgen PSM, Electoral Commissioner, Electoral Commission Queensland dated 26 November 2019

Thank you for your letter dated 20 November 2019 informing the Electoral Commission of Queensland (ECQ) of Resolution 16 2020 Local Government Elections that was raised during the Local Government Association of Queensland's (LGAQ) 123RD Annual Conference.

I note the issues raised in the resolution and confirm that the ECQ has engaged in consultation with councils throughout the process of planning for the local government elections regarding anticipated costs. This has included correspondence and meetings between ECQ senior officers and representatives of relevant councils to provide an update on the preparation, planning and logistical arrangements for the event and to identify potential cost efficiency measures. These meetings have been positive and have increased the collaboration between the ECQ and councils in planning for the elections.

As noted in the resolution paper, the ECQ shares the LGAQ's commitment to identifying efficiencies and improvements to election processes and will continue to work closely with all councils to minimise costs to councils. A focus for the ECQ is the economies of scale between two significant election events, the local government quadrennial elections in March 2020 and the State general election in October 2020, with efficiencies being actively explored and adopted where appropriate.

I emphasise that the ECQ's overarching intention is to ensure that elections are delivered to a high standard for all councils across Queensland, providing an elector centric service that ensures electors are provided with fair and equitable opportunity to participate in the electoral process.

Should you require further information regarding this matter, please contact Ms Maya Marpudin, Chief Finance Officer, on (07) 3035 8055 or at maya.marpudin@ecq.gov.au.

Formal Response

Formal response to this resolution is received from the Hon Stirling Hinchliffe MP, Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs.

Thank you for your letter of 18 November 2019 seeking a response to the 14 resolutions passed at the 2019 Local Government Association of Queensland (LGAQ) Annual Conference that relate to my Local Government portfolio.

I am pleased to provide the following responses to each of the conference resolutions assigned to my portfolio:

2020 Local Government Election - It is noted that this Resolution has also been referred to Mr Pat Vidgen, the Electoral Commissioner of Queensland and it is appropriate that Mr Vidgen responds on this matter.

I have provided a copy of this letter to the Honourable Anastacia Palaszczuk MP, Premier and Minister for Trade for her information.

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2019 - Resolution 016 - 2020 Local Government Elections - Asset Publisher

I have asked for Mr Max Barrie, Director, Local Government Policy in DLGRMA to assist you with any further queries. You may wish to contact Mr Barrie on 3452 6704 or by email at max.barrye@dlgrma.qld.gov.au.

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7/3/2020

2019 - Resolution 035 - Building Certifier Training and Complaint Process - Asset Publisher

2019 - Resolution 035 - Building Certifier Training and Complaint Process

Lockyer Valley Regional Council

That the LGAQ lobby the State Government and the Queensland Building and Construction Commission (QBCC) to:

Provide more training and advice for building certifiers to reduce instances of non-compliance with Queensland's building legislation,
Streamline and make more effective the process for local governments to lodge complaints against certifiers who are not acting in accordance with the legislation.

MOVER: Cr Patrick Vela

SECONDER: Ian Church

CARRIED

Background

Local governments hold significant concerns over some building certifiers who persist in not complying with the legislation. This is a genuine risk to communities following recent issues such as the building cladding situation.

There needs to be an effective and efficient means of raising complaints against certifiers who are not operating within the legislation to the QBCC. Under the current system, there is no capacity for general complaints to be lodged about repeated unlawful behaviour – specific addresses of all instances must be provided to the QBCC on separate complaint forms.

At the same time, it is very difficult for local governments to lodge complaints to the QBCC as the form required is long and complicated and requires a specific job address. Additionally, the QBCC generally requires impractical levels of proof be provided confirming that the issue is occurring before they will even consider taking on a complaint. Sometimes this information can only be readily obtained by the QBCC. This deters a local government from lodging complaints to the QBCC.

Some examples of non-compliances with Queensland's building legislation observed by Lockyer Valley Regional Council (LVRC) include:

Several certifiers consistently not lodging applications and other documentation within the required timeframes; 102

Some certifiers not obtaining the required Material Change of Use approvals prior to issuing a building approval;

A certifier allegedly using a building designer to carry out inspections on their behalf (on that designer's own designs); and

Certifiers approving commercial buildings as class 10a buildings to avoid planning requirements or to comply with their own licence restrictions.

The difficulty in lodging complaints does not assist the industry or protect the community. The building certification industry is already being tarnished (sometimes unfairly) with the recent combustible cladding crisis.

It is considered the QBCC needs to take a more proactive stance to ensure building certifiers are complying with the legislation. Council is not necessarily advocating for harsh penalties for certifiers and recognises that education is often the best course of action initially as some certifiers may not realise they are contravening the legislation. Accordingly, it is considered the QBCC should take a more proactive approach to education of certifiers potentially in the form of regular newsletters or newswatches highlighting common issues or hot topics.

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2019 - Resolution 035 - Building Certifier Training and Complaint Process - Asset Publisher

What is the desired outcome sought?

That QBCC streamline the process to make it more effective for local governments to lodge complaints against certifiers not complying with Queensland's building legislation and provide greater education and training for certifiers to reduce incidents of non-compliance with the legislation.

LGAQ comment

In relation to building certification, the LGAQ Policy Statement includes the following:

6.2.1.1 Local government supports the state government implementing an improved regulatory system through the Queensland Building and Construction Commission to provide greater incentive for building certifiers to operate professionally. The reviewed system will address minor and major offences and ensure the compliance system is efficient and appropriate penalties are applied.

6.2.1.2 Local government supports the State Government in providing the Queensland Building and Construction Commission with adequate resources to carry out a more extensive and comprehensive role in auditing and disciplining building certifiers in a timely manner. Local government acknowledges the important role of Building Codes Queensland in monitoring and facilitating the performance of the building certification system.

6.2.1.3 The State Government should provide a comprehensive education program to increase community awareness of how the building certification system works and where responsibility/liability resides. The State Government should also create a system of consumer protection.

The State Government, in its Queensland Building Plan 2017, committed to a range of building certification reforms including:

“partner with industry to improve professional standards and compliance
more support to building certifiers and encouraging new entrants to the industry
implement appropriate reforms as a result of Shergold and Weir Review”.

In its submission on the Queensland Building in 2017, the LGAQ also reinforced the need for a comprehensive review of the private building certification system in Queensland and recommended that a formal partnership between the State Government and local government be established to progress this.

There have been no LGAQ Annual Conference resolutions made in recent years regarding building certification matters.

Formal Response

Formal Response received from the Hon Mick de Brenni MP, Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport.

Dear Greg,

Thank you for your letter of 18 November 2019 regarding 2019 Local Government Association Queensland (LGAQ) Resolutions.

I appreciate you taking the time to write to me and for drawing the following resolutions to my attention:

Resolution 35: Building Certifier Training and Complaint Process
Resolution 36: Swimming Pool Safety
Resolution 47: Community Housing Management in Rural and Remote Queensland
Resolution 66: Building Act 1975 definition of a 'Fixed Structure'
Resolution 67: Social Housing Funding
Resolution 81: Mobile Blackspots

Building Certifier Training and Complaint Process Swimming Pool SafetyCommunity Housing Management in Rural and Remote Queensland Building Act 1975 definition of a 'Fixed Structure'Social Housing Funding Mobile Blackspots

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7/3/2020

2019 - Resolution 035 - Building Certifier Training and Complaint Process - Asset Publisher

For ease of reference, enclosed are responses to each resolution including contact information for further enquiries into specific resolutions.

I hope this information answers your enquiry.

Response

Provide more training and advice for building certifiers to reduce instances of non-compliance with Queensland's building legislation.

Building certifiers, whether employed by Local Government or operating a private certification business, play a critical role in the Queensland building and construction industry by ensuring buildings are constructed to required standards and are fit for purpose.

Likewise, local governments continue to play a vital role in administering planning and building legislation, including providing certification services, administering records for the benefit of their community and investigating / acting on unlawful and dangerous building work / buildings .

The *Building Act 1975* (Building Act) provides that all building certifiers must act in the public interest and this includes, for example, acting in a way not contrary to a function under the Building Act or Planning Act.

