



# **ORDINARY MEETING OF COUNCIL**

## **MINUTES**

**22 FEBRUARY 2017**



**ORDINARY COUNCIL  
MEETING MINUTES  
22 FEBRUARY 2017**

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**ATTENDANCE:**

**Councillors Present**

- Cr Tanya Milligan (Mayor) (Chairperson)
- Cr Jason Cook
- Cr Jim McDonald
- Cr Kathy McLean
- Cr Janice Holstein
- Cr Chris Wilson
- Cr Michael Hagan

**Officers Present**

- Ian Church, Chief Executive Officer
- Dan McPherson, Executive Manager  
Organisational Development & Planning
- David Lewis, Executive Manager Corporate &  
Community Services
- Myles Fairbairn, Executive Manager  
Infrastructure Works & Services
- Stephen Hart, Manager Executive & Business  
Services
- Trevor Boheim, Manager Planning &  
Environment (part of meeting)
- Caitlan Natalier, Legal Services Coordinator  
(part of meeting)
- Corrin Bischoff, Major Projects Officer (part of  
meeting)
- Susan Boland, Council Business Support  
Officer

**Media Present**

- Francis Witsenhuysen, Gatton Star



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

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

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

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

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

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

*Cr McDonald advised the meeting that his sibling owns property that is recommended for inclusion in Council's submission to the Draft South East Queensland Regional Plan in Item 11.1 "Draft South East Queensland Regional Plan". Cr McDonald advised that this situation does not give rise to a Material Personal Interest nor Conflict of Interest, (real or perceived), based on advice received from the Chief Executive Officer, as the decision being made is about an ordinary business matter as defined in Schedule 4 of the Local Government Act. To clarify, the decision is being made about a future planning scheme for the local government area that will need to align with the regional plan and the block of land in question is one component of larger changes to the classification of land in the area.*

**5.0 MAYORAL MINUTE**

*No Mayoral Minute*



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## 10.0 EXECUTIVE OFFICE REPORTS

### 10.1 Code of Meeting Practice

**Date:** 15 February 2017  
**Author:** Corrin Bischoff, Major Projects Officer  
**Responsible Officer:** Ian Church, Chief Executive Officer

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#### Summary:

The purpose of this report is to seek adoption by Council of the Code of Meeting Practice for inclusion in the Policy, Procedure and Guideline register as per the *Local Government Act 2009*.

#### Officer's Recommendation:

**THAT Council adopt the Code of Meeting Practice.**

#### RESOLUTION

**THAT Council adopt the Code of Meeting Practice subject to the Chief Executive Officer making minor editorial amendments.**

**Moved By: Cr McDonald                      Seconded By: Cr Hagan**  
**Resolution Number: 16-20/0377**

**CARRIED**

**6/0**

#### Report

##### 1. Introduction

With the commencement of the new Council term, it is appropriate to review the Councillor related policies, procedures and guidelines to ensure they are reflective of the sentiment and needs of the new Council as well as in line with legislative requirements.

##### 2. Background

The current Policy Framework for Lockyer Valley Regional Council was adopted in 2012. Council is required under the *Local Government Act 2009* to adopt specific policies, procedures and guidelines. The Code of Meeting Practice outlines the protocols for the conduct of Council meetings.

At the 30 June 2016, Councillor Workshop the draft Code of Meeting Practice was considered and further information was requested regarding the provision of recording of meetings to the public. At the 07 February 2017, Councillor Workshop information was presented for consideration by Councillors regarding the purpose of recording of Council meetings.



### **3. Report**

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

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

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

The key amendments in the review of the Code of Meeting Practice relate to:

- Notice period for submitting agenda items by Councillors
- Clarification of the purpose for entering a closed session
- Clarification of the conduct of deputations
- Legislative requirements for rescinding a motion
- Recording of meetings
- Clarification of the purpose of procedural motion - motion to lie on the table.

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

Council's policy framework has been adhered to in the development and review of the Code of Meeting Practice outlined in this report. The document complies with the requirements of relevant legislation and Council's Meetings Policy (SG10). Any future policy and legal implications will be addressed as matters arise before Council.

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

The Code of Meeting Practice as outlined in this report does not alter current budgetary requirements.

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

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

### **7. Communication and Engagement**

The following Councillors and officers were engaged in the review of the Code of Meeting Practice addressed in this report:

- Mayor
- Councillors
- Chief Executive Officer
- Manager Executive Business Services.

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**8. Conclusion**

The Code of Meeting Practice outlined in this report has been developed and reviewed in line with relevant legislation and Council practice.

**9. Action/s**

The approved document will be updated in Council's Policy, Procedure and Guideline register and published as appropriate on Council's website.

**Attachments**

1 [View](#) Draft Code of Meeting Practice 21 Pages



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## Code of Meeting Practice

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February 2017

DRAFT

## Document Control

Version	Date	Changed by	Nature of Amendment
1.0	02/05/2012	Corrin Bischoff	Initial Draft
1.1	11/08/2012	Corrin Bischoff	Further revisions
1.2	05/09/2012	Corrin Bischoff	Further revisions after feedback Adopted by Council 12/09/2012 Resolution Number 2670
2.0	19/11/2013	Corrin Bischoff	Formal review conducted and revisions: inclusion of Teleconferencing, Declaration of Interests, Order of Business, Agenda Papers, Closed Meetings, Conduct, Audio or Video Recording of a Meeting Adopted by Council 18/12/2013 Resolution Number 3221
3.0	24/05/2016	Corrin Bischoff	Formal review conducted and revisions: definitions of meetings; notice for councillor items; closed session; deputations; rescinding a motion. Adopted by Council XX/XX/2017 Resolution Number XXXX
4.0	14/02/2017	Corrin Bischoff	Formal review conducted and revisions: Recording of meetings; motion to lie on the table. Adopted by Council XX/XX/2017 Resolution Number XXXX

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## Introduction

### 1 Legislation

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

### 2 Principles

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

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

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

### 3 Scope

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

## Meetings

### Types of Meetings:

*Meetings* – include Ordinary Meetings, Special Meetings, Post-Election Meeting and Councillor Workshops.

*Ordinary Meeting* – is the meeting each local government (i.e. all Councillors) must hold at least once a month.

*Special Meeting* - is a meeting at which the only business that may be conducted is stated in the notice of the meeting (section 258(3), *Local Government Regulation 2012*)

*Post – Election Meeting* – is the meeting held within 14 days after the conclusion of each quadrennial election and the conclusion of a fresh election of its Councillors. At this meeting the local government must, by resolution, appoint a Deputy Mayor from its Councillors (other than the Mayor) (section 175 *Local Government Act 2009*)

*Councillor Workshop* – session for Councillors to provide direction on strategic matters but not make decisions and for the presentation of information on key projects or strategies.

Group: Executive Office  
Unit: NA  
Approved: Ordinary Meeting (Resolution Number XXXX )  
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**Ordinary Meetings:****4 Times and places of Ordinary Meetings**

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

**5 Special meetings**

The Chief Executive Officer must call a special meeting of the local government if the special meeting is required by a resolution of the local government or a written request for the special meeting is lodged with the Chief Executive Officer.

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

**6 Agenda for meeting**

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

The agenda for a meeting must include—

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

A Councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the Chief Executive Officer at least five (5) days before the notice of meeting is given. (Items for consideration may include questions on notice, rescission motions or a notice of motion). Business not on the agenda or arising from the agenda must not be considered at the meeting unless Council agrees to admit such business at the meeting. At a Special Meeting only the matters listed on the agenda may be considered.

**7 Chairperson**

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

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

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

**8 Duties of the Chairperson**

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

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

#### 9 Post-Election Meeting

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

#### Committee Meetings:

#### 10 Times and places of committee meetings

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

#### 11 Special Committee meetings

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

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

#### 12 Notice of meetings and agenda

The Chief Executive Officer must give written notice of a committee meeting setting out the date, time and place of the meeting, and the business to be considered at the meeting, to each member of the committee. The notice must be given, if practicable, at least two (2) days before the day of the meeting. A list of the items to be discussed at a meeting of a committee

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Unit: NA  
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must be open to inspection at the time the agenda for the meeting is made available to the members of the committee.

### 13 Chairperson

The Chairperson of a committee must preside at a meeting of a Lockyer Valley Regional Council committee. Refer to Clause 8 Duties of the Chairperson.

### 14 Procedure at meetings

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

## Code of Practice

### 15 Application

This Code of Meeting Practice (the Code) provide rules for the conduct of meetings of the Lockyer Valley Regional Council (other than a post-election meeting) and where applicable, committee meetings of the local government. The Code shall apply to a post-election meeting of the local government as far as practicable.

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

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

### Procedures for meetings:

### 16 Order of business

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

The regular order of business will be:-

#### Ordinary meetings:

Meeting Opening & Prayer  
Leave of Absence  
Condolences/Get Well Wishes  
Declaration of Material Personal Interest and Conflict of Interest  
Confirmation of Minutes  
Business Arising from Previous Minutes  
Committee Reports  
Mayoral Minute  
Deputations/ Presentations  
Officer Reports  
Items for information

Group: Executive Office  
Unit: NA  
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Confidential items  
Close

Special meetings and Committee meetings:

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

Post-Election Meeting:

Opening of meeting  
Prayer  
*Local Government Act 2009* – Principles  
Declaration of Office – Mayor and Councillors  
Address by the Mayor  
Appointment of Deputy Mayor  
Appointment to Special Committees, Advisory Committees, Statutory Bodies and other organisations  
Set the meeting cycle (i.e. number of meetings per month and day of meetings)  
Other business as the Mayor may direct

The order of business for the post-election meeting may not be altered.

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

Admission of deputations, invitees and visitors shall be at the discretion of either of Mayor or Council (refer to Clause 20 Deputations). The time for receipt of petitions shall be at the discretion of the local government (refer to Clause 19 Petitions).

## 17 Meeting agenda

The Chief Executive Officer must prepare or have prepared a meeting agenda for each meeting. The agenda must, where practicable, be made available to Councillors two days prior to the meeting. A meeting agenda shall include, but not be limited to—

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

## 18 Agenda Papers

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

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(Queensland). It may be necessary where personal information is required to consider the item in a Closed Meeting of Council (see Clause 21).

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

#### 19 Petitions

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

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

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

#### 20 Deputations

A person or group wishing to be received as a deputation by the Council:

- must make written request at least seven (7) days before the meeting, to the Chief Executive Officer setting out the matter to be raised by the deputation and specifying the name and address of the person authorised to receive notices on behalf of the deputation; or
- may be invited by the Chairperson to address Council on a matter listed on the agenda for which they have an interest, without notice.

The Chief Executive Officer must inform the Chairperson immediately upon the receipt of the request. Unless otherwise directed by the Chairperson, the Chief Executive Officer must list the hearing of the deputation on the next Ordinary meeting agenda and give to the person specified in the request notice of the time and date when the deputation will be heard as well as guidance on acceptable behaviour requirements.

The Chairperson will determine the number of people in the deputation who will be permitted to address Council or respond to questions. The appointed speakers must restrict their addresses to not more than five minutes or as determined by the Chairperson.

If a member of the deputation other than the appointed speaker/s interjects or attempts to address the Council, the Chairperson may warn the deputation that a repetition may result in the deputation not being further heard.

If there is further interjection after the Chairperson has given the warning the Chairperson may call on the next item of business.

Unless the Council otherwise resolves, the effect of calling on the next business is that the deputation will not be heard further at that meeting and, if the deputation wishes to be heard at a subsequent meeting, a fresh request must be given to the Chief Executive Officer.

**21 Closed Meetings**

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

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

Only procedural resolutions may be made during a closed meeting. The meeting must be re-opened before any substantive resolution on the matter is made i.e. no decisions are able to be made in closed session.

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

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

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

Only Councillors that participate in a closed session of Council can vote on any resolutions moved as a result of the closed session discussion.

A closed session of Council is not to be recorded.

**Motions:****22 Motions**

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

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

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

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

**23 Absence of the mover of motion**

Group: Executive Office  
Unit: NA  
Approved: Ordinary Meeting (Resolution Number XXXX )  
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Where a Councillor who has given notice of a motion is absent from the meeting where the motion is to be considered, the motion may be moved by another Councillor at the meeting, or deferred to the next meeting.

#### **24 Motion to be seconded**

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

#### **25 Amendment of a motion**

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

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

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

#### **26 Speaking to motions and amendments**

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

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

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

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

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

Each speaker is restricted to not more than five (5) minutes unless the chairperson in his or her discretion rules otherwise.

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

#### **27 Method of taking vote**

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Before any matter is put to the vote, the chairperson may direct that the motion or amendment be read again by the Chief Executive Officer.

Each Councillor is entitled to one vote.

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

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

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

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

If a division is taken, the Chief Executive Officer must record—

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

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

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

## **28 Repealing or amending resolutions**

A resolution of Council is effective from the moment it is passed and it is the function and duty of the Chief Executive Officer to give effect to such resolution.

To rescind a resolution of Council the following must occur:

- written notice must be signed by at least three Councillors and provided to the Chief Executive Officer, in accordance with clause 20 above, and will be considered at the next Ordinary meeting (prior to confirmation of the minutes);
- if a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with;
- The Chairperson must put the rescission motion to the meeting for determination.

If the motion has been negated by a Council, a motion having the same effect must not be considered within three (3) months.

## **29 Procedural motions**

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

- (a) that the question/motion be now put to the vote; or
- (b) that the motion and amendment now before the meeting be adjourned; or

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

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

**30 Motion that debate be adjourned**

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

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

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

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

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

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

**33 Points of order**

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

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

**34 Motion of dissent**

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

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

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

**35 Motion that a report be tabled**

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

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

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

**37 Motion that meeting stands adjourned**

A procedural motion that a meeting stands adjourned may be moved by a Councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a Councillor's time for speaking to the matter, and must be put without debate. Such a motion must specify the time for the resumption of the meeting and on the resumption of the meeting the business will be continued at the point at which it was suspended.

**Mayoral minute:**

**38 Mayoral minute**

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

The Mayoral minute must be delivered to the Chief Executive Officer and when introduced, take precedence over all business before Council.

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

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

**Conduct during meetings:**

**39 Conduct during meetings**

All Councillors have a responsibility to participate in Council meetings, policy development and decision making, for the benefit of the local government area.

After a meeting of the Council has commenced, a Councillor must not enter, leave or withdraw from the meeting without first notifying the Chairperson.

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Mobile telephones and other devices must be turned off or placed in silent mode in the meeting room.

A Councillor must address the chairperson while—

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

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

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

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

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

#### 40 Disclosures of Interest

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

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

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

- (a) a spouse of the Councillor;
- (b) a parent, child or sibling of the Councillor;
- (c) a partner of the Councillor;
- (d) an employer (other than a government entity) of the Councillor;
- (e) an entity (other than a government entity) of which the Councillor is a member;

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- (f) another person prescribed under a regulation.

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

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

The *Local Government Act 2009* outlines circumstances where the Minister may, by signed notice, approve a Councillor taking part in the meeting, or being in the chamber where the meeting is being conducted.

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

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

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

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

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

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

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

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

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

### Questions:

#### 41 Questions

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

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

### Disorder and business:

#### 42 Disorder

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

#### 43 Business of objectionable nature

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

### Attendance and non-attendance:

#### 44 Quorum and lapse of a Quorum

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

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

A member shall be deemed to be present at a meeting only when:-

- that member is within the room in which the meeting is held; or

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- when a Councillor is permitted by Council resolution to take part in a meeting by teleconferencing.

*Teleconferencing is the use of a telephone, video conference equipment, or other means of instant communication that allows a person to take part in discussions as they happen.*

#### 45 Teleconferencing

A Councillor is allowed to take part in a meeting by teleconferencing in accordance with section 276 of the *Local Government Regulation 2012*. A Councillor is taken to have attended the meeting if leave of absence from attending the meeting in person is granted by resolution of the local government either in advance, or at the commencement of the meeting; and the Councillor is able to be simultaneously in audio contact with each other person at the meeting.

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

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

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

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

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

Members of the public must not make an audio or video recording of a meeting of a local government or a local government committee unless the chairperson at the meeting gives consent to the recording of the meeting.

#### 47 Public participation at meetings

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

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

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

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

#### Committees:

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**48 Reports by committees**

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

**49 Attendance at committee meetings**

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

**50 Public participation at committee meetings**

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

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

**Record of Meetings:**

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

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

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

A copy of the minutes of each meeting must be available for inspection by the public at the local government office and on the website ten (10) days after the end of the meeting and when confirmed must be available for purchase.

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

An authorised person may make audio or video recording of a meeting of the local government or a local government committee for the purpose of verifying the accuracy of the minutes of the meeting.

Such an audio or video recording must be destroyed or dealt with as directed by the local government after being used to verify the accuracy of the minutes of the meeting that was recorded.

A person (other than an authorised person making an audio or video recording for the purpose of the verifying the accuracy of the minutes) must not make an audio or video recording of a meeting

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of a local government or a local government committee unless the chairperson at the meeting gives consent to the recording of the meeting.

**Councillor Workshops or Briefing Sessions:**

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

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

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

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**Proposed Trustee Lease of Lot 182 on CP CA311434 - Application of Section 236 (1)(c)(iv) Local Government Regulation Exception**

**Date:** 16 February 2017  
**Author:** Julie Millard, Property Officer  
**Responsible Officer:** Ian Church, Chief Executive Officer

The purpose of this Report is to consider the application of the exception from tendering for the disposal of Lot 182 on CP CA311434 contained in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* to enable a Trustee Lease for the land to be entered into with the adjoining landowner.