The Queensland Building and Construction Commission (QBCC) is charged with a range of functions under the Building Act including:

- licensing building certifiers
- monitoring compliance by building certifiers
- carrying out audits of building and private certifying functions
- taking disciplinary action against building certifiers or former building certifiers for unsatisfactory conduct or professional misconduct

Accreditation standards bodies such as Australian Institute of Building Surveyors (AIBS) and the Royal Institution of Chartered Surveyors (RICS) issue accreditation to individuals proposing to apply to be building certifiers. They are also required to set educational standards and establish a professional development scheme.

In January 2019, the Queensland Government announced the advancement of several reforms that will strengthen independence and improve the professional standards and compliance of certifiers, including a focus on reforms to building certification. The reforms will be delivered in phases over the next few years.

The QBCC also facilitates several industry education and engagement events throughout each year, many of which directly relate to the certification function and as such, Continuing Professional Development (CPD) points may be obtained via attendance.

The Queensland Government is working closely with the newly established Australian Building Codes Board Building Confidence Implementation Team which has been tasked to give effect to the Building Confidence Report reforms. Key recommendations in the report identify the need for enhanced training for all practitioners.

Queensland is also considering other measures such as Professional Standards Schemes for certifiers and a greater focus on CPD. A Ministerial Construction Council subcommittee has been established to consider how compulsory CPD can effectively be developed for professions and trades regarding both technical and business skills. These measures are intended to increase confidence in the building and construction industry and support those delivering to high standards.

The QBCC is open to dialogue around specific certifier education topics for future events. In addition, the QBCC undertakes a proactive audit program with strategies around education and reducing the instances of non-compliance with the legislation.

It is noted that private certifiers, as part of consultation undertaken in the development of the Queensland Building Plan, raised concerns about the difficulty in obtaining advice from local governments in interpretation of planning schemes. They have advised DHPW that readability and clarity of planning schemes could be improved, and that it can be difficult to determine if an approval is required.

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2019 - Resolution 035 - Building Certifier Training and Complaint Process - Asset Publisher

If local governments were to provide a referral service to assist private certifiers in determining whether other planning related approvals are required, this would go a long way to help resolve these issues.

Also, DHPW has been advised that planning officers employed by local governments can be unwilling to commit to providing the necessary advice.

Local governments are also encouraged to directly employ building certifiers or appropriately qualified persons to administer building legislation in their community. DHPW receives many queries from citizens and local government employees (often planning officers) who seek advice on the Building Act and its application. Having this expertise within the local government would assist officers to make more informed decisions and to administer local government obligations more effectively.

Streamline and make more effective the process for local governments to lodge complaints against certifiers who are not acting in accordance with the legislation

The QBCC administers the provisions of the building legislation as they relate to licensing, investigating complaints and taking disciplinary action.

Anyone is permitted to make a complaint where they believe that a building certifier has committed an act that could be considered unsatisfactory conduct or professional misconduct.

However, in all matters, the presumption of innocence is important and the QBCC requires specific information to establish if the matter warrants further investigation.

DHPW and the QBCC regularly liaise on these matters and have noted the issues raised by the Lockyer Valley Regional Council.

DHPW and the QBCC will consider if improvements can be made to the processes and information / training to assist building certifiers in discharging their duties.

For further information in relation to this advice, enquiries may be directed towards:

Mike Essery, Acting Director, Strategic Policy (Building), Department of Housing and Public Works. Ph: 3007 4967 and email: michael.essery@hpw.qld.gov.au; or

Sam Dobbie, Executive Officer, Ministerial and Executive Services Unit, Queensland Building and Construction Commission. Ph 3613 3278 and email: ministerial@qbcc.qld.gov.au.

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7/3/2020

2019 - Resolution 036 - Swimming Pool Safety - Asset Publisher

2019 - Resolution 036 - Swimming Pool Safety

Lockyer Valley Regional Council

That the LGAQ lobby the State Government and the Queensland Building and Construction Commission (QBCC) to:

Increase training for Pool Safety Inspectors (PSIs);
Accept their responsibilities as a regulatory body and provide a single point of advice to PSIs and local government regarding the interpretation of the swimming pool legislation; and
Act on complaints about PSIs inappropriately issuing pool safety certificates, rather than relying predominantly on Local Governments to take action against pool owners for noncompliance.

MOVER: Cr Patrick Vela

SECONDER: Ian Church

CARRIED

Background

Local Governments have a community safety responsibility for pools in their government area whilst the QBCC is responsible for licensing and disciplinary functions for Pool Safety Inspectors (PSIs).

All pools on regulated land in Queensland are required to comply with the current pool safety laws despite when the pool was built. If a property is sold or leased, it is generally required to have a current Pool Safety Certificate issued by a PSI. Shared pools such as in a motel or body corporate complex are required to have a Pool Safety Certificate issued annually.

Originally the Pool Safety Council was set up for the function of providing advice as well as licensing and disciplinary functions for PSIs. However, the Pool Safety Council was disbanded, and its functions moved to the QBCC in 2014.

The pool safety laws in Queensland are quite complex. It can be complicated to determine whether an individual pool barrier is compliant. However, PSIs only need to complete a 3-day course to become qualified. They do not need to have any prior experience with construction, swimming pools or child safety. PSIs require a total of just 6 hours of continuing professional development (CPD) per annum to maintain their licence. Many will complete the same training each 105 year to satisfy their CPD requirements (due in part to limited recognised training courses).

Local governments across Queensland have been involved in a number of cases where Pool Safety Certificates have been issued by PSIs for pool barriers that do not comply. In some instances, properties are sold with pools that the purchasers believe are compliant (as they have a pool safety certificate) however, the barrier is non-compliant and poses a risk to young children.

The local government is responsible for ensuring non-compliances are rectified under the Building Act 1975 (provided they are made aware of it) but can only take action against the pool owner or pool builder and not the PSI. Whilst it is common practice to discuss noncompliances with a PSI, the PSI is not obliged to take any action to rectify the barrier and not all PSIs are willing to work with/listen to local governments. These PSIs continue to allow the same noncompliances in other barriers posing a significant danger to Queensland's young persons.

There are currently approximately 548 licenced PSIs. QBCC collect an annual licensing fee as well as a fee from PSIs for each pool safety certificate issued. QBCC are the regulatory body for PSIs. However, when PSIs have questions about the interpretation of the pool safety legislation, the QBCC directs them back to the local government (where the individual pool is located) for advice on how best to interpret the legislation. Where the legislation is unclear or could have differing interpretations, the local government is left to decide what they believe is the correct/best interpretation. This can, and has, resulted in different interpretations between local government areas which creates confusion in the industry. Where incorrect advice is given this also potentially leaves local governments open to liability.

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2019 - Resolution 036 - Swimming Pool Safety - Asset Publisher

Ultimately, if the PSI acts on the advice and QBCC disagree with the interpretation this can result in disciplinary action from QBCC on the PSI. The legislation is universal across Queensland and as QBCC are the regulatory body there is benefit from one body providing consistent information across Queensland rather than each Local Government having to interpret the legislation.

What is the desired outcome sought?

That QBCC provide a single point for advice on legislation to ensure consistent interpretation across the state and provide adequate training and compliance action for PSIs to maintain a high level of safety for young persons as the legislation intended.

LGAQ comment

The LGAQ Policy Statement is silent in relation to matters of pool safety.

106 However, similar issues regarding QBCC roles/responsibilities, complaint process and training/education are experienced by local governments in relation to building certification. In this regard, the LGAQ Policy Statement identifies the following:

6.2.1.1 Local government supports the State Government implementing an improved regulatory system through the Queensland Building and Construction Commission to provide greater incentive for building certifiers to operate professionally. The reviewed system will address minor and major offences and ensure the compliance system is efficient and appropriate penalties are applied.

6.2.1.2 Local government supports the State Government in providing the Queensland Building and Construction Commission with adequate resources to carry out a more extensive and comprehensive role in auditing and disciplining building certifiers in a timely manner. Local government acknowledges the important role of Building Codes Queensland in monitoring and facilitating the performance of the building certification system.

6.2.1.3 The state government should provide a comprehensive education program to increase community awareness of how the building certification system works and where responsibility/liability resides. The State Government should also create a system of consumer protection. There have been no motions put forward to Annual Conference in recent years in relation to pool safety.

Formal Response

Formal Response received from the Hon Mick de Brenni MP, Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport.

Dear Greg,

Thank you for your letter of 18 November 2019 regarding 2019 Local Government Association Queensland (LGAQ) Resolutions.

I appreciate you taking the time to write to me and for drawing the following resolutions to my attention:

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2019 - Resolution 036 - Swimming Pool Safety - Asset Publisher

I hope this information answers your enquiry.

Response

Increase training for Pool Safety Inspectors (PSIs)

To qualify for a pool safety inspector licence, an individual must complete an approved training course. The approved training course is a nationally accredited course.

Pool safety inspectors must participate in continuing professional development (CPD) activities each year in order to renew their licence.

CPD activities are approved by the Queensland Building and Construction Commission (QBCC) Commissioner, who also allocates the points to the activity. The approved CPD activities are currently available range from online courses with fixed content to participation in forums discussing emerging technical issues.

There is no restriction on which activities the PSI completes, provided the activities are approved activities and the minimum number of points is achieved.

A Ministerial Construction Council sub-committee on Compulsory CPD is currently considering CPD requirements across all building industry practitioners. This also includes PSIs. The QBCC welcomes the recommendations put forward by the LGAQ and will be implementing changes over the next 12 months.

Accept their responsibilities as a regulatory body and provide a single point of advice to PSIs and local government regarding the interpretation of the swimming pool legislation

The Queensland Government and local governments all play an important role in pool safety.

The Department of Housing and Public Works (DHPW) oversees the relevant legislation and has worked extensively to produce some of the most stringent pool safety laws in Australia, designed to protect, as far as possible, people, particularly vulnerable people, such as young children. DHPW continues to monitor Australian and international developments, and provides advice, as required, on the possible need to make changes to legislation.

Local Government plays an equally important role in administering pool safety legislation and taking enforcement action against pool owners for non-compliance with the relevant legislation. This is a role that local government has traditionally fulfilled and continues to provide this essential service, which goes a long way to protect its citizens and community from the inherent danger of pools to possible drowning and the effects of sustained immersion.

The QBCC also plays an important role responding directly to many enquiries from stakeholders about the pools register and all matters regulated by the QBCC. In November 2019, the QBCC delivered two day-long seminars for local governments in Far North Queensland and South East Queensland to discuss pool safety technical compliance matters and ways of collaborating as co-regulators.

The QBCC's Pools Investigations Unit prioritises its responses to local government requests for advice about how to apply the pool safety standard.

On request, the QBCC identifies the relevant sections from the pool safety standard, identifies relevant parts of statutory guidelines, provides commentary about photographs or other details provided by the local government and identifies considerations that the decision-maker can take into account in making the assessment.

This approach supports consistency in interpretations by centralising the QBCC's advice with the local government statutorily responsible for compliance in the local area.

DHPW and QBCC continue to discuss issues raised directly with them about interpretation of the relevant legislation.

DHPW is currently reviewing the proposed revised Australian Standard which has been released for public comment. As part of this review, officers have discussed possible changes / interpretative advice to PSI's and

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2019 - Resolution 036 - Swimming Pool Safety - Asset Publisher

local governments on aspects of the pool safety standard that have been causing some confusion.

For further information in relation to the above points, please contact Sam Debbie, Executive Officer, Ministerial and Executive Services Unit, Queensland Building and Construction Commission. Ph 3613 3278 and email: ministerial@qbcc.qld.gov.au

Act on complaints about PSIs inappropriately issuing pool safety certificates, rather than relying predominantly on Local Governments to take action against pool owners for non-compliance

The QBCC investigates all complaints about pool safety inspector conduct received from local governments. The legislation imposes a positive obligation on the QBCC to investigate through to an outcome. However, where there is a concern that the fence is still non-compliant, the matter is referred to local government for concurrent action. Local government consider pool safety/compliance, and the QBCC consider the conduct of the licensee.

Local government and the QBCC have separate jurisdictions. Local government enforces compliance with the pool safety standard and the QBCC enforces the requirement to obtain certificates on sale or lease.

The QBCC conducts desktop audits of sales and lease data to identify breaches of the obligation to certificates and takes enforcement action where appropriate.

The QBCC's pool safety seminars for local governments in November 2019 included discussion of ways of collaborating including information sharing. For example, local governments provided anecdotal information about a potential compliance gap in the lodging of Form 36 Notices of No Pool Safety Certificate with the QBCC. The QBCC will investigate information-sharing options with the affected local governments to ascertain the extent of any gap and strategies for addressing it.

Where the QBCC receives a complaint about a pool safety inspector's conduct, and the complaint material indicates a pool barrier that remains non-compliant, the QBCC refers the property to the relevant local government for inspection and appropriate enforcement action.

The majority of complaints against pool safety inspectors allege the issuing of a pool safety certificate to a non-compliant pool.

The pool safety inspector's obligation is to be 'reasonably satisfied' of compliance. If QBCC's investigation finds that an inspector made a technical error, the QBCC takes an educative and not a disciplinary approach if the inspector can show that they consulted the local government for compliance advice and followed the advice.

The QBCC will continue to monitor pool safety inspectors and work with local governments to ensure that the primary focus is on the safety of people using pools, particularly vulnerable people, such as young children.

For further information in relation to this advice, enquiries may be directed towards:

Mike Essery, Acting Director, Strategic Policy (Building), Department of Housing and Public Works. Ph: 3007 4967 and email: michael.essery@hpw.qld.gov.au; or

Sam Debbie, Executive Officer, Ministerial and Executive Services Unit, Queensland Building and Construction Commission. Ph 3613 3278 and email: ministerial@qbcc.qld.gov.au.

day-long seminars for local governments in Far North Queensland and South East Queensland to discuss pool safety technical compliance matters and ways of collaborating as co-regulators.

The QBCC's Pools Investigations Unit prioritises its responses to local government requests for advice about how to apply the pool safety standard.

On request, the QBCC identifies the relevant sections from the pool safety standard, identifies relevant parts of statutory guidelines, provides commentary about photographs or other details provided by the local government and identifies considerations that the decision-maker can take into account in making the assessment.

This approach supports consistency in interpretations by centralising the QBCC's advice with the local government statutorily responsible for compliance in the local area.

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2019 - Resolution 036 - Swimming Pool Safety - Asset Publisher

DHPW and QBCC continue to discuss issues raised directly with them about interpretation of the relevant legislation.

DHPW is currently reviewing the proposed revised Australian Standard which has been released for public comment. As part of this review, officers have discussed possible changes / interpretative advice to PSI's and local governments on aspects of the pool safety standard that have been causing some confusion.

For further information in relation to the above points, please contact Sam Debbie, Executive Officer, Ministerial and Executive Services Unit, Queensland Building and Construction Commission. Ph 3613 3278 and email: ministerial@qbcc.qld.gov.au

Act on complaints about PSIs inappropriately issuing pool safety certificates, rather than relying predominantly on Local Governments to take action against pool owners for non-compliance

The QBCC investigates all complaints about pool safety inspector conduct received from local governments. The legislation imposes a positive obligation on the QBCC to investigate through to an outcome. However, where there is a concern that the fence is still non-compliant, the matter is referred to local government for concurrent action. Local government consider pool safety/compliance, and the QBCC consider the conduct of the licensee.

Local government and the QBCC have separate jurisdictions. Local government enforces compliance with the pool safety standard and the QBCC enforces the requirement to obtain certificates on sale or lease.

The QBCC conducts desktop audits of sales and lease data to identify breaches of the obligation to certificates and takes enforcement action where appropriate.

The QBCC's pool safety seminars for local governments in November 2019 included discussion of ways of collaborating including information sharing. For example, local governments provided anecdotal information about a potential compliance gap in the lodging of Form 36 Notices of No Pool Safety Certificate with the QBCC. The QBCC will investigate information-sharing options with the affected local governments to ascertain the extent of any gap and strategies for addressing it.

Where the QBCC receives a complaint about a pool safety inspector's conduct, and the complaint material indicates a pool barrier that remains non-compliant, the QBCC refers the property to the relevant local government for inspection and appropriate enforcement action.

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2019 - Resolution 066 - Building Act 1975 definition of a 'Fixed Structure' - Asset Publisher

2019 - Resolution 066 - Building Act 1975 definition of a 'Fixed Structure'

Lockyer Valley Regional Council

That the LGAQ lobby the State Government to review and amend the Building Act 1975 to provide greater clarity over what is a 'fixed structure' within the definition of a 'building'.