**THAT with respect to the future use of Lot 182 on CP CA311434, Council resolve to apply the exception contained in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* in order for a Trustee Lease to be entered into with the adjoining landowner;**

**THAT Council delegate authority to the Chief Executive Officer to negotiate a Trustee Lease with the adjoining landowner to enable their historical use of the water infrastructure on the land to continue on terms satisfactory to Council including that all electricity and maintenance costs shall be the Trustee Lessee's responsibility.**

**THAT with respect to the future use of Lot 182 on CP CA311434, Council resolve to apply the exception contained in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* in order for a Trustee Lease to be entered into with the adjoining landowner;**

**THAT Council delegate authority to the Chief Executive Officer to negotiate a Trustee Lease with the adjoining landowner to enable their historical use of the water infrastructure on the land to continue on terms satisfactory to Council including that all electricity and maintenance costs shall be the Trustee Lessee's responsibility.**

**Resolution Number: 16-20/0378**

**6/0**



**ORDINARY COUNCIL  
MEETING MINUTES  
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## Report

### 1. Introduction

The purpose of this Report is to consider applying the exception from tendering contained in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* to enable a lease to be entered into over land described as Lot 182 on CP CA311434 situated at Redbank Creek Road, Adare ("the Land").

### 2. Background

The Land is situated on Redbank Creek Road, Adare and adjoins Pohlman's Nursery. All of the surrounding properties, except one, are owned by the Pohlman family and used as part of the nursery operations. The remaining adjoining property is owned by the Queensland Bulk Water Supply Authority who do not require the use of the Land or its infrastructure.

On 24 October 2016, representatives of Pohlman's Nursery expressed interest in purchasing the Land in order to secure ongoing use of the water infrastructure (a purifying plant) on the Land. The water infrastructure was originally part of the Gatton town water supply but has not been used by either Council or Queensland Urban Utilities for in excess of 15 years. The water infrastructure is in a rundown condition and would require significant expense if Council or Queensland Urban Utilities were to recommence using it.

Pohlman's have used this water infrastructure with Council's agreement during this time and are familiar with its condition. Pohlman's Nursery is one of the larger employers in Council's local government area and they have advised it is critical that they can secure continued use of the water infrastructure on the Land in order to continue their nursery operation.

Pohlman's have also indicated that they wish to fence and maintain the Land to prevent access by the public as in the past there have been instances when they have found drugs and associated paraphernalia on the Land.

Council's Legal Services team have now investigated the options available to secure tenure over the Land. The only practical option, which guarantees their continued use, is for Council to offer them a Trustee Lease. Pohlman's are happy with this outcome and this Report has been prepared to enable a formal lease offer to be made.

### 3. Report

An Aerial Plan showing the Land is **attached** to this Report. The Land is approximately 3.86 hectares and is a reserve for gravel purposes.

As trustee, one option available to Council is to relinquish trusteeship of the reserve if it is no longer required for its purpose. If this occurred, the Department of Natural Resources and Mines has advised that it would look to appoint another government agency as Trustee who could remove the infrastructure or consider alternative uses for the Land. If a new trustee cannot be found, the Land would revert to unallocated State land and the only tenure that could be offered would be a permit to occupy which is not appropriate for the proposed use by Pohlman's.

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There is little prospect of the Land being freeholded by the Department of Natural Resources and Mines, and therefore being available for disposal to Pohlman's or anyone else, due to native title implications that have been identified.

As the Land and infrastructure has historically been used by Pohlman's, and these are critical to the continued operation of the nursery, Council can ensure that the use continues by offering a Trustee Lease to Pohlman's. It is proposed the Trustee Lease would be for the whole of the Land and infrastructure, which is in a rundown condition, and the offer would be made on an 'as is, where is' basis with no warranties as to fitness for use being given.

Such an arrangement would allow Council to receive a financial return for the lease of the Land, and all future electricity and maintenance costs would be the responsibility of the lessee. The Executive Manager of Infrastructure Works and Services, and the Manager Community Facilities and Services, have confirmed that there is no current, or proposed future, use of the Land or infrastructure by Council or any other water authority and they have offered no objection to formal land tenure being offered to Pohlman's.

Due to the location and size of the Land, and the condition of the infrastructure on it, it is considered that the Land is of little value or use to any other third parties. Pohlman's is the only adjoining landowner with interest in the Land and infrastructure and the Recommendation made in this Report will enable Council to apply the exception from tendering in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* and delegate authority to the Chief Executive Officer to negotiate a trustee lease with Pohlman's, as adjoining owner, on terms satisfactory to Council.

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

Advice received from the Department of Natural Resources and Mines confirms that the only option available to guarantee Pohlman's continued use of the Land and water infrastructure is a Trustee Lease. As the Land will remain a reserve, no problematic native title implications will arise.

Under a Trustee Lease arrangement, Council will also have the benefit of transferring all liability, costs and maintenance responsibilities in relation to the use of the Land to Pohlman's.

It is expected that Council will need to prepare and register a Land Management Plan over the Land as the use of the water infrastructure will be considered to be inconsistent with the purpose for which the Land was dedicated as a reserve, ie. gravel purposes. Council will be responsible for these costs, which are anticipated to be less than \$500.

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

Council will incur costs of approximately \$1,500.00 to obtain a market valuation to determine the rent to be paid. This is a statutory requirement. It is proposed that the rental will increase annually in accordance with changes to the Consumer Price Index.

The only other anticipated cost to Council is the registration of the Land Management Plan of less than \$500 as noted above.

All other costs associated with the preparation and registration of the Trustee Lease will be the Lessee's responsibility. These costs are expected to be minimal, as a survey plan is not

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required to be obtained when the whole of the Land is being leased, and the Trustee Lease will be prepared internally by Council's Property Officer.

In preparing this Report, the Manager Community Facilities and Services has advised that Council has been covering the electricity costs for the use of the Land. Pohlman's have been advised that these costs will be their responsibility under the Lease. As these costs are approximately \$1,000.00 per quarter, this represents a significant cost saving to Council.

**6. Delegations/Authorisations**

The Recommendation includes a delegation of authority to the Chief Executive Officer to negotiate a trustee lease with Pohlman's on terms satisfactory to Council. These negotiations, and the lease preparation, will be coordinated through the Legal Services team.

**7. Communication and Engagement**

The Chief Executive Officer, through the Legal Services team, will be responsible for communicating with all relevant parties to finalise a lease over the Land.

**8. Conclusion**

The Recommendation made in this Report will enable a Trustee Lease to be entered into with the adjoining landowner to provide security for the continued use of infrastructure critical to their commercial operations.

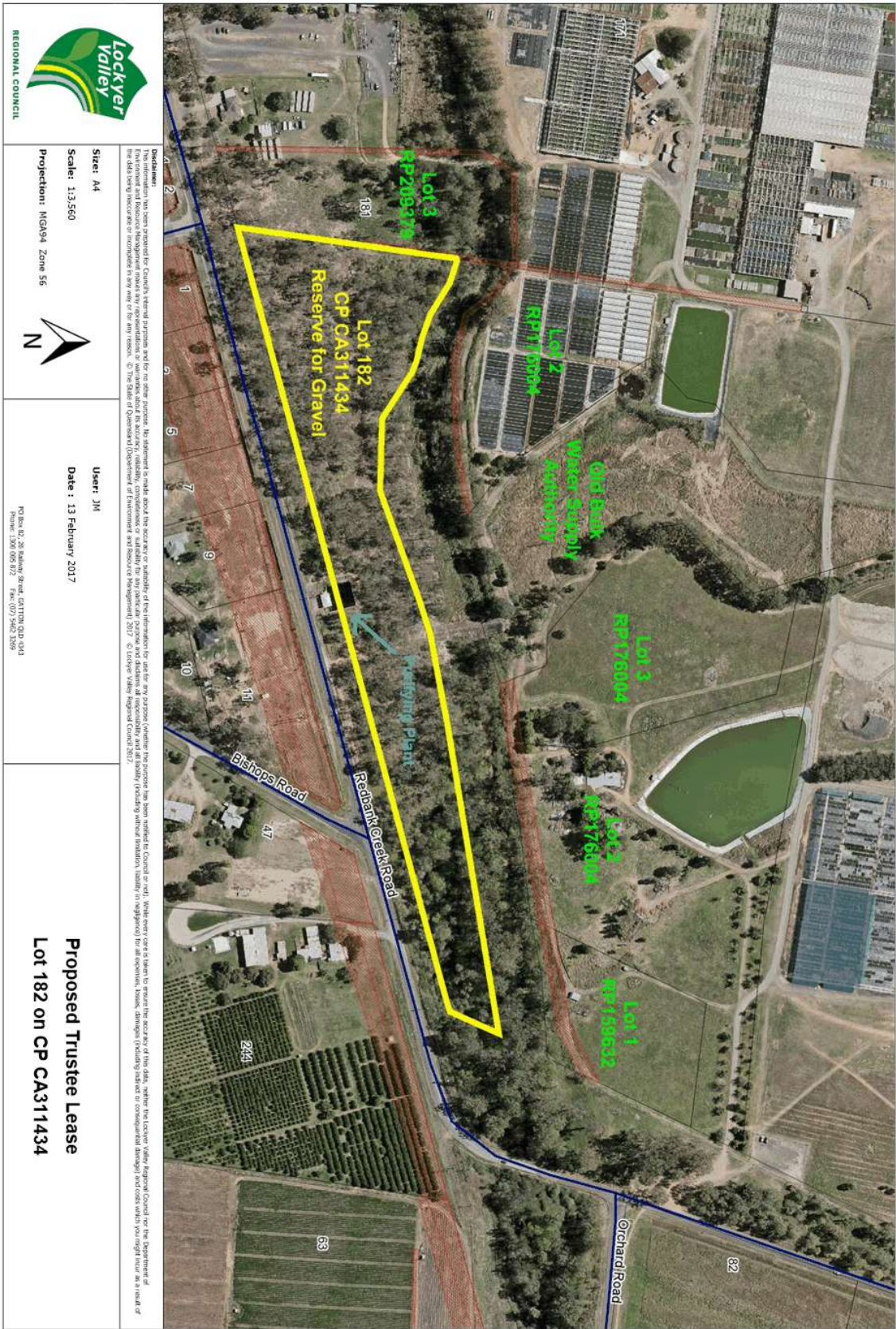
**9. Action/s**

1. Arrange a Valuation of the Land to determine rental.
2. Negotiate lease terms.
3. Prepare the Trustee Lease and Land Management Plan.
3. Apply to the Department of Natural Resources and Mines for 'in principle' approval to the Trustee Lease and Land Management Plan
5. Finalise, execute and register the Trustee Lease and Land Management Plan.

**Attachments**

1 [View](#) Aerial Map 1 Page







## Building Our Regions Fund - Round 3

### Summary:

**Officer's Recommendation:**

**THAT Council approve the submission of Expressions of Interest for the Forest Hill Flood Mitigation Stage 2 and Lockyer Valley Animal Management Facility projects under Round 3 of the Building Our Regions Fund.**

## RESOLUTION

**THAT Council approve the submission of Expressions of Interest for the Forest Hill Flood Mitigation Stage 2 and Lockyer Valley Animal Management Facility projects under Round 3 of the Building Our Regions Fund.**

**Moved By:** Cr McLean      **Seconded By:** Cr Hagan  
**Resolution Number:** 16-20/0379

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

## Report

## 1. Introduction

The Building Our Regions Fund is seeking Expressions of Interest from eligible local governments to fund infrastructure projects in regional areas. Council officers have reviewed priority infrastructure projects in line with the eligibility criteria for the fund and propose the following projects for consideration:

- Forest Hill Flood Mitigation Stage 2
- Lockyer Valley Animal Management Facility.

These projects align with Council's corporate and operational planning documents and are able to be funded and delivered by Council in the required timeframes.

## 2. Background

Expressions of Interest (EOI) for Round Three of the Building our Regions program opened on Monday, 30 January 2017 and close on Friday, 24 February 2017.

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The fund is targeted specifically at providing funding to Queensland local governments for critical infrastructure in regional areas, while at the same time supporting jobs, fostering economic development and improving the liveability of regional communities.

The program has three focused infrastructure funds managed by the Department of State Development:

- Regional Capital Fund (\$70m over two years)
- Royalties for Resource Producing Communities Fund (\$55m over two years)
- Remote Communities Infrastructure Fund (\$15 million over two years).

Lockyer Valley Regional Council is eligible for funding under the Regional Capital Fund, which is open to local governments of provincial cities and surrounding rural areas that are 'Inner Regional' and/or 'Outer Regional'. Council is eligible for funding from \$250k up to a maximum of \$5m per project. Funding is to be matched up to 50% of total eligible project costs.

Councils are required under the EOI to address three Assessment Criterion; Project Demand, Proposed Solution and Project Benefits. Supporting statements need to be evidence based.

### **3. Report**

Two projects have been proposed for submission under Round Three of the Building Our Regions – Regional Capital Fund:

- Forest Hill Flood Mitigation Stage 2
- Lockyer Valley Animal Management Facility.

The EOI assessment criteria are:

Project Demand (40%) - the application clearly describes a need or opportunity the project will address. The application must demonstrate that the demand for the project is recognised by the community

Proposed Solution (30%) – the application clearly describes how the project will address the need or opportunity, explains why the project is the most feasible, and has community support.

Project Benefits (30%) – the application describes how the project will benefit the community and the local economy. The application clearly identifies in quantitative and qualitative terms the project's direct and indirect benefits in relation to the number of jobs supported, economic development and improved community health and lifestyle.

In this Round there is still a strong economic focus however, demonstrated community support and benefit is also heavily weighted.

#### **Forest Hill Flood Mitigation Stage 2**

Sandy Creek to the west of Forest Hill has various break out points which flow into Forest Hill. The next stage of flood mitigation works at Forest Hill will complement the previous works completed in December 2016. The proposed works will extend further to the south and west with levee banks to prevent water entering the town and redirect it to the north-west into the improved drainage system completed in the last stage of works.



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Funding is sought to complete detailed design of the levees and then construction of the levees.

During the previous stages of works, various conversations were held with local residents and landholders who are supportive of these works as the next stage of flood mitigation in Forest Hill.

Total project cost: \$540,000.

Lockyer Valley Animal Management Facility

This project is the construction of an extension to the existing Council Pound Facility and the refurbishment of the existing facility. The new facility will accommodate 37 dog kennels and up to 24 cat cages as well as onsite office facilities. It is proposed that the pound, once constructed, will be leased to another organisation to manage e.g. RSPCA.

Total project cost: \$590,000.

The EOI requires a Council resolution supporting the project/s to be submitted under the Fund to be eligible for consideration.

**4. Policy and Legal Implications**

These funding applications have been considered in line with Council's External Funding Policy. Any future policy and legal implications will be addressed as matters arise before Council.

**5. Financial and Resource Implications**

Funding for projects is to be matched up to 50% of total costs. The Forest Hill Flood Mitigation Stage 2 project requires a cash contribution of \$270,000 from Council, which will be included for consideration in the 2017/18 budget.

The Lockyer Valley Animal Management Facility project requires a cash contribution of \$295,000 from Council, which will also be included for consideration in the 2017/18 budget.

A decision on the success of the Program bids will not be announced until mid-year. Accordingly, the funding commitment may not be known at the time Council's budget is being considered.

**6. Delegations/Authorisations**

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

**7. Communication and Engagement**

The following officers were engaged in the determining which projects are proposed to be submitted under the Building Our Regions Fund:

- Chief Executive Officer

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- Executive Manager Corporate & Community Services
- Executive Manager Infrastructure Works & Services
- Manager Health, Waste & Regulatory Services
- Manager Infrastructure, Planning and Design.

**8. Conclusion**

The projects proposed for funding in this report meet the eligibility criteria and are able to be funded and delivered by Council in the required timeframe.

**9. Action/s**

The approved projects are submitted via the Building Our Regions grants portal for funding consideration.



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## **11.0 ORGANISATIONAL DEVELOPMENT AND PLANNING REPORTS**

*During discussion on the matter, Cr McLean advised the meeting that her spouse owns property that is recommended for inclusion in Council's submission to the Draft South East Queensland Regional Plan in Item 11.1 "Draft South East Queensland Regional Plan". Cr McLean advised that this situation does not give rise to a Material Personal Interest nor Conflict of Interest, (real or perceived), based on advice received from the Chief Executive Officer, as the decision being made is about an ordinary business matter as defined in Schedule 4 of the Local Government Act. To clarify, the decision is being made about a future planning scheme for the local government area that will need to align with the regional plan and the block of land in question is one component of larger changes to the classification of land in the area.*

*As per resolution 16-20/0350 Council also considered the submission made by Peart Land Development relating to Lot 1 SP186903 located at Helidon Spa.*

### **11.1 Draft South East Queensland Regional Plan (ShapingSEQ)**

**Date:** 15 February 2017  
**Author:** Trevor Boheim, Manager Planning and Environment  
**Responsible Officer:** Dan McPherson, Executive Manager Organisational Development & Planning

#### **Summary:**

Submissions on the Draft South East Queensland Regional Plan (ShapingSEQ) close on 3 March 2017. The content of ShapingSEQ and its implications for the Lockyer Valley have been discussed at two Councillor Workshops and a submission has been prepared based on the matters discussed at those workshops.