MOVER: Cr Patrick Vela

SECONDER: Ian Church

CARRIED

Background

Currently the definition of a building in the Building Act 1975 is as follows:

building —

1. A building is a fixed structure that is wholly or partly enclosed by walls or is roofed.
2. The term includes a floating building and any part of a building.

The term "fixed structure" has never been defined in the legislation.

The State Government issued a newsflash that attempted to clarify when a structure should be considered fixed. However, this document has no legal standing and does not provide certainty to local governments deciding whether to take enforcement action against property owners for bringing objects onto their land without a physical footing into the ground. The newsflash indicates that a wheeled vehicle can be considered a structure if it has some degree of permanency onsite and some utility connections. This has led to confusion when objects such as caravans are brought onto the land for permanent accommodation with connections such as gas, electricity, waste services etc. This confusion has been ongoing and has caused considerable difficulty for local governments.

This issue is exacerbated by the recent boom in the 'tiny house' movement where proponents of the movement are actively encouraging people to build their tiny houses on wheels to avoid government regulations — even though these are often intended to be indefinitely located on the property. When there is no approval there is no way of knowing whether the building is safe for occupation (for 179 example does it have smoke alarms, adequate means of protection from bushfire and suitable disposal of household wastewater).

The newsflash issued by the State Government provides guidance as to when these are considered buildings. However, some councils' positions on these aspects have been overturned in the Building Tribunal making councils reluctant to take matters to court given the costs, time, perception to the community and the lack of confidence in success. For example, Brisbane City Council (BCC) issued an Enforcement Notice on a tiny house on wheels (which had a deck and discharged its household waste to the household rubble pit) and followed the intent of the newsflash provisions. The decision was overturned by the Tribunal. BCC did not appeal the decision.

Rather than councils taking such matters to appeal (where the outcome would potentially only apply to the given circumstances of that matter) it is preferable for the State Government to amend the legislation to give clarity as to when a structure is to be captured as a 'building'. This would provide a solution to all local governments across Queensland.

What is the desired outcome sought?

https://lgonline.lgaq.asn.au/motions-database/-/asset_publisher/8BOgroUS3ipA/content/2019-resolution-066-building-act-1975-definition-of-a-'fixe... 1/3

7/3/2020

2019 - Resolution 066 - Building Act 1975 definition of a 'Fixed Structure' - Asset Publisher

That the State Government provide clarification within the legislation on what is deemed to be a 'fixed structure' in the definition of a 'building' in the Building Act 1975. This will give Councils confidence in determining whether a structure (particularly one on wheels) is considered 'fixed' and thereby triggering the requirement to comply with the building legislation. This will increase public safety and provide certainty to Councils on when to take compliance action.

LGAQ comment

The LGAQ Policy Statement is silent in relation to specific provisions of the Building Act 1975. However the LGAQ is aware the State Government, in its Queensland Building Plan 2017, has committed to finalising "a Queensland Housing Code including details of how the code is applied to provide contemporary siting and design rules for inclusion in the Queensland Development Code, in consultation with local governments and industry". As part of this process, there may be opportunity for a more holistic review of Queensland's building framework.

Formal Response

LGAQ has received a formal response from the Hon Mick de Brenni MP, Minister for Housing and Public Works, Minister for Digital Technology and Minister for Sport.

Dear Greg,

Thank you for your letter of 18 November 2019 regarding 2019 Local Government Association Queensland (LGAQ) Resolutions.

I appreciate you taking the time to write to me and for drawing the following resolutions to my attention:

Resolution 35: Building Certifier Training and Complaint Process
Resolution 36: Swimming Pool Safety
Resolution 47: Community Housing Management in Rural and Remote Queensland
Resolution 66: Building Act 1975 definition of a 'Fixed Structure'
Resolution 67: Social Housing Funding
Resolution 81: Mobile Blackspots

Building Certifier Training and Complaint Process Swimming Pool SafetyCommunity Housing Management in Rural and Remote Queensland Building Act 1975 definition of a 'Fixed Structure'Social Housing Funding Mobile Blackspots

For ease of reference, enclosed are responses to each resolution including contact information for further enquiries into specific resolutions.

I hope this information answers your enquiry.

Response

The Building Act 1975 (Building Act), defines both the term 'building' and the term 'structure'. The term 'structure' is an inclusive definition, defined as 'structure includes a wall or fence and anything fixed to or projecting from a building, wall, fence or other structure.' (emphasis added).

As noted in the supporting information to Resolution 66, details have been previously provided through a Building Newsflash on how to interpret the definitions of building and structure. This has been particularly relevant where local governments have been subject to temporary and portable structures being used, for example, shipping containers, tiny houses and caravans used for long stay options.

The term 'building' and the term 'structure' have been considered by Courts (in Queensland and interstate) and Tribunals, where the judiciary and members have taken the view that "fixed" is interpreted through the common law principles applied to fixtures. They consider that it comes down to the purpose of the fixture and the degree that it is attached to the land. The Courts will look at a range of factors including whether the structure has wheels, telecommunications connection, electricity, access to water, etc, along with how long the structure has been on the land. All these factors guide the decision maker as to whether the item is "fixed", i.e. permanent.

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7/3/2020

2019 - Resolution 066 - Building Act 1975 definition of a 'Fixed Structure' - Asset Publisher

The Department of Housing and Public Works (DHPW) considers that in addition to the Building Newsflash, that legal advice on this point may have also been prepared for the LGAQ as part of the LG online legal advice service. Alternatively, local governments may wish to seek their own independent advice on this issue.

The Building Act does not regulate the use of the land and many local governments have chosen to regulate these uses through their planning schemes.

With regard to the Queensland Housing Code, the Queensland Government has been working on this as part of the Queensland Building Plan. However, this is directed more at the design and siting of buildings, rather than the temporary or fixed nature of the building or structure.

Given that consideration of whether a building or structure is fixed has been settled by the Courts, there is currently no proposal to amend the definition.

For further information in relation to this matter please contact Mike Essery, Acting Director, Strategic Policy (Building), Department of Housing and Public Works. Ph: 30007 4967 and michael.essery@hpw.qld.gov.au.

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7/3/2020

2019 - Resolution 074 - Annual Property Valuations for Rating Purposes - Asset Publisher

2019 - Resolution 074 - Annual Property Valuations for Rating Purposes

Lockyer Valley Regional Council & Scenic Rim Regional Council

That the LGAQ lobby the State Government to amend the Land Valuation Act 2010 to ensure property valuations for rating purposes are conducted annually to ensure rating fluctuations are minimised.

MOVER: Cr Patrick Vela

SECONDER: Cr Greg Christensen

CARRIED

Background

Local Governments including Lockyer Valley Regional Council base their rates upon valuations of land conducted by the State Government through the Valuer-General. Prior to the current financial year, the last valuation conducted in the Lockyer Valley was effective on 30 June 2016 despite Council requesting an annual valuation in 2017/18 and 2018/19 financial years. This delay in valuations led to significant changes in valuations in the current year and saw individual valuations varying from a reduction of 52% through to an increase of 428%.

These wild fluctuations impact on rates and make it extremely difficult for both landowners and Council. Such fluctuations could be minimised if valuations were carried out every year. The Land Valuation Act 2010 actually requires the Valuer-General to undertake annual valuations. However, s74 of the Act also provides an exception to that requirement where the Valuer-General considers a 'market survey report'. It is considered that the use of such market survey reports, in lieu of an annual valuation, has failed to provide the necessary smooth transition of property value changes and has led to significant hardship for land owners and Councils alike. The exception to the requirement to conduct annual valuations should only be considered in exceptional circumstances and in genuine consultation with Local Government. The legislation should be amended to reflect that policy position.

In support of Lockyer Valley Regional Council's motion, Scenic Rim Regional Council submits the same motion for consideration. In support of Scenic Rim Regional Council's position the following points are made:

- Council contributes annually to the Department of Natural Resources, Mines and Energy for valuation services and the same 197 level of contribution applies regardless of whether a full valuation is undertaken or not;
- Council has recently had to manage rating outcome impacts resulting from a three year valuation which had significant (> 50%) increases in one part of the region compared to the majority of the region; and
- Council wishes to avoid the high level of community angst that results from large changes in land valuations.

What is the desired outcome sought?