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

**THAT Council authorise the Chief Executive Officer to prepare a submission on the Draft South East Queensland Regional Plan (ShapingSEQ) and that it includes the following:**

- **Provisions of ShapingSEQ which are welcomed and supported;**
- **Recommended changes for the improvement of ShapingSEQ;**
- **Requested changes to the regulatory mapping as indicated:**
  - Plainland - Lot 12 RP141940
  - Murphys Creek - Lots 21-23 RP825748, Lot 2 RP153016, & Lots 1-23 SP223967
  - Upper Lockyer - Lot 216CH31711
  - Postmans Ridge - Lot 1 RP198150, Lots 1-3 SP189194, Lot 2 SP144465, Lot 1 RP199513, Lots 2-3 RP802605, Lot 2 SP196631 & Lot 5 RP842943
  - Laidley Heights - Lot 2 RP815845
  - Forest Hill - Lots 1-2 RP25637
  - Adare - Lot 95 CA311434 & Lot 96 SP225226
  - Withcott - Lots 1-2 RP149254, Lot 239 CC320, Lot 3 RP149254, Lot 2 RP813661, Lots 3-4 RP87047, Lot 3 RP856586, Lots 41-42 SP142113, Lots 30-32 SP142114, Lot 111 CC2574, Lot 1 RP158570, Lot 227 CC2700, Lot 2 RP164035 & Lot 105 CC678
  - Helidon - Lot 3 RP186019 & Lot 146 CA311190
  - Placid Hills - Lot 193 CA311080
  - Plainland - Lot 284 CH311288, Lot 277 CH311197, Lot 461 CC3125, Lot 465 CC3125,

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Lot 1 RP208154, Lot 1 SP177876, Lots 1-6 RP156043, Lot 1 RP143148, Lot 6 RP892955, Lots 4-5 RP226523, Lots 2-4 RP208154, Lot 1 RP150358, Lots 210-211 SP285494, Lots 1-15 SP176974, Lot 1 RP25697, Lots 1-9 RP838987, Lots 11-14 RP838987, Lot 15 RP841172, Lot 4 SP184977, Lot 1 SP25689, Lot 2 RP147175, Lot 242 CC1795, Lot 1 RP809843, Lot 2 RP203789, Lot 1 RP845672, Lot 5 RP845672, Lots 6-10 RP141940, Lots 1-2 SP209000 & Lot 12 RP141940

- Laidley North - Lots 3-4 RP203622, Lot 1 RP140080, Lot 2 RP154057, Lot 1 RP196733, Lots 1-77 SP249421, Lots 205-229 SP214081, Lots 269-276 SP214081, Lots 277-286 SP249421, Lots 499-500 SP197170 & Lot 504 SP249421;

- Support for changes to the regulatory mapping requested by landholders as indicated:

- Laidley Heights - Lot 2 RP815845
- Brightview - Lot 5 RP865203 & Lot 7 RP218182
- Morton Vale/Lake Clarendon - Lots 1-2 RP206191, Lot 184 CSH1981, Lot 3 SP223173, Lot 44 SP248984, Lots 4-5 SP248984, Lot 9 SP248984, Lot 7 RP209387, Lots 6-8 RP206191 & Lot 148 RP843352
- Plainland - Lot 210 SP285494

5. THAT Council delegate authority to the Chief Executive Officer to finalise Council's submission in the event of any additional requests for Council's support prior to the 3<sup>rd</sup> March 2017;

And further;

THAT Council forward correspondence to the submitting landholders advising of Council's position regarding the requested changes to the regulatory mapping for the Draft SEQ Regional Plan (ShapingSEQ).

## RESOLUTION

THAT Council authorise the Chief Executive Officer to prepare a submission on the Draft South East Queensland Regional Plan (ShapingSEQ) and that it includes the following:

- Provisions of ShapingSEQ which are welcomed and supported;
- Recommended changes for the improvement of ShapingSEQ;
- Requested changes to the regulatory mapping as indicated:
  - Plainland - Lot 12 RP141940
  - Murphys Creek - Lots 21-23 RP825748, Lot 2 RP153016, & Lots 1-23 SP223967
  - Upper Lockyer - Lot 216CH31711
  - Postmans Ridge - Lot 1 RP198150, Lots 1-3 SP189194, Lot 2 SP144465, Lot 1 RP199513, Lots 2-3 RP802605, Lot 2 SP196631 & Lot 5 RP842943
  - Laidley Heights - Lot 2 RP815845
  - Forest Hill - Lots 1-2 RP25637
  - Adare - Lot 95 CA311434 & Lot 96 SP225226
  - Withcott - Lots 1-2 RP149254, Lot 239 CC320, Lot 3 RP149254, Lot 2 RP813661, Lots 3-4 RP87047, Lot 3 RP856586, Lots 41-42 SP142113, Lots 30-32 SP142114, Lot 111 CC2574, Lot 1 RP158570, Lot 227 CC2700, Lot 2 RP164035 & Lot 105 CC678
  - Helidon - Lot 3 RP186019 & Lot 146 CA311190
  - Placid Hills - Lot 193 CA311080



- CARRIED**  
**6/0**

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## **2. Background**

The Draft South East Queensland Regional Plan (ShapingSEQ) was released by the Queensland Government for public consultation on 20 October 2016. Submissions on ShapingSEQ close on 3 March 2017.

## **3 Report**

Copies of the ShapingSEQ document were provided to all Councillors shortly after its release and Councillor Workshops on ShapingSEQ were held on 6 December 2016 and 7 February 2017. The first workshop took Councillors through the document drawing attention to provisions, which have relevance to the Lockyer Valley. At the second workshop, an outline of the proposed submission was provided including details of what provisions it was considered appropriate to support and what suggestions could be made to improve ShapingSEQ.

### **3.1 Provisions of ShapingSEQ which are welcomed and supported**

The discussion, which occurred, and the feedback that was provided at the Councillor Workshop on 7 February 2017 guided the content of those parts of the draft submission which sets out those provisions which are supported. A copy of the draft submission is provided as Attachment 1.

### **3.2 Recommended changes for the improvement of ShapingSEQ**

The discussion, which occurred, and the feedback that was provided at the Councillor Workshop on 7 February 2017 guided the content of those parts of the draft submission which sets out the changes Council considers should be made to ShapingSEQ.

### **3.3 Requested changes to the regulatory mapping**

During the presentation on ShapingSEQ at the 7 February 2017 Councillor Workshop the matter of Council's submission including requests to change the regulatory mapping was discussed. A set of cadastral maps of the Lockyer Valley showing the current regional land use categories was provided to Councillors following the workshop and following the Council Meeting of 8 February 2017, during a further Councillor Workshop, those changes which the Councillors considered should be made to the regulatory mapping were discussed and those for which there was agreement were noted.

A set of maps indicating changes that had been agreed on 8 February 2017 was circulated to Councillors for verification on 10 February 2017. Between 10 February 2017 and 15 February 2017 comments on the mapping were provided including requests to include additional land. The set of maps provided as Attachment 2 include the changes circulated on 10 February 2017 and the additional requests received between 10 and 15 February 2017.

### **3.4 Support for changes to the regulatory mapping requested by landholders**

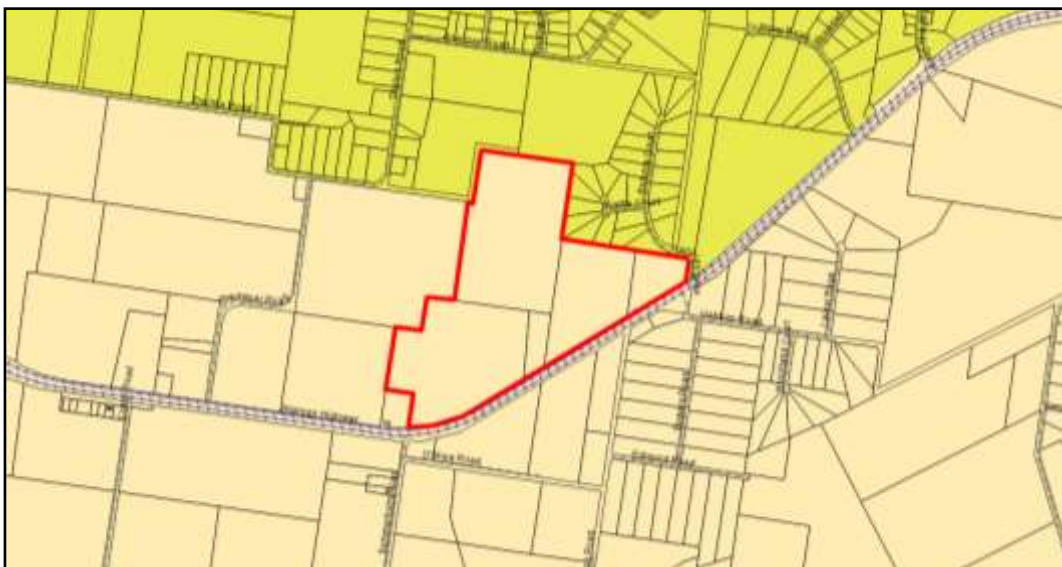
During the consultation period Council received copies of submissions on ShapingSEQ that had been prepared by or on behalf of landholders requesting changes to the regulatory maps. Council's support for the requested changes was sought largely as a result of State Government officers advising landholders that their requests had better prospects of being supported if they were also supported by Council.

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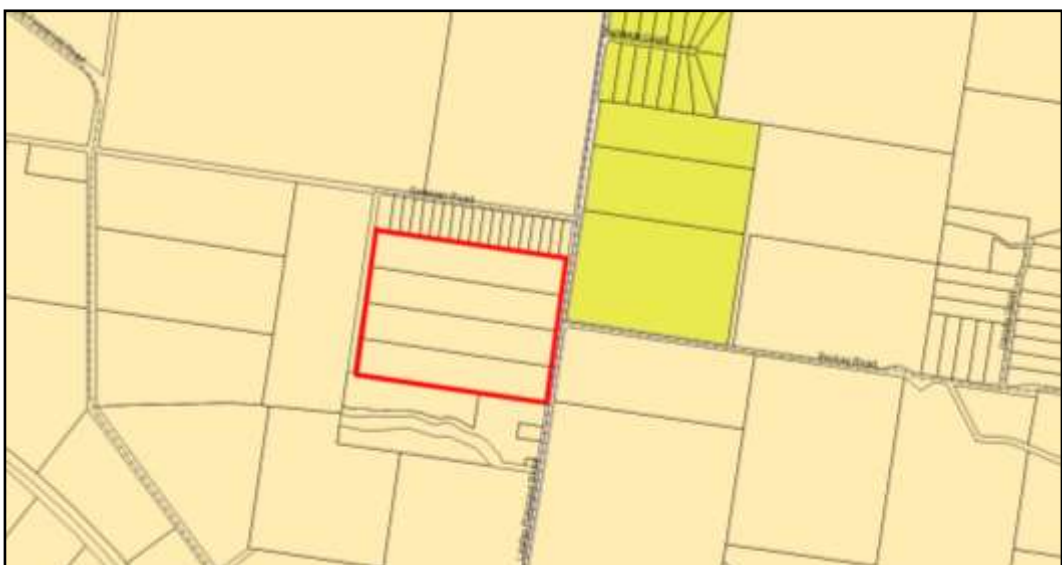
The set of maps provided as Attachment 3 shows the land for which a request for support was received and for which Councillors have not indicated they would not be prepared to provide support.

Those requests Councillors indicated they would not be prepared to support are as follows:

- An area north of the Warrego Highway at Hatton Vale (refer map below) where it was considered that inclusion in the Rural Living Area would compromise long-term opportunities to develop the land for urban purposes.



- An area west of Laidley Plainland Road at Laidley North (refer map below) where it was considered that inclusion of the land in the Rural Living Area would not be an appropriate outcome given the proximity of the land to an existing poultry farm.



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It is anticipated that submissions may be received after the Council Meeting and before 3 March 2017. This report seeks Chief Executive Officer authorisation to deal with these submissions.

**4. Policy and Legal Implications**

When it comes into effect in mid-2017 ShapingSEQ will set out high-level policy on growth and development that Council's new planning scheme will need to align with.

The regulatory provisions of ShapingSEQ including the regulatory mapping will have legal effect as a statutory instrument that Council will need to apply when making decisions under the Sustainable Planning Act 2009.

**5. Financial and Resource Implications**

There are no financial or resource implications arising from this report.

**6. Delegations/Authorisations**

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

**7. Communication and Engagement**

There are no implications for communications or engagement arising from this report.

**8. Conclusion**

The draft submission captures those matters, which were discussed at the Councillor Workshops on 6 December 2016, and 7 February 2017 together with the changes to mapping identified on 8 February 2017.

**9. Action/s**

The submission be made in accordance with the Council resolution.

**Attachments**

- |                       |          |         |
|-----------------------|----------|---------|
| <a href="#">1View</a> | Attach 1 | 6 Pages |
| <a href="#">2View</a> | Attach 2 | 7 Pages |
| <a href="#">3View</a> | Attach 3 | 2 Pages |
| <a href="#">4View</a> | Attach 4 | 6 Pages |





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3071074  
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Contact Number: 07 5462 0301  
Enquiries: Ian Church

22 February 2017

Mr Frankie Carroll  
Director-General  
Department of Infrastructure Local Government and Planning  
PO Box 15009  
CITY EAST QLD 4000

Dear Mr Carroll

#### **SHAPING SEQ – DRAFT SOUTH EAST QUEENSLAND REGIONAL PLAN**

The Lockyer Valley Regional Council is pleased to provide you with its submission on ShapingSEQ - Draft South East Queensland Regional Plan (ShapingSEQ).

Council wishes to congratulate the Queensland Government, and in particular the Department of Infrastructure Local Government and Planning, for the preparation of this comprehensive plan that will guide and assist in the management of growth in South East Queensland over the next 25 years. Council also wishes to express its appreciation of the approach followed during the preparation of the plan and in particular the sharing of content of the draft plan with Council during its preparation.

This submission provides Council's considered view on ShapingSEQ which is structured as follows:

- provisions of ShapingSEQ which are welcomed and supported;
- recommended changes for the improvement of ShapingSEQ;
- requested changes to the regulatory mapping; and
- support for requests for changes to the regulatory mapping provided by landholders.

#### **Provisions of ShapingSEQ which are welcomed and supported**

Council appreciates the attention given in the preparation of ShapingSEQ to those provisions which have a direct impact on development in the rural areas of South East Queensland including the Lockyer Valley. In this regard Council considers that ShapingSEQ is more responsive to the needs of rural areas than any of the previous versions of the SEQ Regional Plan, including the current plan.

In particular, Council welcomes and supports:

- Grow Element 5: Growing rural towns and villages - *Rural towns and villages provide for growth and community development in a way that reinforces local identity.*
- The strategies that support Grow Element 5 - *Support the sustainability of rural towns and villages by providing sufficient land and infrastructure to accommodate population and employment growth while avoiding the fragmentation of productive rural land and Plan for well-designed growth that integrates sensitively with existing local character and identity and promotes the viability of the rural economy.*
- The approach to planning for the growth of rural towns and villages - *ShapingSEQ supports the sustainable growth of existing rural towns and villages, including those located outside the Urban Footprint. While these areas are not intended to accommodate significant population growth to 2041, local governments may undertake detailed planning to ensure they can grow sustainably and respond to change over time. Where able to be supported by local infrastructure, local governments may recognise these areas using township zone provisions. Planning for these areas must be consistent with the goals, elements and strategies of ShapingSEQ, and where reflected in planning schemes, these areas will be considered as an urban area for the purposes of the State Planning Regulatory Provisions.*

In respect of the above, Council strongly supports the ability for it to undertake local area planning to allow growth in rural towns and villages that are located outside the Urban Footprint and for this, subject to Ministerial approval, to override the regulatory provisions of ShapingSEQ. This is considered to be essential if some of the smaller settlements in the Lockyer Valley, most of which have existed for over a century, are to have a viable future.

- Prosper Element 7: Rural prosperity - *Rural areas leverage traditional primary industry strengths to expand, diversify and introduce value-adding activities which enhance productivity, resilience and competitiveness in domestic and global markets.*
- The approach to planning for the growth of rural towns and villages - *Rural precincts are defined rural areas that have been planned by local government, in consultation with the Queensland Government and community, to create economically diverse and sustainable rural areas. Rural precincts are an important management tool in the Regional Landscape and Rural Production Area, and subject to endorsement and designation by the Minister, may provide for a greater range of activity to complement the rural area. Rural precincts must not be used to facilitate urban or rural residential development.*

The above approach is strongly supported by Council as a means to ensure that ShapingSEQ does not inhibit or prevent restructuring of ownership of rural land at a time when shifts toward agribusiness are occurring. Council does however hold a different view on the ability to utilise rural precincts to allow the development of rural residential estates and its position on this matter is addressed in further detail below.



- The identification and inclusion in Prosper of Gatton K23 (animal sciences) as a Knowledge and Technology Precinct and Gatton North M34 as a Major Enterprise and Industrial Area.
- The identification and nomination in Prosper of Gatton as a Principal Rural Activity Centre and Laidley as a Major Rural Activity Centre.
- The inclusion in Connect of the passenger transport investigation for Rosewood-Laidley-Gatton-Toowoomba.
- Sub-Regional Directions Outcomes for Growth - *New urban communities located within Lockyer Valley, Somerset or Scenic Rim local government areas are to plan for and achieve a net residential density appropriate for their rural locality.*
- Sub-Regional Directions Outcomes for Growth - *Development in rural towns, including Esk, Kilcoy, Toogoolawah, Lowood, Gatton, Marburg, Canungra and Boonah, will occur as needed to sustain local communities.*
- The identification and nomination of Plainland as an emerging greenfield growth area.
- Sub-Regional Directions Rural Prosperity - *The sub-region's principal rural production lands (horticulture, forestry and grazing) in the Lockyer Valley, Scenic Rim, Somerset and Ipswich areas support one of the nation's most important food bowls and are extremely important for long-term food security and export opportunities. This land resource and the supporting processing infrastructure will be protected, including preventing further land fragmentation and protecting rural industries and activities from encroachment by incompatible uses.*
- Sub-Regional Directions Rural Prosperity - *Alternative rural futures will be explored to diversify and increase the productivity of rural activities, and strengthen the area's resilience to market cycles and climate change. Maintaining the productive capacity of this land resource will become increasingly important to the region in the face of climate change.*
- Sub-Regional Directions Rural Prosperity - *The Queensland Government will partner with Scenic Rim, Somerset, and Lockyer Valley councils, the private sector, and key stakeholders to identify opportunities to ensure a sustainable future for the sub-region's rural production land resources, including a secure and sustainable water supply.*

In respect of the above, Council wishes to draw particular attention the critical importance of securing a sustainable and affordable water supply for rural production in the Lockyer Valley as being an essential requirement to ensure the continuation of the valuable contribution of this sector to the local and State economies.