An amendment to the Land Valuation Act 2010 is required to address the need for annual valuations for rating purposes. The need for annual valuations should be assessed in genuine consultation with Local governments.

Any exemption from annual valuations should be limited to exceptional circumstances and with the endorsement of the local government.

LGAQ comment

LGAQ Policy Statement does not address this issue, simply stating

https://lgonline.lgaq.asn.au/motions-database/-/asset_publisher/8BOgroUS3ipA/content/2019-resolution-074-annual-property-valuations-for-rating... 1/2

7/3/2020

2019 - Resolution 074 - Annual Property Valuations for Rating Purposes - Asset Publisher

3.2.1.1 There should be no interference with the autonomy of local governments in the setting of rates and charges..

3.2.1.2 The responsibility for valuation should remain with the state government The Land Valuation Act 2010 provides that the VG must conduct annual valuations. Exception is allowed under section 74:

1. The Valuer General need not make an annual valuation of land in a local government area if the Valuer General considers it is not possible to do so because of unusual circumstances.

2. The Valuer General may decide not to make an annual valuation of land in a local government area after considering –

a) A market survey report for the area; and

b) The results of consultation with the local government for the area, and appropriate local groups and industry group.

Over the years, there have been many Motions to Annual Conference about valuation for rating purposes, with the aim to maximise the time a council has valuation data prior to levying rates, and minimise the impact of large shifts in valuation relativity.

These include 2011, 2012 and 2013 about earlier release of valuations, 2013 move to fixed bi-ennial valuations, and 2018 improved processes for significant land valuation movements.

LGAQ has been represented on the VG's Valuation Reform Reference Group for at least 15 years.

In that time, the Valuer General has sought to maintain and improve relationships with his "customers", being councils and State taxing authorities, and, of course property owners who are ratepayers and state taxpayers. It is in the VG's interest for valuation processes, issue of valuation notices, objection and appeal actions and relationships with stakeholders to be as efficient and problem free as possible, and, of course, to be able to provide valuation data to councils as cost effectively as possible.

Several valuation problems for local government have been resolved, including the introduction of site valuation for urban properties and improved communication to councils of large value appeals to forewarn local government of potential unexpected budget shortfalls.

Given this background, it would appear to be in the interest of both the Valuer General and local government to explore any new ways to improve processes and reduce problems arising from valuation for rating purposes.

https://lgonline.lgaq.asn.au/motions-database/-/asset_publisher/8BOgroUS3ipA/content/2019-resolution-074-annual-property-valuations-for-rating... 2/2

7/3/2020

2019 - Resolution 077 - Collection of Emergency Management and Other Levies - Asset Publisher

2019 - Resolution 077 - Collection of Emergency Management and Other Levies

Lockyer Valley Regional Council

That the LGAQ lobby the State Government to accept responsibility for the administration of their legislation and to collect fire and other levies directly.

MOVER: Cr Patrick Vela

SECONDER: Cr Graeme Lehmann .

CARRIED

Background

The Urban Fire Levy Scheme was introduced in 1984 to partially fund the Queensland Fire service. Currently the QFES applies a levy on properties to fund the Fire and Rescue Service, the Rural Fire Service and the State Emergency Service. The levy is established under the Fire and Emergency Services Act 1990. However, the Act places a legal obligation on local governments to administer the levy which is collected through Local Government rate notices. The legislation provides for local government entitlement of \$3.46 per annum (for local government areas with less than 40 000 prescribed properties). It is considered that, as a general principle, each level of government should be responsible for the collection and administration of charges and levies associated with their legislative responsibilities. On that basis, the State Government/QFES should collect the fire/emergency services levy.

What is the desired outcome sought?

It is considered that the State should be responsible for funding and administration of their own legislative responsibilities. Local governments should collect rates and other charges for local government purposes and the state government should accept responsibility for the collection and administration of fire and other levies that relate to their legislative responsibilities.

LGAQ comment

The raising of a levy by local government for the Rural Fire Service is provided in section 128A:

128A Local government may make and levy certain rates or charges and contribute amounts raised to rural fire brigades A local government may make and levy the following rates or charges and 205 contribute amounts raised to rural fire brigades operating in its local government area— a) for Brisbane City Council—special rates and charges, or separate rates and charges, under the City of Brisbane Act 2010; b) for another local government—special rates and charges, or separate rates and charges, under the Local Government Act 2009.

With regard to this motion it is reasonable that the State should be responsible for the collection of the bush fire levy, but this would require legislative reform. As the legislation stands the operative word is “may” providing choice to the relevant local government authority.

The motion extends to “other levies” and arguably includes the Emergency Management Levy (EML). The EML does not provide any discretion to council and is to be applied to individual allotments.

A motion received from Rockhampton Council asks that LGAQ lobby the Minister for Emergency Services to have the EML applied per rates assessment rather than per “individual allotment on a rates assessment notice”

https://gonline.lgaq.asn.au/motions-database/-/asset_publisher/8BOgroUS3ipA/content/2019-resolution-077-collection-of-emergency-manageme... 1/1



Minister for Local Government,
Minister for Racing and
Minister for Multicultural Affairs

Our ref: MC19/6056

17 FEB 2020

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Mr Greg Hallam AM
Chief Executive Officer
Local Government Association of Queensland
PO BOX 2230
FORTITUDE VALLEY BC QLD 4006

Dear Greg

Thank you for your letter of 18 November 2019 seeking a response to the 14 resolutions passed at the 2019 Local Government Association of Queensland (LGAQ) Annual Conference that relate to my Local Government portfolio.

I am pleased to provide the following responses to each of the conference resolutions assigned to my portfolio:

- Resolution 9 Funding for Rural Water and Sewerage** - The State Government is aware of the issue and will continue to support Local Governments' water and sewerage infrastructure through the Local Government Grants and Subsidies Program, Works for Queensland Program and the Indigenous Councils' Critical Infrastructure Program. Any future consideration by the State Government for additional funding to support water and sewerage investment would be subject to normal budgetary processes.
- Resolution 10 Resourcing of the Office of the Independent Assessor** - The resourcing for the Office of the Independent Assessor (OIA) has been previously considered by the State Government. The Department of Local Government, Racing and Multicultural Affairs (DLGRMA) has been able to augment the OIA's resources to assist with the level of complaints being lodged with the OIA. As the OIA and the Councillor Conduct Tribunal are independent statutory bodies, the State Government cannot comment on their deliberations or timing of their decisions. The determination of complaints is the joint responsibility of the OIA and the Councillor Conduct Tribunal.
- Resolution 12 Works for Queensland to be made permanent** - This resolution is noted and any changes would be subject to the State Government's consideration of the Works for Queensland program policy and normal budgetary processes.
- Resolution 16 2020 Local Government Election** - It is noted that this Resolution has also been referred to Mr Pat Vidgen, the Electoral Commissioner of Queensland and it is appropriate that Mr Vidgen responds on this matter.

- Resolution 20** *Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Act (Belcarra 2)* - The Belcarra 2 amendments will continue to be monitored by DLGRMA as part of it is usual monitoring program of legislation within the Local Government portfolio. If significant systemic issues are identified, these will be considered on a case by case basis.
- Resolution 21** **Belcarra 2 Impacts on Disaster Management** - Section 235(c) of the Local Government Regulation 2012 allows Local Governments to enter into medium and large size contracts if a genuine emergency exists. A council must seek the Minister's approval to enter into contracts over \$200,000 or one per cent of net rates, whichever is the greater, during caretaker period. Changes to caretaker provisions were included in the Belcarra 2 amendments and there are no plans to change the policy at this point in time. In respect of the request to exclude decisions made by Councillors in preparation for, or responding to natural disasters, it is not proposed to exempt those decisions from the conflict of interest provisions enacted through the Belcarra 2 amendments. Section 175E of the *Local Government Act 2009* provides the process to expedite decisions where conflicts of interest arise.
- Resolution 22** **Electoral Signage** - This matter is not being considered currently, however the State Government will continue to seek consistency between State and Local Government election provisions on any future changes.
- Resolution 23** **Internal Audit** - Section 105(1) of the *Local Government Act 2009* requires all Local Governments to establish an internal audit function. There is currently no change proposed to this requirement or the existing policy under section 105(3) which currently requires only large Local Governments (Remuneration Category 3 or higher) to establish an audit committee.
- Resolution 24** **Extension of Parliamentary Privilege to Local Government** - This matter is not under consideration at this time.
- Resolution 50** **Recovery of overdue rates or charges – mining** – It is noted that this Resolution has also been referred to the Honourable Dr Anthony Lynham MP, Minister for Natural Resources, Mines and Energy for consideration. DLGRMA will initially consult with the Department of Natural Resources Mines and Energy (DNRME) on the issue. Further advice will be provided to the LGAQ following discussions with DNRME.
- Resolution 51** **Local Government consent for funding applications for projects which will occur on council owned or controlled land** – The issue raised is acknowledged however capturing all Government and non-Government funding agencies in order to mandate this requirement is problematic. It is recommended that, in the first instance, Local Governments implement protocols or agreements with community groups occupying Local Government owned or controlled land to require, where necessary, the Local Government's consent prior to groups seeking funding. Where this is not complied with by a group, it is recommended that the matter is taken up by the Local Government with the relevant funding agency.