- Sub-Regional Directions Rural Prosperity - *The sub-region's hinterland areas support the growth of creative and boutique industries, and nature-, rural- and adventure-based tourism and recreation activities that add to its visitor appeal and economic*

*diversity. These activities will be encouraged where impacts on the environment and scenic amenity can be successfully managed.*

- Sub-Regional Directions Connect - *Supporting and working with the Australian Government to deliver the Inland Rail project will support efficient freight movement throughout the sub-region. This will improve national rail freight network connections with Melbourne via Toowoomba, Lockyer Valley and the Bromelton State Development Area, and ultimately link to the Port of Brisbane.*
- Sub-Regional Directions Connect - *The Australian and Queensland Governments will work with Toowoomba Regional Council and key stakeholders to investigate the integration of passenger transport trunk services with the Inland Rail project from Rosewood to Toowoomba, which could provide passenger transport trunk connections to Toowoomba.*
- Sub-Regional Directions Sustain - *Protect and nurture regional biodiversity network and regional landscapes including the Main Range–Helidon Hills Corridor, which links Helidon Hills to Toowoomba and Glenrock, including Mistake Ranges, and Little Liverpool Range to Wivenhoe Dam, and Helidon Hills–Blackall Range Corridor, which links Helidon Hills north to Benarkin, Imbil and Conondale, and to the Blackall Range.*
- Sub-Regional Directions Live - *Developing, supporting and promoting great places will support the sub-region's liveability, prosperity, sense of identity and community.*
- The identification of Laidley as a Great Place - *Laidley, one of the region's largely intact rural town main streets with potential to increase the appeal of the town centre.*
- The protection of the agricultural areas and residential areas from the irreversible impacts of resource activities, such as mining and coal seam gas, as Priority Agricultural Areas and Priority Living Areas.
- The proposed changes to the SEQ Regional Plan Regulatory Provisions that allow dual occupancy dwellings to be provided in the Rural Living Area and the Regional Landscape and Rural Production Area.

*These changes will go a long way to addressing the concerns of landholders in rural areas of the Lockyer Valley who have been prevented from constructing second residences on their properties since the first regional plan commenced in October 2004. The impact of this prohibition on residents who have been unable to assist family members secure housing and support elderly landowners to stay in their homes despite having ample land to do so has been a very real and constant cause of anxiety and frustration for the community.*

- The proposed changes to the SEQ Regional Plan Regulatory Provisions that provide more detailed criteria for development that is not supported by the SPRP.
- The proposed changes to the SEQ Regional Plan Regulatory Provisions that provide exemptions for rural subdivision plans and rural enterprise plans.

- The proposed changes to the SEQ Regional Plan Regulatory Provisions mapping.

#### Recommended changes for the improvement of ShapingSEQ

As evident above, Council's position is that there is much in ShapingSEQ that is welcomed and is able to be supported. There are however a number of changes that in Council's view could be made to Shaping SEQ to better reflect the challenges of rural areas and these are detailed below.

- It is considered that there should be an ability for Rural Precincts to be used to facilitate rural residential development where this is an appropriate outcome. This would be of benefit in addressing the fact that strategic planning work undertaken by Councils is rarely if ever synchronised with reviews of the SEQ Regional Plan and that where new rural residential areas are identified through planning scheme reviews there is no mechanism for the Planning Minister to consider these even if they have merit. The requirement that the Planning Minister must agree to both Rural Precinct planning, amendments to existing planning schemes and the making of new planning schemes provides sufficient safeguards to ensure the outcomes sought by the SEQ Regional Plan in respect of rural residential development are protected without the need for a position that a Rural Precinct cannot include rural residential development.
- The whole of agricultural areas of the Lockyer Valley should be identified in ShapingSEQ as an Area of Regional Economic Significance. The annual level of rural production across the intensive agricultural areas of the Lockyer Valley is in the order of \$275million and so exceeds that of many industrial areas nominated by ShapingSEQ as Areas of Regional Economic Significance. ShapingSEQ represents an improvement on past and current regional plans in terms of how it recognises and addresses the region's rural areas however the omission of this valuable rural production area, despite its significance to the regional and State economy, is of concern to Council.
- Plainland should be identified in the Prosper section as a Major rural activity centre with a focus for new services, particularly education and health. While Plainland has been identified in ShapingSEQ as an emerging greenfield growth area, it is considered that this overlooks the importance of Plainland as an emerging centre that will in the next decade overtake Laidley as the second largest centre in the Lockyer Valley. Plainland will, with already committed commercial and educational development, perform an increasingly important function in servicing the extensive rural residential areas that are located primarily to the north of the Warrego Highway.
- The Gatton North M34 Major Enterprise and Industrial Area should be referenced in the Connect section that addresses Inland Rail. In this regards the section on the relationship to regional policy should be amended to read - *Supports increased capacity to manage freight through SEQ generally and specific opportunities in major enterprise and industrial areas, including Charlton Wellcamp and Gatton North. Potentially enhances existing ARES (Areas of Regional Economic Significance) or catalyse new ARES.* This would be consistent with the Outcome for Connect in the Sub-Regional Directions section that states that the Inland Rail project will improve national rail freight network connections with Melbourne via Toowoomba, Lockyer Valley and the Bromelton State Development Area, and ultimately link to the Port of

Brisbane. It would also provide support for a securing future access to the Inland Rail to the Gatton North Major Enterprise and Industrial Area that would assist in supporting the continued growth of the Lockyer Valley's already significant rural production and provide additional local employment opportunities in transport and logistics.

**Requested changes to the regulatory mapping**

Council supports all of the proposed changes to the SPRP mapping that were released with ShapingSEQ and having reviewed this mapping provides a set of further changes that it considers should be made to the mapping. These requested changes are detailed in an attachment to this submission. In particular attention is drawn to the omission of Lot 12 RP141940 from the area proposed to be included in the expansion of the Urban Footprint at Plainland which may be an oversight. In making these requests Council has had regard for the fact that there are areas included in the Urban Footprint and Rural Living Area that are constrained and will never be able to be developed for urban or rural residential purposes.

**Support for requests for changes to the regulatory mapping made by landholders**

During and immediately prior to the Shaping SEQ consultation period Council received requests from a number landholders for support for their individual submissions on changes to the SPRP mapping. Council has considered these requests and those which it supports are detailed in an attachment to this submission.

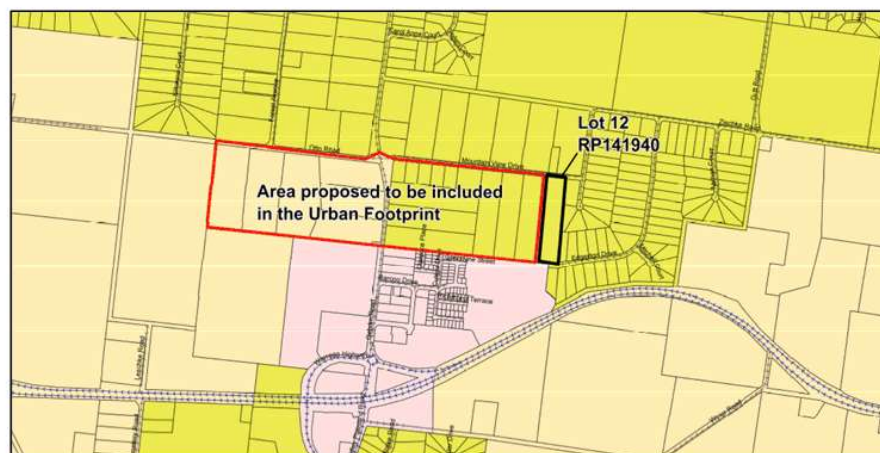
Should you wish to clarify or discuss the matters raised in this submission please contact me directly on 5462 0301.

Yours faithfully

Ian Church  
**CHIEF EXECUTIVE OFFICER**

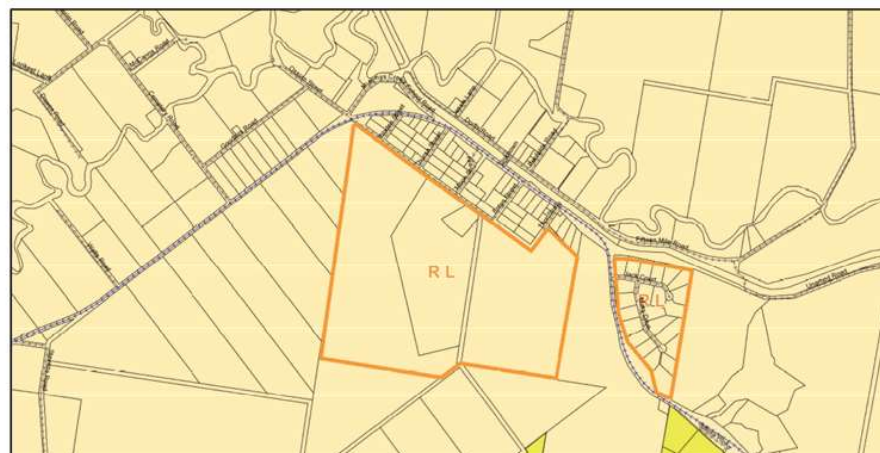
**LOCKYER VALLEY REGIONAL COUNCIL SUBMISSION ON SHAPINGSEQ (DRAFT  
SOUTH EAST QUEENSLAND REGIONAL PLAN)**  
Attachment One – Requested changes to the regulatory mapping

**Plainland – Lot 12 RP141940**

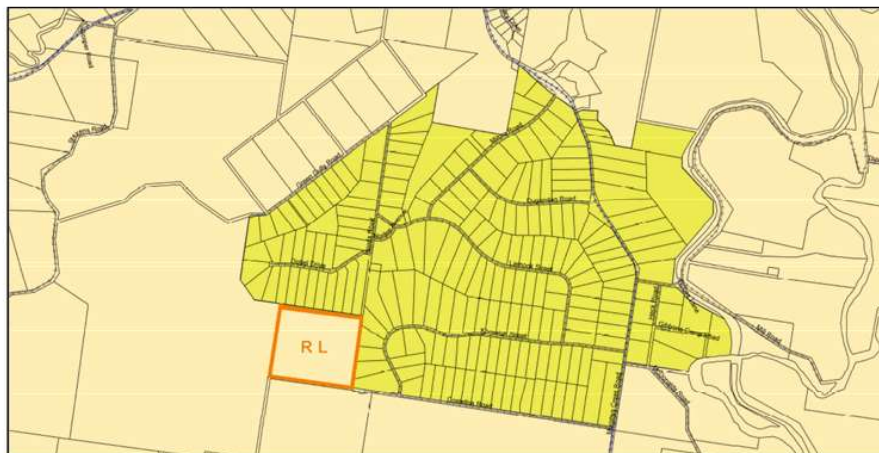


Inclusion of Lot 12 RP141940 shown above in the Urban Footprint

**Murphys Creek**



Inclusion of the additional land shown above in the Rural Living Area

**Upper Lockyer**

Inclusion of the additional land shown above in the Rural Living Area

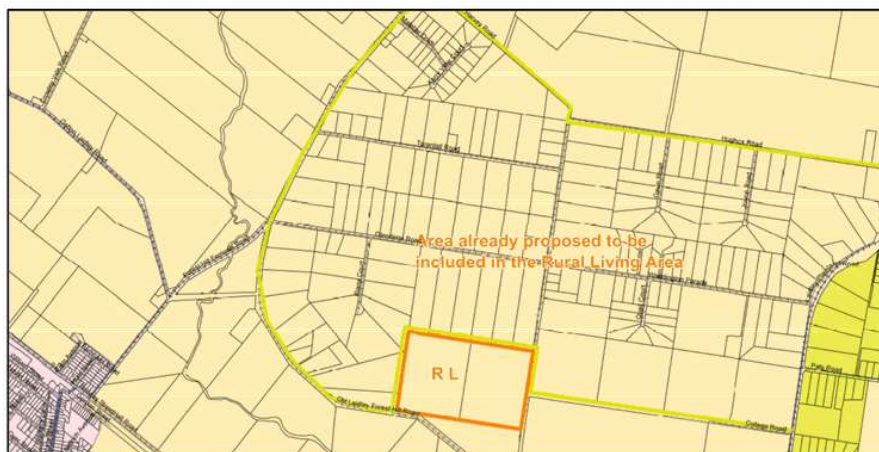
**Postmans Ridge**

Inclusion of the additional land shown above in the Rural Living Area

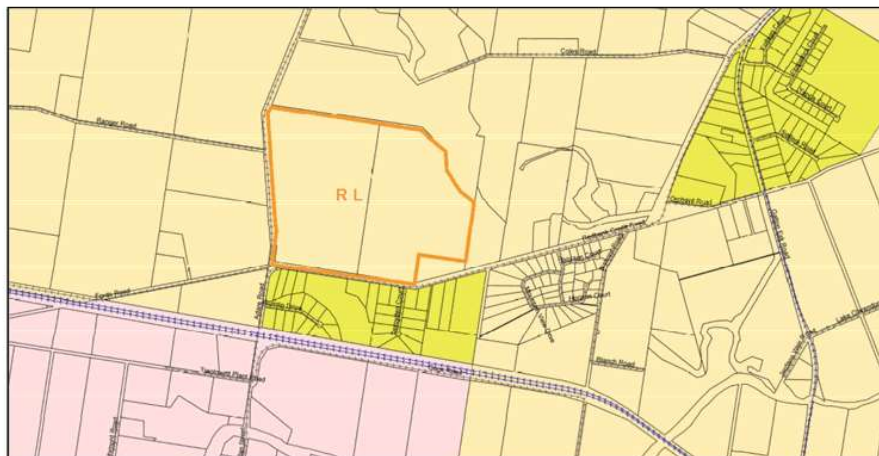


**Laidley Heights**

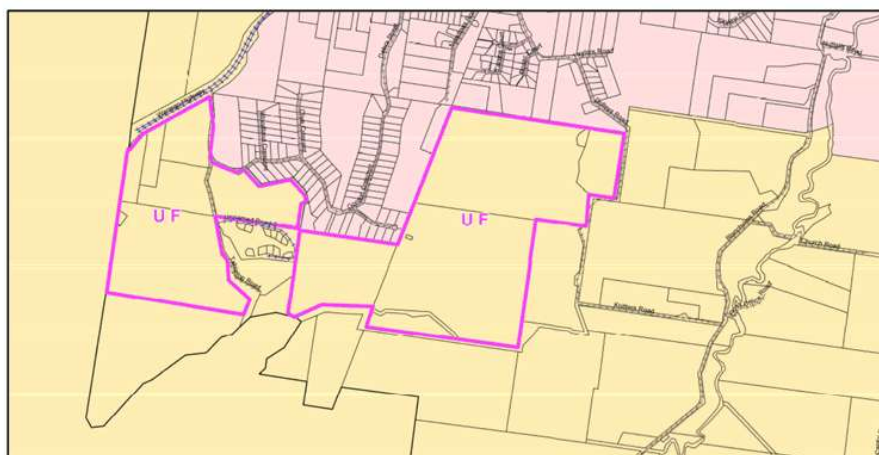
Inclusion of the additional land shown above in the Rural Living Area