- Resolution 52 Procurement Threshold Increase** - DLGRMA will be undertaking a review of procurement provisions in the Local Government Regulation 2012 and City of Brisbane Regulation 2012 during 2020. The review will include examination of the value of procurement thresholds.
- Resolution 72 Financial Sustainability of Rural and Remote Councils** - This is a matter for the Local Government Grants Commission (Grants Commission) and I have forwarded a copy of this Resolution to the Chair of the Grants Commission for consideration (copy attached).
- Resolution 75 Local Sourcing - Streamlining for Rural and Regional Communities** - As per the response to Resolution 52 this proposal will also be considered in the review of procurement provisions.

I have provided a copy of this letter to the Honourable Anastacia Palaszczuk MP, Premier and Minister for Trade for her information.

I have asked for Mr Max Barrie, Director, Local Government Policy in DLGRMA to assist you with any further queries. You may wish to contact Mr Barrie on 3452 6704 or by email at max.barrie@dlgrma.qld.gov.au.

Yours sincerely



STIRLING HINCHLIFFE MP
Minister for Local Government,
Minister for Racing and
Minister for Multicultural Affairs

Enc

cc The Honourable Anastacia Palaszczuk MP
Premier and Minister for Trade
thepremier@premiers.qld.gov.au



Minister for Housing and Public Works
Minister for Digital Technology
Minister for Sport

LGAQ
31 JAN 2020
RECEIVED

Our Ref: HPW03233-2019

29 JAN 2020

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Mr Greg Hallam AM
Chief Executive Officer
Local Government Association of Queensland
PO Box 2230
Fortitude Valley BC
QLD 4006

Dear Mr Hallam

Thank you for your letter of 18 November 2019 regarding 2019 Local Government Association Queensland (LGAQ) Resolutions.

I appreciate you taking the time to write to me and for drawing the following resolutions to my attention:

- Resolution 35: Building Certifier Training and Complaint Process
- Resolution 36: Swimming Pool Safety
- Resolution 47: Community Housing Management in Rural and Remote Queensland
- Resolution 66: Building Act 1975 definition of a 'Fixed Structure'
- Resolution 67: Social Housing Funding
- Resolution 81: Mobile Blackspots

For ease of reference, enclosed are responses to each resolution including contact information for further enquiries into specific resolutions.

I hope this information answers your enquiry.

Yours sincerely

Mick de Brenni MP
Minister for Housing and Public Works
Minister for Digital Technology
Minister for Sport

RESOLUTION 35**Subject: Building Certifier Training and Complaint Process****Motion**

That the LGAQ lobby the State Government and the Queensland Building and Construction Commission (QBCC) to:

- Provide more training and advice for building certifiers to reduce instances of non-compliance with Queensland's building legislation.
- Streamline and make more effective the process for local governments to lodge complaints against certifiers who are not acting in accordance with the legislation.

Response

Provide more training and advice for building certifiers to reduce instances of non-compliance with Queensland's building legislation.

Building certifiers, whether employed by Local Government or operating a private certification business, play a critical role in the Queensland building and construction industry by ensuring buildings are constructed to required standards and are fit for purpose.

Likewise, local governments continue to play a vital role in administering planning and building legislation, including providing certification services, administering records for the benefit of their community and investigating / acting on unlawful and dangerous building work / buildings.

The *Building Act 1975* (Building Act) provides that all building certifiers must act in the public interest and this includes, for example, acting in a way not contrary to a function under the Building Act or Planning Act.

The Queensland Building and Construction Commission (QBCC) is charged with a range of functions under the Building Act including:

- licensing building certifiers
- monitoring compliance by building certifiers
- carrying out audits of building and private certifying functions
- taking disciplinary action against building certifiers or former building certifiers for unsatisfactory conduct or professional misconduct

Accreditation standards bodies such as Australian Institute of Building Surveyors (AIBS) and the Royal Institution of Chartered Surveyors (RICS) issue accreditation to individuals proposing to apply to be building certifiers. They are also required to set educational standards and establish a professional development scheme.

In January 2019, the Queensland Government announced the advancement of several reforms that will strengthen independence and improve the professional standards and compliance of certifiers, including a focus on reforms to building certification. The reforms will be delivered in phases over the next few years.

The QBCC also facilitates several industry education and engagement events throughout each year, many of which directly relate to the certification function and as such, Continuing Professional Development (CPD) points may be obtained via attendance.

The Queensland Government is working closely with the newly established Australian Building Codes Board Building Confidence Implementation Team which has been tasked to give effect to the Building

Confidence Report reforms. Key recommendations in the report identify the need for enhanced training for all practitioners.

Queensland is also considering other measures such as Professional Standards Schemes for certifiers and a greater focus on CPD. A Ministerial Construction Council subcommittee has been established to consider how compulsory CPD can effectively be developed for professions and trades regarding both technical and business skills. These measures are intended to increase confidence in the building and construction industry and support those delivering to high standards.

The QBCC is open to dialogue around specific certifier education topics for future events. In addition, the QBCC undertakes a proactive audit program with strategies around education and reducing the instances of non-compliance with the legislation.

It is noted that private certifiers, as part of consultation undertaken in the development of the Queensland Building Plan, raised concerns about the difficulty in obtaining advice from local governments in interpretation of planning schemes. They have advised DHPW that readability and clarity of planning schemes could be improved, and that it can be difficult to determine if an approval is required.

If local governments were to provide a referral service to assist private certifiers in determining whether other planning related approvals are required, this would go a long way to help resolve these issues. Also, DHPW has been advised that planning officers employed by local governments can be unwilling to commit to providing the necessary advice.

Local governments are also encouraged to directly employ building certifiers or appropriately qualified persons to administer building legislation in their community. DHPW receives many queries from citizens and local government employees (often planning officers) who seek advice on the Building Act and its application. Having this expertise within the local government would assist officers to make more informed decisions and to administer local government obligations more effectively.

Streamline and make more effective the process for local governments to lodge complaints against certifiers who are not acting in accordance with the legislation

The QBCC administers the provisions of the building legislation as they relate to licensing, investigating complaints and taking disciplinary action.

Anyone is permitted to make a complaint where they believe that a building certifier has committed an act that could be considered unsatisfactory conduct or professional misconduct.

However, in all matters, the presumption of innocence is important and the QBCC requires specific information to establish if the matter warrants further investigation.

DHPW and the QBCC regularly liaise on these matters and have noted the issues raised by the Lockyer Valley Regional Council.

DHPW and the QBCC will consider if improvements can be made to the processes and information / training to assist building certifiers in discharging their duties.

For further information in relation to this advice, enquiries may be directed towards:

- Mike Essery, Acting Director, Strategic Policy (Building), Department of Housing and Public Works. Ph: 3007 4967 and email: michael.essery@hwpw.qld.gov.au; or
- Sam Dobbie, Executive Officer, Ministerial and Executive Services Unit, Queensland Building and Construction Commission. Ph 3613 3278 and email: ministerial@qbcc.qld.gov.au.

RESOLUTION 36**Subject: Swimming Pool Safety****Motion**

Queensland Building and Construction Commission (QBCC) to:

- Increase training for Pool Safety Inspectors (PSIs)
- Accept their responsibilities as a regulatory body and provide a single point of advice to PSIs and local government regarding the interpretation of the swimming pool legislation; and
- Act on complaints about PSIs inappropriately issuing pool safety certificates, rather than relying predominantly on Local Governments to take action against pool owners for non-compliance.