**Forest Hill**

Inclusion of the additional land shown above in the Rural Living Area

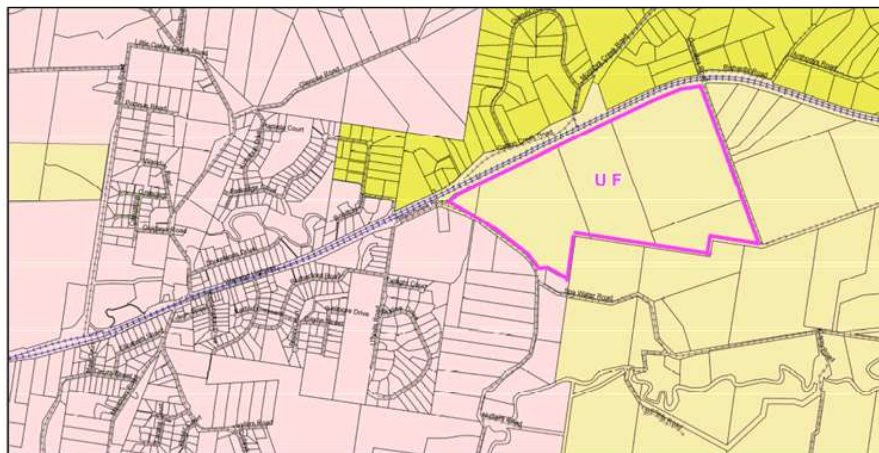
**Adare**

Inclusion of the additional land shown above in the Rural Living Area

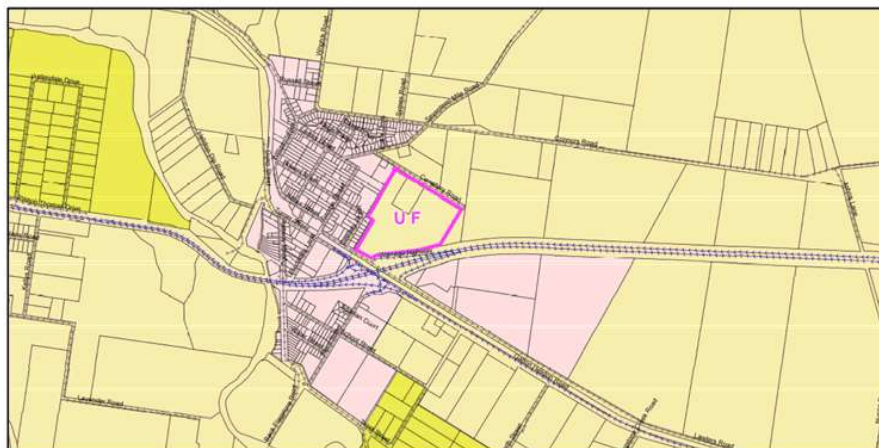
**Withcott**

Inclusion of the additional land shown above in the Urban Footprint

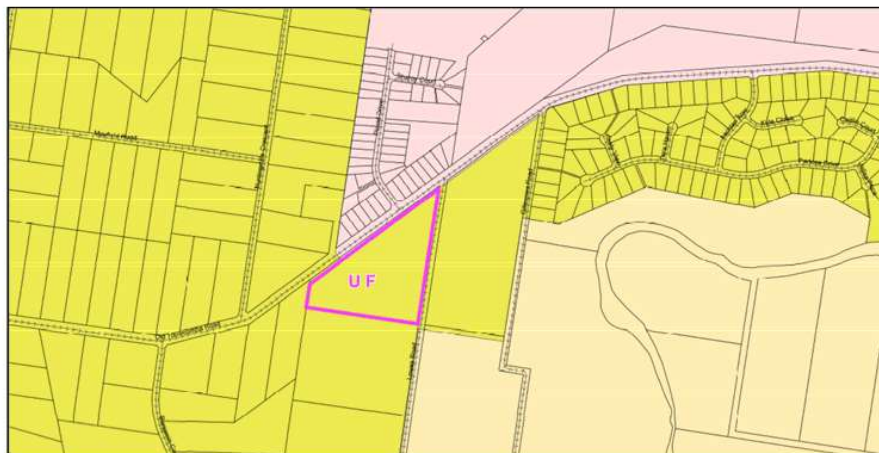


**Withcott**

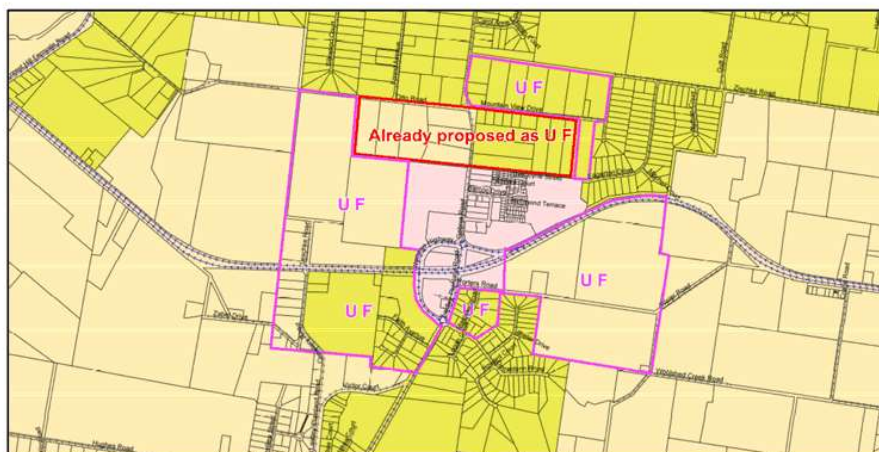
Inclusion of the additional land shown above in the Urban Footprint

**Helidon**

Inclusion of the additional land shown above in the Urban Footprint

**Placid Hills**

Inclusion of the additional land shown above in the Urban Footprint

**Plainland**

Inclusion of the additional land shown above in the Urban Footprint

## Laidley North



Inclusion of the additional land shown above in the Urban Footprint

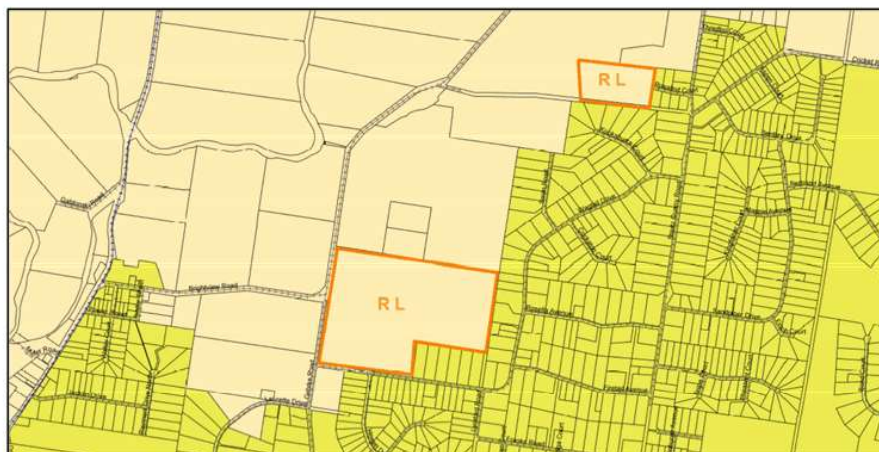
**LOCKYER VALLEY REGIONAL COUNCIL SUBMISSION ON SHAPINGSEQ (DRAFT  
SOUTH EAST QUEENSLAND REGIONAL PLAN)**  
Attachment Two – Landholders requested changes to the regulatory mapping

**Laidley Heights**



Inclusion of the additional land shown above in the Rural Living Area

**Brightview**

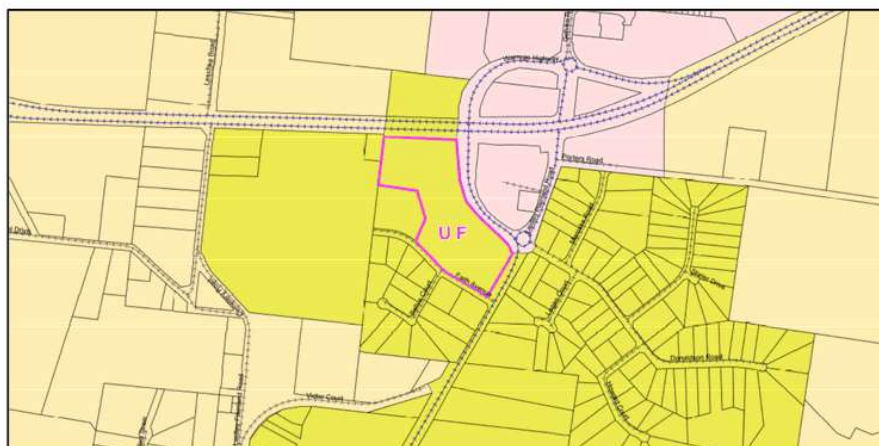


Inclusion of the additional land shown above in the Rural Living Area



**Morton Vale/Lake Clarendon**

Inclusion of the additional land shown above in the Rural Living Area

**Plainland**

Inclusion of the additional land shown above in the Urban Footprint

PEARTland

www.peartland.com.au  
PO Box 2822  
Toowoomba Qld 4350  
info@peartland.com.au

13 February 2017

Draft South East Queensland Regional Plan Feedback  
Department of Infrastructure, Local Government and Planning  
PO Box 15009  
City East QLD 4000

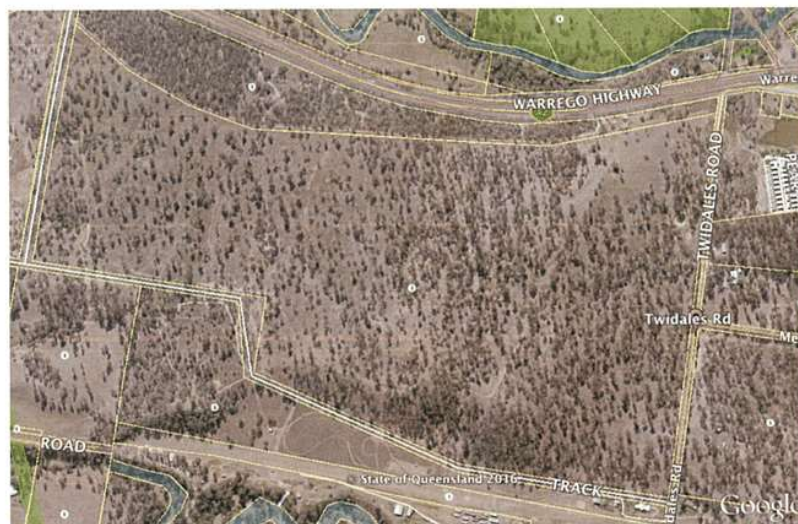
Sent via email: [SEQRegionalPlan@dilgp.qld.gov.au](mailto:SEQRegionalPlan@dilgp.qld.gov.au)

Dear Sir/Madam,

Re: **Submission Regarding Draft South East Queensland Regional Plan (ShapingSEQ)**  
**18 Twidales Road, Helidon Spa**  
**Lot 1 on SP186903**

We write in response to the recently advertised draft *South East Queensland Regional Plan (ShapingSEQ)*. The subject land is a large strategic parcel of land located on Twidales Road, Helidon Spa adjacent to the new Toowoomba Second Range Crossing. We believe this site is ideally located to service the eastern part of Toowoomba and Gatton in relation to the development of a transport and logistics industrial park.

The subject land has a total area of 105.6ha, direct access to Twidales Road and approximately 1.6km of frontage to the Toowoomba Second Range Crossing; see below map. The site is currently located in the Rural Zone of the Gatton Shire Planning Scheme and the Regional Landscape and Rural Production Area of the current *SEQ Regional Plan 2009*.



**PEARTland**

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PO Box 2822  
Toowoomba Qld 4350  
info@peartland.com.au

Lockyer Valley Regional Council have an early positioning advantage to capture this business before these industries move further west into other areas of the Darling Downs. Access to the site following construction of the Toowoomba Second Range Crossing will be via the newly constructed off ramps onto Twidales Roads. Reference is made to **Appendix A** which includes a preliminary concept plan of the development idea for the industrial park.

The proposed industrial park could include the following industries:

- Transport logistics
- Warehousing and distribution
- Manufacturing
- Commodity processing
- Factory outlets

We are seeking to have this parcel including in the new SEQ Regional Plan as a 'Local Development Area' given the economic benefit to the local community and the overriding need to provide a transport and logistics industrial park before the Toowoomba Range and to service the overall Lockyer Valley.

Reference is made to **Appendix B** which includes a letter of support from one of the largest transport companies, Nolans who are actively looking to develop a parcel of land to houses their operations and to this date have been unable to secure a large enough strategic parcel in close proximity to the state controlled road which is suitable for such development.

We look forward to DILGP's further progression of the recently advertised amendments to the draft *South East Queensland Regional Plan*. Should you wish to discuss any aspect of this submission further, please do not hesitate to contact the undersigned.

Yours faithfully

**Brendan Curr**  
Planning and Development Manager | Peart Land



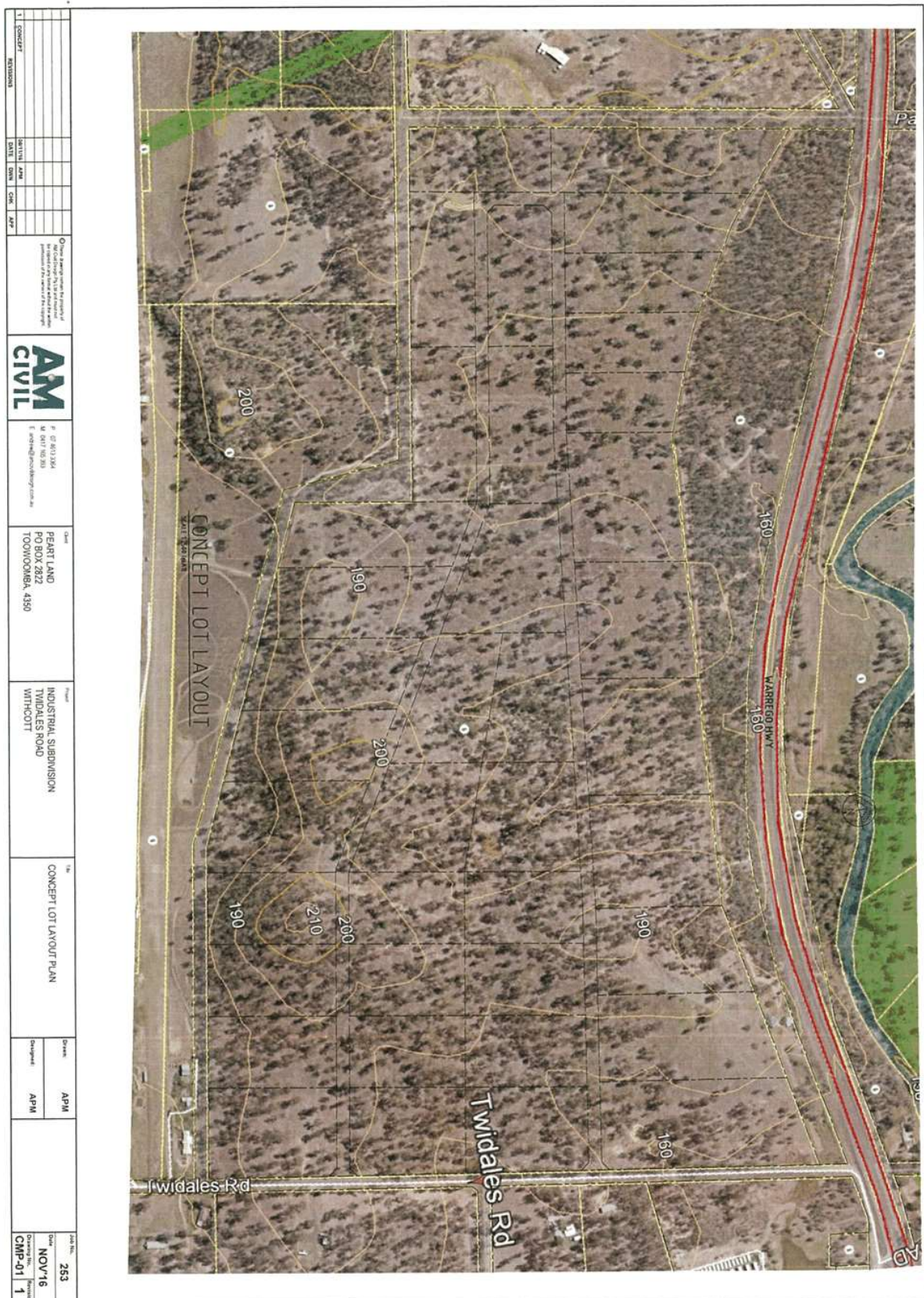
Brendan@peartland.com.au  
0401 263 394

**PEARTland**

[www.peartland.com.au](http://www.peartland.com.au)  
PO Box 2822  
Toowoomba Qld 4350  
[info@peartland.com.au](mailto:info@peartland.com.au)

## Appendix A – Concept Plan



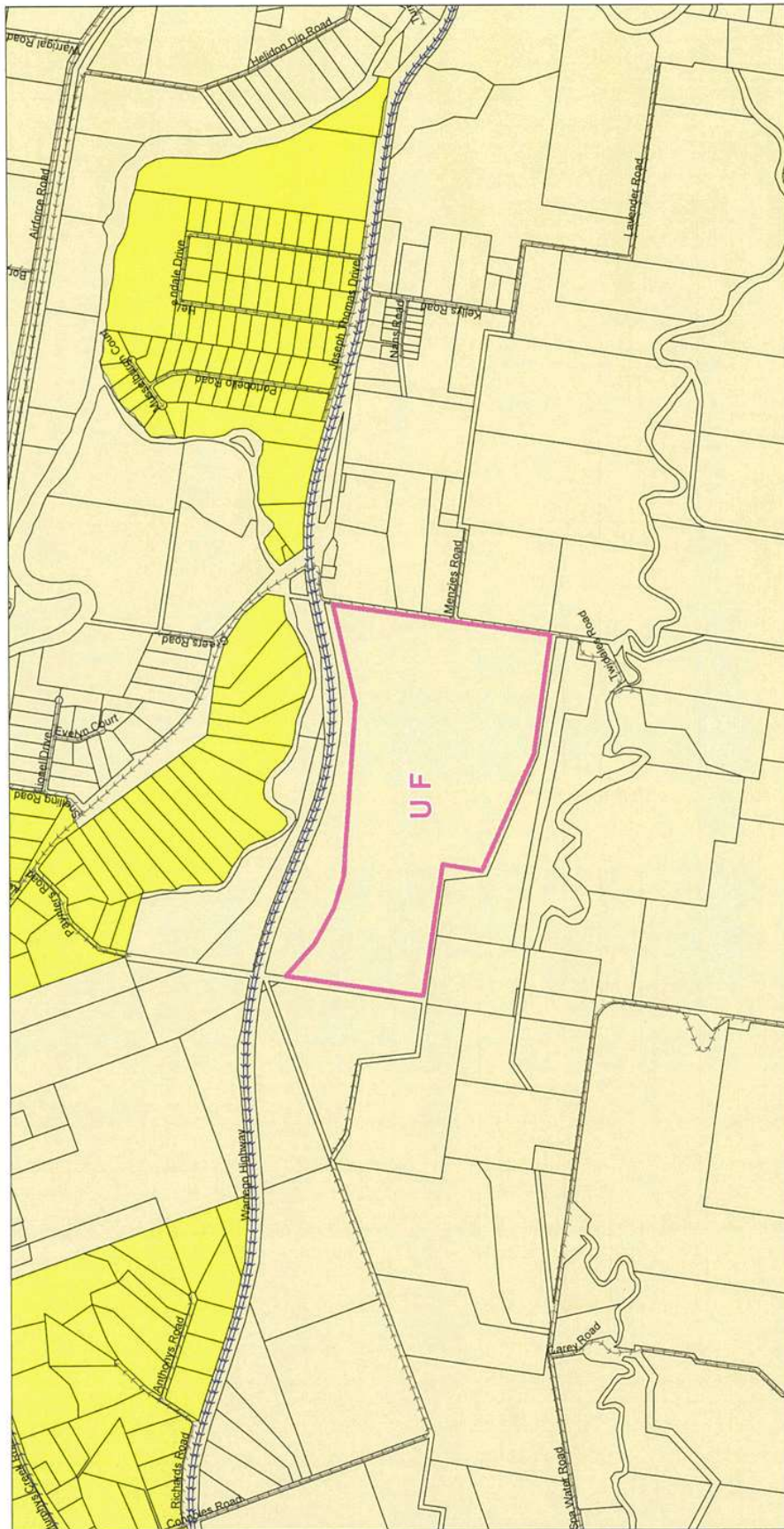


**PEARTland**

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PO Box 2822  
Toowoomba Qld 4350  
info@peartland.com.au

## Appendix B – Letter of Support







## 12.1 Summary of Council Actual Financial Performance v Budget – 31 January 2017

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

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

**Moved By:** Cr Wilson                      **Seconded By:** Cr McDonald  
**Resolution Number: 16-20/0381**

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

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.