Increase training for Pool Safety Inspectors (PSIs)

To qualify for a pool safety inspector licence, an individual must complete an approved training course. The approved training course is a nationally accredited course.

Pool safety inspectors must participate in continuing professional development (CPD) activities each year in order to renew their licence.

CPD activities are approved by the Queensland Building and Construction Commission (QBCC) Commissioner, who also allocates the points to the activity. The approved CPD activities are currently available range from online courses with fixed content to participation in forums discussing emerging technical issues.

There is no restriction on which activities the PSI completes, provided the activities are approved activities and the minimum number of points is achieved.

A Ministerial Construction Council sub-committee on Compulsory CPD is currently considering CPD requirements across all building industry practitioners. This also includes PSIs. The QBCC welcomes the recommendations put forward by the LGAQ and will be implementing changes over the next 12 months.

Accept their responsibilities as a regulatory body and provide a single point of advice to PSIs and local government regarding the interpretation of the swimming pool legislation

The Queensland Government and local governments all play an important role in pool safety.

The Department of Housing and Public Works (DHPW) oversees the relevant legislation and has worked extensively to produce some of the most stringent pool safety laws in Australia, designed to protect, as far as possible, people, particularly vulnerable people, such as young children. DHPW continues to monitor Australian and international developments, and provides advice, as required, on the possible need to make changes to legislation.

Local Government plays an equally important role in administering pool safety legislation and taking enforcement action against pool owners for non-compliance with the relevant legislation. This is a role that local government has traditionally fulfilled and continues to provide this essential service, which goes a long way to protect its citizens and community from the inherent danger of pools to possible drowning and the effects of sustained immersion.

The QBCC also plays an important role responding directly to many enquiries from stakeholders about the pools register and all matters regulated by the QBCC. In November 2019, the QBCC delivered two

day-long seminars for local governments in Far North Queensland and South East Queensland to discuss pool safety technical compliance matters and ways of collaborating as co-regulators.

The QBCC's Pools Investigations Unit prioritises its responses to local government requests for advice about how to apply the pool safety standard.

On request, the QBCC identifies the relevant sections from the pool safety standard, identifies relevant parts of statutory guidelines, provides commentary about photographs or other details provided by the local government and identifies considerations that the decision-maker can take into account in making the assessment.

This approach supports consistency in interpretations by centralising the QBCC's advice with the local government statutorily responsible for compliance in the local area.

DHPW and QBCC continue to discuss issues raised directly with them about interpretation of the relevant legislation.

DHPW is currently reviewing the proposed revised Australian Standard which has been released for public comment. As part of this review, officers have discussed possible changes / interpretative advice to PSI's and local governments on aspects of the pool safety standard that have been causing some confusion.

For further information in relation to the above points, please contact Sam Dobbie, Executive Officer, Ministerial and Executive Services Unit, Queensland Building and Construction Commission. Ph 3613 3278 and email: ministerial@qbcc.qld.gov.au

Act on complaints about PSIs inappropriately issuing pool safety certificates, rather than relying predominantly on Local Governments to take action against pool owners for non-compliance

The QBCC investigates all complaints about pool safety inspector conduct received from local governments. The legislation imposes a positive obligation on the QBCC to investigate through to an outcome. However, where there is a concern that the fence is still non-compliant, the matter is referred to local government for concurrent action. Local government consider pool safety/compliance, and the QBCC consider the conduct of the licensee.

Local government and the QBCC have separate jurisdictions. Local government enforces compliance with the pool safety standard and the QBCC enforces the requirement to obtain certificates on sale or lease.

The QBCC conducts desktop audits of sales and lease data to identify breaches of the obligation to certificates and takes enforcement action where appropriate.

The QBCC's pool safety seminars for local governments in November 2019 included discussion of ways of collaborating including information sharing. For example, local governments provided anecdotal information about a potential compliance gap in the lodging of Form 36 Notices of No Pool Safety Certificate with the QBCC. The QBCC will investigate information-sharing options with the affected local governments to ascertain the extent of any gap and strategies for addressing it.

Where the QBCC receives a complaint about a pool safety inspector's conduct, and the complaint material indicates a pool barrier that remains non-compliant, the QBCC refers the property to the relevant local government for inspection and appropriate enforcement action.

The majority of complaints against pool safety inspectors allege the issuing of a pool safety certificate to a non-compliant pool.

The pool safety inspector's obligation is to be 'reasonably satisfied' of compliance. If QBCC's investigation finds that an inspector made a technical error, the QBCC takes an educative and not a disciplinary approach if the inspector can show that they consulted the local government for compliance advice and followed the advice.

The QBCC will continue to monitor pool safety inspectors and work with local governments to ensure that the primary focus is on the safety of people using pools, particularly vulnerable people, such as young children.

For further information in relation to this advice, enquiries may be directed towards:

- Mike Essery, Acting Director, Strategic Policy (Building), Department of Housing and Public Works. Ph: 3007 4967 and email: michael.essery@hpw.qld.gov.au; or
- Sam Dobbie, Executive Officer, Ministerial and Executive Services Unit, Queensland Building and Construction Commission. Ph 3613 3278 and email: ministerial@qbcc.qld.gov.au.

RESOLUTION 47**Subject:** Community Housing Management in Rural and Remote Queensland**Motion**

That the LGAQ lobby the State and Federal Governments to allow for vacant ageing assets (houses) to be sold by community housing corporations by public tender.

Response

To be funded by the Department of Housing and Public Works (DHPW), Community Housing organisations must be registered as a provider under the National Regulatory System for Community Housing (NRSCH). DHPW has no control over the management or divestment of their owned housing assets.

The NRSCH is designed to regulate providers of community housing, which includes social and affordable housing, Indigenous Community Housing Providers and other specialist housing providers.

Registration is open to any provider that meets the requirements of the National Law including having:

- an appropriate corporate structure for their proposed tier of registration
- mandatory arrangements in place to ensure in the event of wind-up and/or deregistration, that surplus assets remaining after the payment of liabilities continue to be available for social housing
- a demonstrated capacity to meet and achieve ongoing compliance with the National Regulatory Code.

DHPW owned housing assets in rural and remote locations that are considered surplus to departmental requirements are offered for sale on the open market in line with Government policy. These housing assets are maintained in accordance with department standards and are rarely demolished unless they have been significantly damaged by unforeseen events and are not considered economically viable to reinstate.

For further enquiries in relation to this advice, please contact Richard Meissner, Manager Strategic Asset Management, Housing, Homelessness and Sport, Department of Housing and Public Works on telephone (07) 3007 4236 or email richard.meissner@hpw.qld.gov.au

RESOLUTION 66

Subject: Building Act 1975 definition of a 'Fixed Structure'

Motion

That the LGAQ lobby the State Government to review and amend the *Building Act 1975* to provide greater clarity over what is a 'fixed structure' within the definition of a 'building'.

Response

The *Building Act 1975* (Building Act), defines both the term 'building' and the term 'structure'. The term 'structure' is an inclusive definition, defined as 'structure **includes** a wall or fence and anything **fixed** to or projecting from a building, wall, fence or other structure.' (emphasis added).

As noted in the supporting information to Resolution 66, details have been previously provided through a Building Newsflash on how to interpret the definitions of building and structure. This has been particularly relevant where local governments have been subject to temporary and portable structures being used, for example, shipping containers, tiny houses and caravans used for long stay options.

The term 'building' and the term 'structure' have been considered by Courts (in Queensland and interstate) and Tribunals, where the judiciary and members have taken the view that "fixed" is interpreted through the common law principles applied to fixtures. They consider that it comes down to the purpose of the fixture and the degree that it is attached to the land. The Courts will look at a range of factors including whether the structure has wheels, telecommunications connection, electricity, access to water, etc, along with how long the structure has been on the land. All these factors guide the decision maker as to whether the item is "fixed", i.e. permanent.

The Department of Housing and Public Works (DHPW) considers that in addition to the Building Newsflash, that legal advice on this point may have also been prepared for the LGAQ as part of the LG online legal advice service. Alternatively, local governments may wish to seek their own independent advice on this issue.

The Building Act does not regulate the use of the land and many local governments have chosen to regulate these uses through their planning schemes.