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

**ORDINARY COUNCIL  
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22 FEBRUARY 2017**

### 3. Report

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

**Operating Revenue - Target \$44.31 million Actual \$45.12 million or 101.82%**

At 31 January 2017, overall operating revenue is slightly above target for the budgeted amount. While timing issues have meant that recoverable works are slightly less than budget, these have been offset by higher than expected development fees and other revenues such as insurance refunds, QUU tax equivalents and rental income.

Operating grants and subsidies received equal \$3.21 million or 99.38% of the year to date budgeted revenue amount due to the timing of the part payments for the Roads to Recovery Grant and the Diesel Rebate Scheme. Although the average return is higher than the benchmarks, interest revenue remains lower than budgeted and will be adjusted in the December quarter budget review. The remaining variances have been reviewed and adjustments will be made as required.

**Operating Expenditure - Target \$30.89 million Actual \$29.81 million or 96.50%**

At 31 January 2017, overall operating expenditure for the year is under target for the budgeted amount.

Employee costs are 1.19% over target due to the timing of leave being taken and staffing changes made since the adoption of the budget. The December quarter budget review has looked closely at employee costs to ensure that the budgeted staffing levels match the current establishment and that costings to capital works projects are correct.

At 31 January, goods and services were \$1.08 million less than budgeted mainly due to the timing of project related contractor and consultant payments and under expenditure in materials. The timing of these expenditures has been reviewed and will be re-phased once project priorities and timeframes have been clarified. Savings have been identified which will improve the end of year position.

Depreciation costs are being calculated using the One Council asset system and are reflective of the actual amount of depreciation being charged on the estimated revalued amount of Council's assets. The year to date actual result is slightly less than budget for roads and drainage and fleet and this has been included in the December quarter budget review.

**Capital Revenue - Target \$3.38 million Actual \$2.80 million or 82.84%**

Overall capital grants and subsidies revenue is under the budget for the year to date. The timing of capital grants and subsidies remains largely dependent upon the completion of the annual capital works program and the grant application approval process.

**Capital Expenditure – Target \$22.24 million Actual \$8.87 million or 39.87%**

To 31 January 2017, Council has expended \$8.87 million on its capital works program with a further \$4.06 million in committed costs for works currently in progress. With commitments, included, capital works in progress is 58.13% of the full year budget. Expenditure has

**ORDINARY COUNCIL  
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22 FEBRUARY 2017**

increased with the commencement of several major projects such as the Laidley Library refurbishment and the new cell at the Gatton Land Fill.

The main expenditures are \$6.23 million within Infrastructure Services and \$1.59 million in Corporate and Community Services. Major projects include the Lakeview Accommodation Precinct, Summerholm Road Upgrade, Middleton's Bridge Rehabilitation, Laidley Administration and Library Refurbishment, Reseal Program and Flood Mitigation at Forest Hill and Laidley.

#### **Statement of Financial Position**

The Statement of Financial Position provides information on the breakdown of Council's assets and liabilities at a point in time. At 31 January, Council had \$47.27 million in current assets compared to \$9.28 million in current liabilities with a ratio of 5.09:1. This means that for every dollar of current liability, there is \$5.09 in current assets to cover it. The high level of this ratio is due to the second rates levy being issued in late January, which has increased receivables.

#### **Statement of Cash Flows**

The Statement of Cash Flows provides information on the amount of cash coming in and going out. As at 31 January, there has been a net cash outflow of \$0.16 million pending the collection of the second instalment of the rates and the timing of capital works payments. The cash inflow from operating activities of \$5.11 million more than offset the net \$4.53 million outflow from capital expenditures and loan repayments of \$0.74 million.

The Statement of Cash Flows is important as it shows the real movement in Council's cash balances, as opposed to the accounting movements shown in the Statement of Income and Expenditure. In order to maintain adequate working capital, it is estimated that Council needs around \$11.00 million cash at any one time, at 31 January, the cash balance was \$22.54 million. This balance will increase over the next two months as the second levy of the rates is collected.

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

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

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

Monitoring of budgets and actuals will remain important if Council is to achieve the financial results adopted as part of the 2016-2017 budget, and any variations or anomalies will need to be investigated and action taken as appropriate.

Whilst Council remains on track at this time, there are still some risks, which will affect the budgeted surplus. These risks include the completion of the capital works plan, interest revenue, performance of Council's business units, taking of leave and the timing of grant revenues.

The December Quarter budget review has been completed and is the subject of a separate report to this agenda. While addressing the risks outlined, the quarter review has made savings to improve Council's end of year surplus and set the scene for the 2017/18 budget

**ORDINARY COUNCIL  
MEETING MINUTES  
22 FEBRUARY 2017**

process. Following approval of the amendments, the system will be updated and the amended budget will take effect for February.

**6. Delegations/Authorisations**

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

**7. Communication and Engagement**

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

**8. Conclusion**

At 31 January, Council's revenues are slightly ahead of target, and overall expenditure is under target. The December quarter budget review has been completed and is subject to Council approval before adjustments are made in Council's financial system.

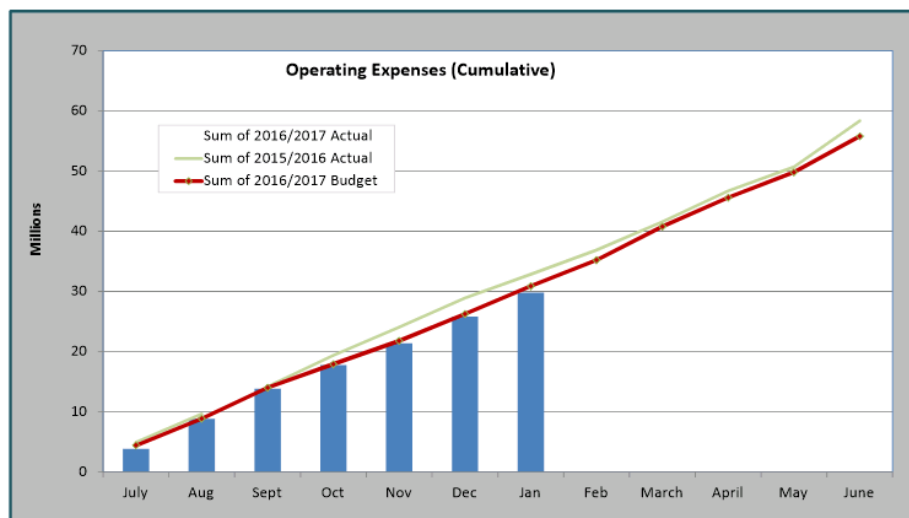
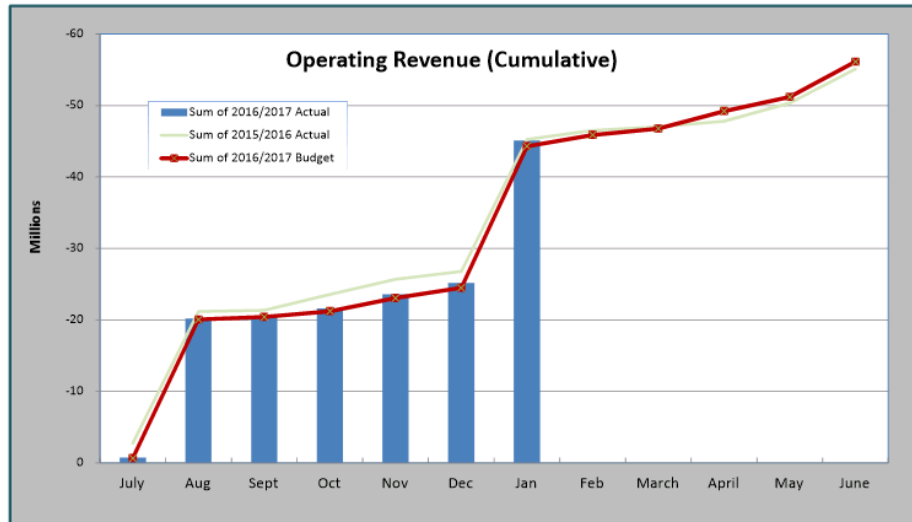
**Attachments**

1 [View](#) Monthly Financial Report - January 2017 15 Pages



## LOCKYER VALLEY REGIONAL COUNCIL

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

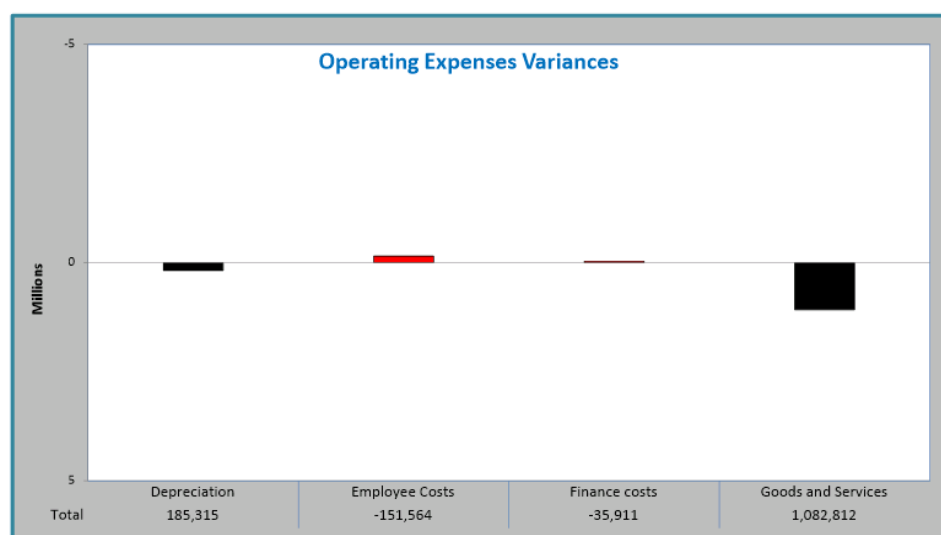
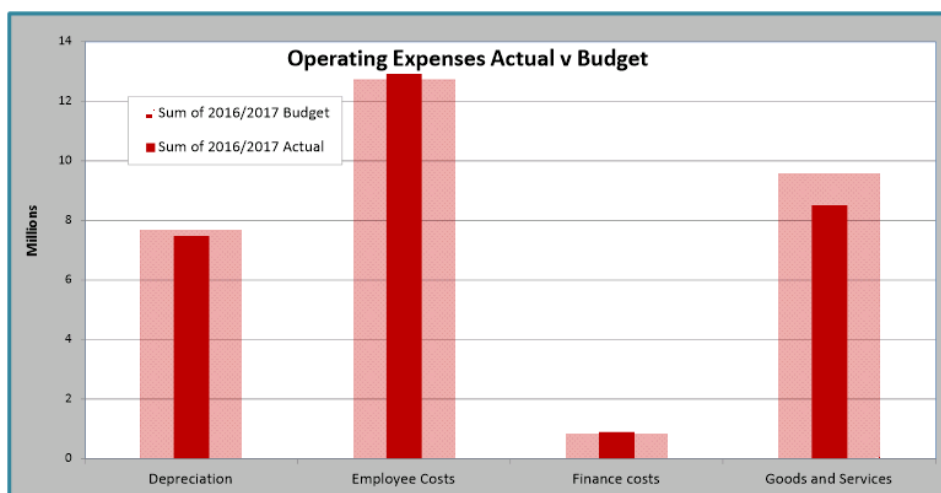




## LOCKYER VALLEY REGIONAL COUNCIL

### Operating Expenses

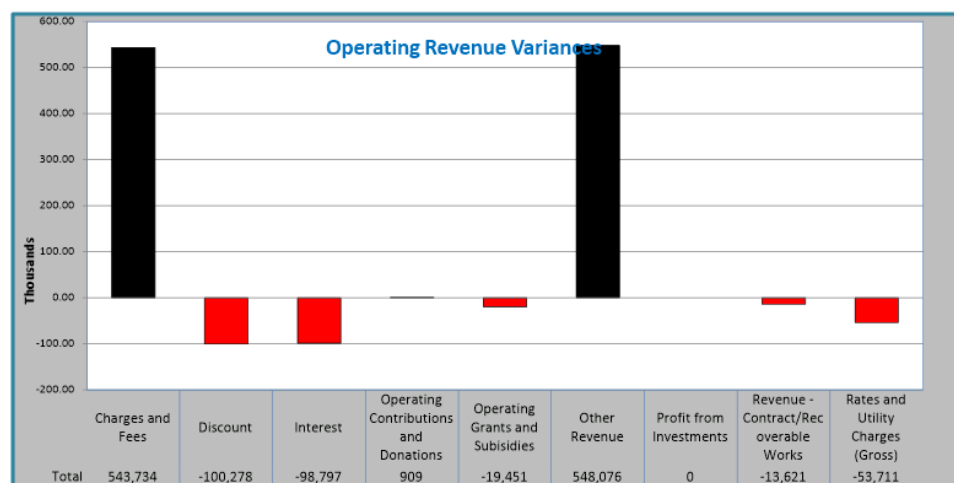
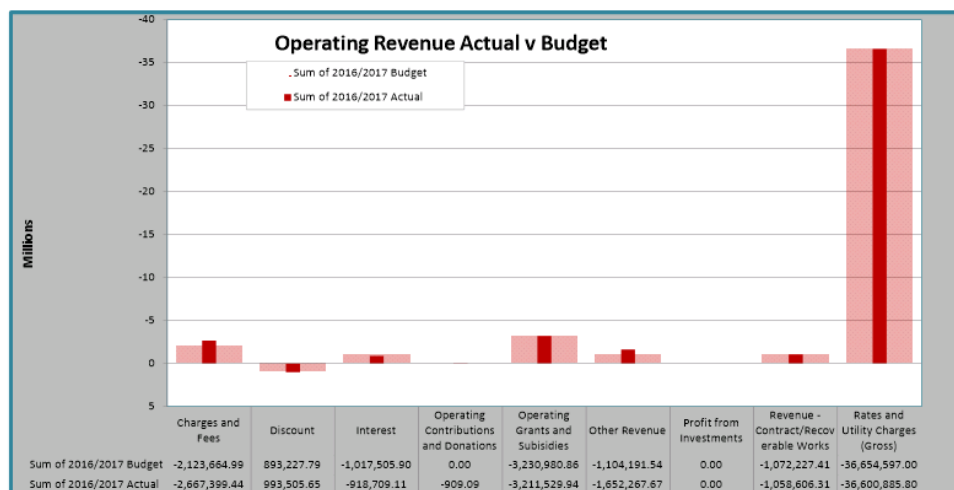
For the Period Ended 31st January, 2017



## LOCKYER VALLEY REGIONAL COUNCIL

### Operating Revenue

For the Period Ended 31st January, 2017

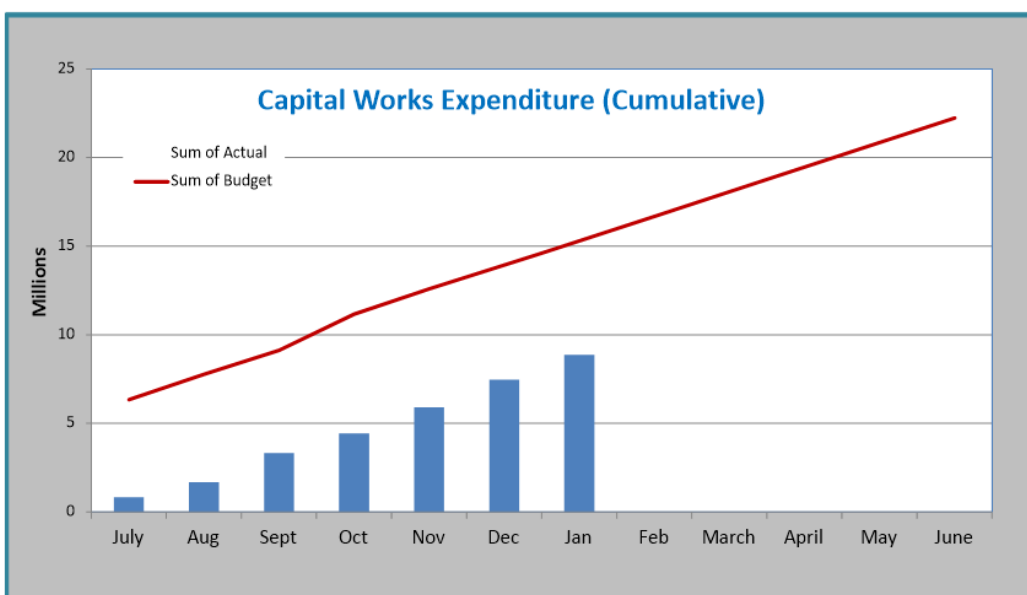


## LOCKYER VALLEY REGIONAL COUNCIL

### CAPITAL WORKS BY GROUP

For the Period Ended 31st January, 2017

Group	Budget	YTD Expenditure	Percent Spent
Corporate & Community Services	6,701,200	1,591,633	23.75%
Executive Office	1,280,000	1,040,038	81.25%
Infrastructure Works & Services	14,170,016	6,230,985	43.97%
Organisational Development & Planning	85,500	3,178	3.72%
<b>Grand Total</b>	<b>22,236,716</b>	<b>8,865,835</b>	<b>39.87%</b>