With regard to the Queensland Housing Code, the Queensland Government has been working on this as part of the Queensland Building Plan. However, this is directed more at the design and siting of buildings, rather than the temporary or fixed nature of the building or structure.

Given that consideration of whether a building or structure is fixed has been settled by the Courts, there is currently no proposal to amend the definition.

For further information in relation to this matter please contact Mike Essery, Acting Director, Strategic Policy (Building), Department of Housing and Public Works. Ph: 30007 4967 and michael.essery@hpw.qld.gov.au.

RESOLUTION 67**Subject: Social Housing Funding****Motion**

That the LGAQ lobby the State Government to increase funding to social housing that provides accommodation for people experiencing or at risk of homelessness.

Response

Supply of social housing is a critical part of the service system and a safety net for those most in need, but it is not a panacea for the housing issues faced by Queenslanders and communities. The Queensland Government's approach under the Housing Strategy responds to this by taking a more holistic view of the housing system and marketplace: transforming how services are delivered and broadening our vision to encompass the whole housing system, from homelessness and social housing through to affordable rental and home ownership, to retirement living.

Through the Strategy, the Department of Housing and Public Works (DHPW) is delivering a person-centred approach to working – matching people's individual needs and circumstances to the right products and services. Through the Strategy, DHPW is designing targeted service offerings for key customer cohorts – women and children experiencing domestic and family violence, people seeking employment, people seeking work, older Queenslanders, families with young children, young people leaving care, and Aboriginal and Torres Strait Islander Queenslanders.

New flexible products and services complement pathway planning and improve access to, and sustainability of, private rental housing, including:

- Helping Hand Headlease
- Rental Security Subsidy
- Home Headlease for Young Queenslanders
- RentConnect enhancements
- No Interest Loans
- Regional Discretionary Fund
- Bond Loan Plus.

Another key activity is ensuring the effective and robust regulation of the private housing systems, including retirement living options. This will ensure the whole housing system functions effectively – and every Queenslanders has a home that meets their needs.

The Census shows from 2006 to 2016 the number of households in social housing in Australia decreased by about 3500. In contrast, the number of social housing dwellings in Queensland increased from 66,369 as at 30 June 2009 to 72,984 as at 30 June 2019 (a net addition of 6,615 dwellings).

The Housing Construction Jobs Program (HCJP) of the Queensland Housing Strategy is delivering a \$1.6 billion investment to deliver more social and affordable housing in priority regions across the state. In the first 5 years alone, this investment is expected to see the commencement of 2,972 new social homes and 1,034 new affordable homes.

DHPW has also undertaken important actions to ensure the social housing portfolio better responds to the needs of current and future households seeking social housing including:

- Replacing older dwellings, including three-bedroom housing, that no longer meet service delivery requirements with predominantly one and two-bedroom dwellings, in mostly attached housing form, located in proximity to services including public transport.

- Increasing the number of new social housing dwellings constructed to a Fully Adaptable/Platinum Level, and fully modifying existing dwellings for tenants who mobilise in a wheelchair.

In addition, DHPW is working with Queensland Treasury on a new Build-to-Rent Pilot project. Build-to-Rent is typically a large-scale residential property specifically designed, built and managed as a single asset with a focus on long term rental returns. This Pilot Project will provide a targeted rental subsidy to deliver affordable and market rental housing within Build-to-Rent developments in Brisbane.

An Expression of Interest process for the Build-to-Rent pilot project is currently underway and seeks proponents with a demonstrated capability and capacity to deliver a built solution on a suitable privately-owned site.

Under the Queensland Housing Strategy, Partnering for Growth with the Community Housing Sector was launched in November 2018. This initiative is increasing supply of community and affordable housing to support Queenslanders in need. This provides registered community housing providers the opportunity to utilise their existing funded assets to leverage growth with a proportion of capital grant funding from the department through the HCJP.

To achieve this increase in housing supply, Registered Community Housing Providers are encouraged to submit a 5-year Development Plan which demonstrates a pipeline of new housing supply, including portfolio renewal opportunities. To date, 903 new social and affordable housing dwellings have been approved for development under Partnering for Growth. The first growth plan submitted by Brisbane Housing Company is already being actioned with projects underway in the Brisbane LGA. Registered Community Housing Providers across the State are actively engaged with the department to facilitate new development projects.

The new Partnering for Growth Framework will promote flexibility to respond to client needs; improve mechanisms to utilise surplus funding to increase social and affordable housing supply and streamline leveraging opportunities with financiers by establishing transparent tripartite obligations and safeguards. DHPW increasingly complements the provision of social housing with other housing assistance to assist low to moderate income earners in Queensland through measures such as:

- RentConnect – advice and assistance helping people find rental options suited to their needs.
- Bond loans and rental grants – assisting people overcome upfront financial barriers to entering private rental accommodation.

For further enquiries in relation to this advice, please contact Mark Nicol, Director Portfolio and Strategy and Planning, Housing, Homelessness and Sport, Department of Housing and Public Works on telephone (07) 3007 4221 or email mark.nicol@hpdw.qld.gov.au.

RESOLUTION 81**Subject: Mobile Blackspots****Motion**

That the LGAQ lobby the State Government to improve regional and remote mobile and data connections throughout Queensland, addressing telecommunication blackspot locations as a matter of priority, in order to ensure continuous mobile coverage along state highway routes as a matter of public safety.

Response

The Queensland Government acknowledges the importance of good mobile telephone and data services in regional and remote areas, including state highway routes, to improve safety and services to Queenslanders and businesses.

The Queensland Government is investing \$2.28 million in Round 4 of the Mobile Black Spot Program (MBSP), securing 26 additional mobile base stations for Queensland, and taking the total investment over three rounds to \$20.81 million – resulting in 170 new mobile base stations.

These base stations cover a wide variety of sites in regional and remote areas, including roads, communities, schools and camping grounds.

The Queensland Government is hopeful of another strong result for Queensland from Round 5 of the MBSP – Australian Government expected to announce in early 2020.

For further information, please contact David Ives, Director Strategic Implementation on David.ives@hpw.qld.gov.au or telephone (mob) 0409 892 133.

15. CONFIDENTIAL ITEMS**15.1 Proposal for the Transfer of Council's Community Housing Assets to the Department of Housing and Public Works****Date:** 03 July 2020**Author:** Caitlan Natalier, Coordinator Legal Services and Property**Responsible Officer:** Anna Hebron, Group Manager People and Business Performance

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (h) of the Local Government Regulation, 2012, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage (The report requires consideration of the terms of a settlement offer proposed by the Department of Housing and Public Works on a without prejudice basis).

Purpose:

The purpose of this report is to seek Council's direction in relation to the revised divestment strategy proposed by the Department of Housing and Public Works for the transfer of Council's community housing assets at 44 Cochrane Street and 11 North Street in Gatton to them.

15.2 Request for Exemption from Obtaining Competitive Offers - ID Consulting**Date:** 30 June 2020**Author:** Helen McCraw, Senior Economic Development Officer**Responsible Officer:** Amanda Pugh, Group Manager Community & Regional Prosperity

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (h) of the Local Government Regulation, 2012, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Purpose:

The purpose of this report is to seek a Council resolution under Section 235(a) of the *Local Government Regulation 2012* to enter into a medium-sized contractual arrangement without first obtaining written quotes or tenders. This approval will allow Council to renew its contract with ID Consulting to provide Council's online localised economic and demographic resources.

15.3 Operation of Lake Dyer Caravan and Camping Ground

Date: 08 July 2020
Author: Brendan Sippel, Manager Community Facilities
Responsible Officer: Angelo Casagrande, Group Manager Infrastructure

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (h) of the Local Government Regulation, 2012, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Purpose:

The purpose of this report is to seek Council's endorsement to undertake an expressions of interest process to determine what third-party interest exists in managing the operation of the Lake Dyer Caravan and Camping Ground and associated parklands.

15.4 Material Recycling Facility Processing Fee - Proposed Increase 2020-2021

Date: 08 July 2020
Author: Brendan Sippel, Manager Community Facilities
Responsible Officer: Angelo Casagrande, Group Manager Infrastructure

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (e) of the Local Government Regulation, 2012, as the matter involves contracts proposed to be made by it.

Purpose:

The purpose of this report is to provide Council an update on the proposed gate fee increase from Anuha for the processing of Council's kerbside recyclables

16. MEETING CLOSED