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

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	38,368,816	36,600,886	36,654,597	53,711	0.15
Discount	(1,475,000)	(993,506)	(893,228)	100,278	(11.23)
Charges and Fees	3,691,000	2,667,399	2,123,665	(543,734)	(25.60)
Interest	1,896,331	918,709	1,017,506	98,797	9.71
Operating Grants and Subsidies	7,066,249	3,211,530	3,230,981	19,451	0.60
Operating Contributions and Donations	1,330,000	909	-	(909)	0.00
Revenue - Contract/Recoverable Works	1,795,000	1,058,606	1,072,227	13,621	1.27
Other Revenue	1,765,600	1,652,268	1,104,192	(548,076)	(49.64)
Profit from Investments	1,699,000	-	-	-	-
<b>Total Operating Revenue</b>	<b>56,136,996</b>	<b>45,116,802</b>	<b>44,309,940</b>	<b>(806,862)</b>	<b>(1.82)</b>
<u>Operating Expenses:</u>					
Employee Costs	22,289,154	12,928,610	12,777,046	(151,564)	(1.19)
Goods and Services	18,670,022	8,510,543	9,593,354	1,082,812	11.29
Finance costs	1,691,400	889,483	853,572	(35,911)	(4.21)
Depreciation	13,147,000	7,483,768	7,669,083	185,315	2.42
<b>Total Operating Expenses</b>	<b>55,797,576</b>	<b>29,812,404</b>	<b>30,893,056</b>	<b>1,080,652</b>	<b>3.50</b>
<b>Operating Surplus/(Deficit)</b>	<b>339,420</b>	<b>15,304,398</b>	<b>13,416,884</b>	<b>(1,887,514)</b>	<b>(14.07)</b>
<u>Capital Revenue:</u>					
Capital Grants, Subsidies and Contributions	6,538,246	2,797,365	3,378,269	580,904	17.20
Profit (Loss) on Disposal of Non Current Assets	1,004,000	(792,681)	770,000	1,562,681	202.95
Other Capital Items	-	-	-	-	-
<b>Total Capital Revenue</b>	<b>7,542,246</b>	<b>2,004,684</b>	<b>4,148,269</b>	<b>2,143,585</b>	<b>51.67</b>
<b>Operating Surplus/(Deficit) After Capital Items</b>	<b>7,881,666</b>	<b>17,309,081</b>	<b>17,565,153</b>	<b>256,072</b>	<b>1.46</b>

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

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	31,838,054	30,147,226	30,122,075	(25,151)	(0.08)
Discount	(1,315,000)	(905,717)	(813,228)	92,490	(11.37)
Charges and Fees	2,821,000	2,206,981	1,614,679	(592,302)	(36.68)
Interest	1,860,331	896,312	997,584	101,272	10.15
Operating Grants and Subsidies	6,451,249	2,857,188	2,862,231	5,042	0.18
Operating Contributions and Donations	1,300,000	909	-	(909)	0.00
Revenue - Contract/Recoverable Works	835,000	446,855	504,596	57,741	11.44
Other Revenue	1,705,600	1,620,040	1,072,532	(547,509)	(51.05)
Profit from Investments	1,699,000	-	-	-	-
<b>Total Operating Revenue</b>	<b>47,195,234</b>	<b>37,269,794</b>	<b>36,360,469</b>	<b>(909,326)</b>	<b>(2.50)</b>
<u>Operating Expenses:</u>					
Employee Costs	20,521,599	11,928,462	11,776,583	(151,880)	(1.29)
Goods and Services	13,524,936	6,165,869	7,041,513	875,644	12.44
Finance costs	1,524,900	806,351	770,232	(36,118)	(4.69)
Depreciation	12,819,000	7,265,048	7,477,750	212,702	2.84
<b>Total Operating Expenses</b>	<b>48,390,435</b>	<b>26,165,731</b>	<b>27,066,078</b>	<b>900,347</b>	<b>3.33</b>
<b>Operating Surplus/(Deficit)</b>	<b>(1,195,200)</b>	<b>11,104,064</b>	<b>9,294,391</b>	<b>(1,809,673)</b>	<b>(19.47)</b>
<u>Capital Revenue:</u>					
Capital Grants, Subsidies and Contributions	6,538,246	2,797,365	3,378,269	580,904	17.20
Profit (Loss) on Disposal of Non Current Assets	1,004,000	(792,681)	770,000	1,562,681	202.95
Other Capital Items	-	-	-	-	-
<b>Total Capital Revenue</b>	<b>7,542,246</b>	<b>2,004,684</b>	<b>4,148,269</b>	<b>2,143,585</b>	<b>51.67</b>
<b>Operating Surplus/(Deficit) After Capital Items</b>	<b>6,347,046</b>	<b>13,108,747</b>	<b>13,442,660</b>	<b>333,913</b>	<b>2.48</b>

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

	Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<u>Operating Revenue:</u>					
Rates and Utility Charges (Gross)	6,530,762	6,453,660	6,532,522	78,862	1.21
Discount	(160,000)	(87,788)	(80,000)	7,788	(9.74)
Charges and Fees	870,000	460,418	508,986	48,568	9.54
Interest	36,000	22,397	19,922	(2,475)	(12.42)
Operating Grants and Subsidies	615,000	354,342	368,750	14,408	3.91
Operating Contributions and Donations	30,000	-	-	-	-
Revenue - Contract/Recoverable Works	960,000	611,751	567,631	(44,120)	(7.77)
Other Revenue	60,000	32,227	31,660	(567)	(1.79)
<b>Total Operating Revenue</b>	<b>8,941,762</b>	<b>7,847,007</b>	<b>7,949,471</b>	<b>102,464</b>	<b>1.29</b>
<u>Operating Expenses:</u>					
Employee Costs	1,767,555	1,000,147	1,000,463	316	0.03
Goods and Services	5,145,086	2,344,674	2,551,842	207,168	8.12
Finance costs	166,500	83,133	83,340	207	0.25
Depreciation	328,000	218,720	191,333	(27,386)	(14.31)
<b>Total Operating Expenses</b>	<b>7,407,141</b>	<b>3,646,673</b>	<b>3,826,978</b>	<b>180,305</b>	<b>4.71</b>
<b>Operating Surplus/(Deficit) before Capital</b>	<b>1,534,621</b>	<b>4,200,334</b>	<b>4,122,494</b>	<b>(77,841)</b>	<b>(1.89)</b>
<u>Capital Revenue and Expenses:</u>					
	-	-	-	-	-
<b>Total Capital Revenue</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Operating Surplus/(Deficit) After Capital Items</b>	<b>1,534,621</b>	<b>4,200,334</b>	<b>4,122,494</b>	<b>(77,841)</b>	<b>(1.89)</b>

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

	2016-2017 Full Year Budget	2016-2017 YTD Actual
<b><u>Current Assets</u></b>		
Cash assets and cash equivalents	18,630,000	7,540,402
Cash investments	-	15,000,000
Trade and other receivables	3,350,000	21,361,633
Inventories	3,490,000	390,825
Non-current assets classified as held for sale	-	2,979,000
<b>Total Current Assets</b>	<b>25,470,000</b>	<b>47,271,860</b>
<b><u>Non Current Assets</u></b>		
Trade and other receivables	14,740,000	14,734,969
Equity investments	29,350,000	28,006,270
Investment properties	1,000,000	1,000,000
Property, plant and equipment	550,120,000	541,934,838
Intangible assets	4,970,000	4,036,280
<b>Total Non Current Assets</b>	<b>600,170,000</b>	<b>589,712,357</b>
<b>TOTAL ASSETS</b>	<b>625,640,000</b>	<b>636,984,218</b>
<b><u>Current Liabilities</u></b>		
Trade and other payables	3,960,000	4,154,732
Provisions	4,000,000	4,361,483
Borrowings	1,670,000	761,481
Other	-	-
<b>Total Current Liabilities</b>	<b>9,630,000</b>	<b>9,277,696</b>
<b><u>Non Current Liabilities</u></b>		
Provisions	21,820,000	21,857,043
Borrowings	30,580,000	33,003,235
<b>Total Non Current Liabilities</b>	<b>52,390,000</b>	<b>54,860,278</b>
<b>TOTAL LIABILITIES</b>	<b>62,020,000</b>	<b>64,137,973</b>
<b>NET COMMUNITY ASSETS</b>	<b>563,620,000</b>	<b>572,846,244</b>
<b><u>Community Equity</u></b>		
Retained surplus (deficiency)	361,560,000	346,033,593
Asset revaluation surplus	201,710,000	201,937,092
Reserves	-	7,566,478
Current Surplus/(Deficit)	350,000	17,309,081
<b>TOTAL COMMUNITY EQUITY</b>	<b>563,620,000</b>	<b>572,846,244</b>

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

	2016-2017 Full Year Budget	2016-2017 YTD Actuals
<b><u>Cash flows from operating activities:</u></b>		
<b><u>Receipts</u></b>		
Receipts from customers	54,220,000	28,348,033
Dividend received	-	-
Interest received	1,890,000	918,709
<b><u>Payments</u></b>		
Payments to suppliers and employees	(43,310,000)	(23,325,003)
Interest expense	(1,570,000)	(832,174)
<b>Net cash inflow (outflow) from operating activities</b>	<b>11,230,000</b>	<b>5,109,565</b>
<b><u>Cash flows from investing activities:</u></b>		
Capital grants, subsidies and contributions	6,260,000	2,797,365
Payments for property, plant and equipment	(21,960,000)	(8,723,446)
Payments for investment property	-	-
Net transfer (to) from cash investments	730,000	-
Proceeds from sale of property plant and equipment	1,930,000	1,398,063
<b>Net cash inflow (outflow) from investing activities</b>	<b>(13,040,000)</b>	<b>(4,528,018)</b>
<b><u>Cash flows from financing activities:</u></b>		
Repayment of borrowings	(2,260,000)	(743,307)
Proceeds from borrowings	-	-
<b>Net cash inflow (outflow) from financing activities</b>	<b>(2,260,000)</b>	<b>(743,307)</b>
<b>Net increase (decrease) in cash and cash equivalents held</b>	<b>(4,070,000)</b>	<b>(161,760)</b>
Cash and cash equivalents at beginning of the financial year	22,700,000	22,702,161
<b>Cash and cash equivalents at end of the financial year</b>	<b>18,630,000</b>	<b>22,540,402</b>



**LOCKYER VALLEY REGIONAL COUNCIL**  
**CAPITAL WORK SUMMARY**  
January, 2017

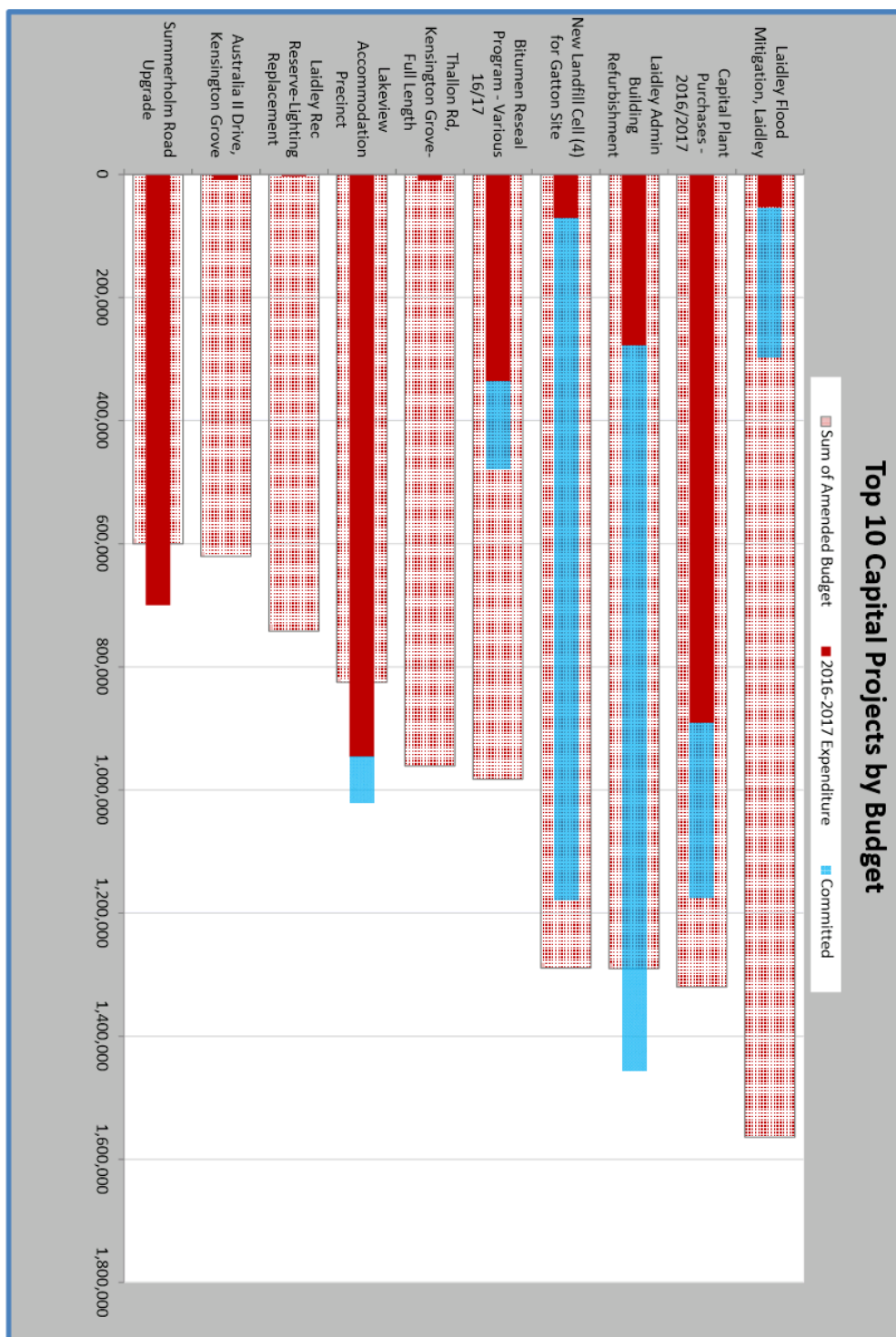
	2016-2017 Amended Budget	2016-2017 Expenditure	Committed	2016-2017 Expenditure (including Committed)	Remaining Budget (including Committed)
<b>Corporate &amp; Community Services</b>					
Community Facilities Management	255,000	83,199	0	83,199	171,801
Disaster Management	164,000	29,850	121,950	151,800	12,200
Facilities	2,885,200	613,511	1,238,577	1,852,088	1,033,112
Information Management	220,000	93,159	3,482	96,641	123,359
Information Technology	1,265,000	464,058	268,924	732,981	532,019
Public Order & Safety	165,000	143,288	455	143,743	21,257
SES	12,000	0	0	0	12,000
Transfer Stations	1,690,000	144,445	1,141,116	1,285,561	404,439
Gatton Child Care Centre	45,000	20,124	0	20,124	24,876
<b>Corporate &amp; Community Services Total</b>	<b>6,701,200</b>	<b>1,591,633</b>	<b>2,774,504</b>	<b>4,366,138</b>	<b>2,335,062</b>
<b>Executive Office</b>					
Regional Development Management	1,028,000	988,644	76,463	1,065,107	-37,107
Legal Services	72,000	29,395	37,960	67,354	4,646
Advocacy	180,000	22,000	0	22,000	158,000
<b>Executive Office Total</b>	<b>1,280,000</b>	<b>1,040,038</b>	<b>114,423</b>	<b>1,154,461</b>	<b>125,539</b>
<b>Infrastructure Works &amp; Services</b>					
Capital Program Delivery	12,064,516	4,834,396	817,181	5,651,578	6,412,938
Depot	20,000	27,634	2,193	29,827	-9,827
Fleet	1,320,000	891,807	284,349	1,176,156	143,844
Parks & Open Spaces	615,500	379,528	57,583	437,111	178,389
Roads & Drainage	75,000	18,141	0	18,141	56,859
Cemetery	75,000	79,479	12,005	91,484	-16,484
<b>Infrastructure Works &amp; Services Total</b>	<b>14,170,016</b>	<b>6,230,985</b>	<b>1,173,313</b>	<b>7,404,298</b>	<b>6,765,718</b>
<b>Organisational Development &amp; Planning</b>					
Staging Post Café	84,500	1,803	0	1,803	82,697
Planning & Environmental Management	1,000	1,375	0	1,375	-375
<b>Organisational Development &amp; Planning Total</b>	<b>85,500</b>	<b>3,178</b>	<b>0</b>	<b>3,178</b>	<b>82,322</b>
<b>Grand Total</b>	<b>22,236,716</b>	<b>8,865,835</b>	<b>4,062,239</b>	<b>12,928,075</b>	<b>9,308,641</b>

**LOCKYER VALLEY REGIONAL COUNCIL**  
**CAPITAL WORKS DETAIL**  
January, 2017

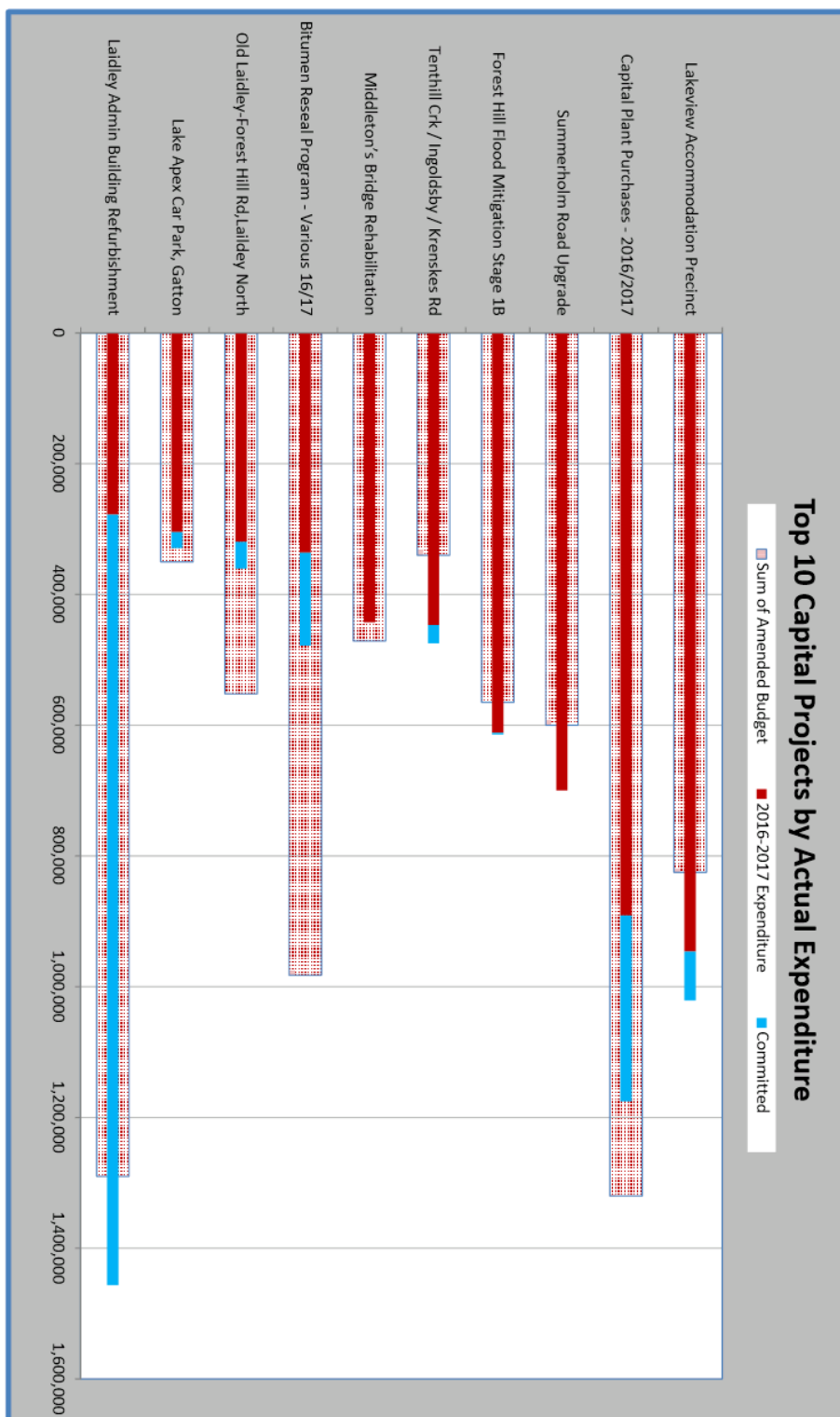
	Amounts					
	2016-2017 Budget	2016-2017 Expenditure	Committed	2016-2017 Expenditure (including Committed)	Remaining Budget (including Committed)	
<b>Corporate &amp; Community Services</b>						
<b>Community Facilities Management</b>						
Buildings & Facilities Asset Replacement	215,000	73,027	0	73,027	141,974	
Laidley Swimming Pool refurbishment	40,000	10,173	0	10,173	29,827	
Community Facilities Management Total	255,000	83,199	0	83,199	171,801	
<b>Disaster Management</b>						
Emergency Shed Security	2,000	0	0	0	2,000	
Flood Information System Upgrade	40,000	0	98,750	98,750	-58,750	
Glenore Grove Camera System	55,000	29,850	0	29,850	25,150	
Mount Sylvia Warning System	45,000	0	0	0	45,000	
Portable Communications Kit	22,000	0	0	0	22,000	
Waterride Flood Intelligence	0	0	23,200	23,200	-23,200	
Disaster Management Total	164,000	29,850	121,950	151,800	12,200	
<b>Facilities</b>						
Administration Buildings	21,200	18,183	0	18,183	3,017	
Construct Disabled Toilet - Laidley Pool	40,000	0	0	0	40,000	
Decommission Old Gatton Pool	240,000	109,200	950	110,150	129,850	
Donga Sales & Relocation	3,000	11,434	0	11,434	-8,434	
Gatton Aquatic Centre Complex	89,000	0	0	0	89,000	
Gatton Showgrounds-Replace Timber Poles	25,000	0	0	0	25,000	
Gatton Squash Courts Refurbishment	20,000	17,980	0	17,980	2,020	
Implementation of Sport & Rec Report	40,000	0	0	0	40,000	
Laidley Admin Building Refurbishment	1,290,000	277,751	1,178,821	1,456,572	-166,572	
Laidley Mall	40,000	5,904	3,800	9,704	30,296	
Laidley Rec Reserve-Lighting Replacement	742,000	3,157	0	3,157	738,843	
Laidley Saleyards	70,000	63,690	0	63,690	6,310	
Lockyer Valley Cultural Centre	115,000	101,730	41,305	143,036	-28,036	
LVSAC - Splash Pad	80,000	4,481	13,701	18,182	61,818	
Replace Shade Shelters-Laidley Pool	20,000	0	0	0	20,000	
Static Safety Lines- Various Facilities	50,000	0	0	0	50,000	
Facilities Total	2,885,200	613,511	1,238,577	1,852,088	1,033,112	
<b>Information Management</b>						
Physical Records Relocation Project	220,000	93,159	3,482	96,641	123,359	
Information Management Total	220,000	93,159	3,482	96,641	123,359	
<b>Information Technology</b>						
Aerial Photography	60,000	35,085	0	35,085	24,915	
Data Centre Monitoring	80,000	9,989	31,655	41,643	38,357	
GIS Enhancement	70,000	0	0	0	70,000	
Laidley Cultural Centre Access Control	15,000	67	0	67	14,933	
Network Security	50,000	0	0	0	50,000	
Network Upgrades & Replacements	20,000	0	0	0	20,000	
Rates Modelling Software	0	17,468	0	17,468	-17,468	
Skype for Business	92,000	93,102	2,989	96,090	-4,090	
Technology One 'ECM Upgrade'	184,000	36,541	7,813	44,353	139,647	
Technology One 'One Council' Project	578,000	271,806	226,468	498,274	79,726	
Upgrade Desktop Operating System	30,000	0	0	0	30,000	
Upgrade MS Office	30,000	0	0	0	30,000	
Upgrade Sharepoint to 2013	30,000	0	0	0	30,000	
Website Upgrade	20,000	0	0	0	20,000	
Wireless Network Secured	6,000	0	0	0	6,000	
Information Technology Total	1,265,000	464,058	268,924	732,981	532,019	
<b>Public Order &amp; Safety</b>						
Body Cameras	25,000	0	0	0	25,000	
Gatton CCTV Project	57,000	51,837	0	51,837	5,163	
Laidley CCTV Project	41,000	35,044	0	35,044	5,956	
Lake Apex Car Park CCTV Installation	0	18,722	455	19,177	-19,177	
Lockyer Valley Cultural Centre CCTV	42,000	37,684	0	37,684	4,316	
Public Order & Safety Total	165,000	143,288	455	143,743	21,257	

	Amounts				
	2016-2017 Budget	2016-2017 Expenditure	Committed	2016-2017 Expenditure (including Committed)	Remaining Budget (including Committed)
<b>SES</b>					
Laidley SES Building	7,000	0	0	0	7,000
Technology & Communications Improvements	5,000	0	0	0	5,000
<b>SES Total</b>	<b>12,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12,000</b>
<b>Transfer Stations</b>					
30 Cubic Metre Transfer Station Bins	45,000	0	0	0	45,000
Bunded Sheds & Units Hazardous Material	58,000	0	0	0	58,000
Digital Camera Replacement for 3 sites	30,000	11,564	0	11,564	18,436
Electricity to Withcott Transfer Station	75,000	0	0	0	75,000
Gatton Landfill Capping - Western End	110,000	2,182	33,022	35,204	74,797
Laidley Transfer Station Improvement	0	557	80	637	-637
Lockrose Transfer Station	20,000	0	0	0	20,000
New Landfill Cell (4) for Gatton Site	1,289,000	70,935	1,108,015	1,178,950	110,050
Waste Disposal Sites Survey and Fencing	41,000	59,207	0	59,207	-18,207
Wheeler Bin Lifters (Electrical)	22,000	0	0	0	22,000
<b>Transfer Stations Total</b>	<b>1,690,000</b>	<b>144,445</b>	<b>1,141,116</b>	<b>1,285,561</b>	<b>404,439</b>
<b>Gatton Child Care Centre</b>					
Child Care Centres	35,000	20,124	0	20,124	14,876
Gatton Child Care Centre Pavement Replace	10,000	0	0	0	10,000
<b>Gatton Child Care Centre Total</b>	<b>45,000</b>	<b>20,124</b>	<b>0</b>	<b>20,124</b>	<b>24,876</b>
<b>Corporate &amp; Community Services Total</b>	<b>6,701,200</b>	<b>1,591,633</b>	<b>2,774,504</b>	<b>4,366,138</b>	<b>2,335,062</b>
<b>Executive Office</b>					
<b>Regional Development Management</b>					
GWIZ	128,000	39,386	1,625	41,011	86,989
Lakeview Accommodation Precinct	825,000	946,099	74,838	1,020,937	-195,937
Presale Activities-Grantham Wests	75,000	3,160	0	3,160	71,841
<b>Regional Development Management Total</b>	<b>1,028,000</b>	<b>988,644</b>	<b>76,463</b>	<b>1,065,107</b>	<b>-37,107</b>
<b>Legal Services</b>					
Sale of Council Owned Land	72,000	29,395	37,960	67,354	4,646
<b>Legal Services Total</b>	<b>72,000</b>	<b>29,395</b>	<b>37,960</b>	<b>67,354</b>	<b>4,646</b>
<b>Advocacy</b>					
Lockyer Valley Pre-Feasibility Study	180,000	22,000	0	22,000	158,000
<b>Advocacy Total</b>	<b>180,000</b>	<b>22,000</b>	<b>0</b>	<b>22,000</b>	<b>158,000</b>
<b>Executive Office Total</b>	<b>1,280,000</b>	<b>1,040,038</b>	<b>114,423</b>	<b>1,154,461</b>	<b>125,539</b>
<b>Infrastructure Works &amp; Services</b>					
<b>Capital Program Delivery</b>					
13 Wilson Court, Laidley	0	-147	0	-147	147
Advance Court, Kensington Grove	50,000	57,617	0	57,617	-7,617
Airforce Road, Helidon	280,000	221,607	11,960	233,567	46,433
Amos Road, Withcott - CH 0-840	200,000	0	0	0	200,000
Australia II Drive, Kensington Grove	620,500	9,093	0	9,093	611,407
Beavan Street, Gatton	0	29,608	0	29,608	-29,608
Bitumen Reseal Program - Various 16/17	982,424	336,043	142,221	478,264	504,160
Bridge strengthening investigation and w	150,000	0	13,323	13,323	136,677
Brightview Road, Lockrose - CH 4530	40,000	0	0	0	40,000
Crescent Street, Gatton - CH 640-690	40,000	33,730	0	33,730	6,270
Crowley Vale Road Culvert Replacement	0	200	0	200	-200
Crowley Vale Road, Crowley Vale	500,892	208,321	58,703	267,023	233,869
Crowley Vale Road, Crowley Vale - CH 500	100,000	4,899	0	4,899	95,101
East St / Crescent St, Gatton	142,200	3,603	1,200	4,803	137,397
Forest Hill Flood Mitigation Stage 1B	565,000	611,653	2,660	614,313	-49,313
Gehrke Road, Regency Downs	470,000	208,327	46,671	254,997	215,003
Grantham Scrub Road and Carpendale Road,	520,000	86,400	4,245	90,646	429,354
Gravel Resheeting Program - Various	530,000	263,182	70,413	333,595	196,405
Harm Drive, Crowley Vale - CH510	50,000	5,093	0	5,093	44,907
Hatton Vale State School, Hatton Vale	60,000	44,080	0	44,080	15,920
Herbert Street, Laidley	0	35,368	0	35,368	-35,368
Jones Road Footpath	0	779	0	779	-779
Jones Road, Withcott	150,000	0	0	0	150,000
Jordan Street, Laidley	0	17,129	0	17,129	-17,129
Kentville Road, Kentville - CH 520	100,000	3,258	0	3,258	96,742
Krenskes Road Floodway	60,000	72,812	694	73,507	-13,507
Laidley Flood Mitigation, Laidley	1,564,000	52,944	244,968	297,913	1,266,087
Lake Apex Car Park, Gatton	350,000	304,609	24,428	329,037	20,963
Lake Clarendon Rd (LCS School), Lake Cla	50,000	14,031	12,037	26,068	23,932
Lake Clarendon Way / Main Greenswamp Rd	416,000	5,112	33,573	38,685	377,315

	Amounts				
	2016-2017 Budget	2016-2017 Expenditure	Committed	2016-2017 Expenditure (including Committed)	Remaining Budget (including Committed)
Lawlers Road, Grantham - CH 3730 - 6140	310,000	0	0	0	310,000
Lowe Street, Laidley	0	12,439	0	12,439	-12,439
Markai Rd / Nangara Rd, Lockyer Waters	71,000	4,356	0	4,356	66,644
Middleton's Bridge Rehabilitation	471,000	442,520	0	442,520	28,480
Mountain Road Upgrade	58,000	26,174	0	26,174	31,826
North St / William St, Gatton	178,500	2,200	1,200	3,400	175,100
Old College Road	0	19,354	0	19,354	-19,354
Old College Road / Allan Street	0	3,791	0	3,791	-3,791
Old Laidley-Forest Hill Rd, Laidley North	552,000	319,347	41,235	360,582	191,418
Princess Street, Gatton	0	85,678	0	85,678	-85,678
Railway Street, Laidley	93,000	15,914	0	15,914	77,086
Sandpiper Drive, Regency Downs	110,000	36,025	6,561	42,586	67,414
Strong Street, Gatton	0	11,290	0	11,290	-11,290
Summerholm Road Upgrade	600,000	699,673	0	699,673	-99,673
Tenthill Crk / Ingoldsby / Krenskes Rd	340,000	446,672	28,005	474,678	-134,678
Tenthill Crk Rd / Winwill Connection Rd	151,500	2,388	0	2,388	149,112
Thallon Rd, Kensington Grove-Full Length	961,000	9,731	0	9,731	951,269
Unsealed Road Gravel Trial	0	2,635	0	2,635	-2,635
William St / Orton St, Laidley	77,500	54,250	17,169	71,420	6,080
William Street/Spencer Street, Gatton	100,000	10,606	4,739	15,345	84,655
Woodlands Road	0	0	51,177	51,177	-51,177
<b>Capital Program Delivery Total</b>	<b>12,064,516</b>	<b>4,834,396</b>	<b>817,181</b>	<b>5,651,578</b>	<b>6,412,938</b>
<b>Depot</b>					
Gatton Depot Supervisors Office Fit out	20,000	27,634	2,193	29,827	-9,827
<b>Depot Total</b>	<b>20,000</b>	<b>27,634</b>	<b>2,193</b>	<b>29,827</b>	<b>-9,827</b>
<b>Fleet</b>					
Capital Plant Purchases	0	794	0	794	-794
Capital Plant Purchases - 2016/2017	1,320,000	891,014	284,349	1,175,363	144,637
<b>Fleet Total</b>	<b>1,320,000</b>	<b>891,807</b>	<b>284,349</b>	<b>1,176,156</b>	<b>143,844</b>
<b>Parks &amp; Open Spaces</b>					
Cunningham Crest Lookout, Laidley	140,000	128,145	0	128,145	11,855
Forest Hill Recreational Reserve, Forest	8,000	0	0	0	8,000
Gatton CBD Revitalisation	110,000	46,353	42,243	88,595	21,405
Koala Park, Gatton	60,000	0	0	0	60,000
Laidley Recreation Reserve, Anzac Park	2,500	2,062	636	2,698	-198
Lake Apex Park, Gatton	85,000	54,963	0	54,963	30,037
Land Clearing, Grantham	18,000	20,329	0	20,329	-2,329
McNulty Park, Laidley	7,000	6,560	0	6,560	440
Narda Lagoon Levee - Irrigation	0	0	6,200	6,200	-6,200
North Street, Gatton	0	0	8,050	8,050	-8,050
Parks Infrastructure Replacement Program	55,000	24,894	455	25,349	29,651
Walter Brunner Park	120,000	96,223	0	96,223	23,777
William Kemp Park - Replace existing bol	10,000	0	0	0	10,000
<b>Parks &amp; Open Spaces Total</b>	<b>615,500</b>	<b>379,528</b>	<b>57,583</b>	<b>437,111</b>	<b>178,389</b>
<b>Roads &amp; Drainage</b>					
Mount Berryman Road - Rehabilitation	25,000	18,141	0	18,141	6,859
Western Drive Shared Path	50,000	0	0	0	50,000
<b>Roads &amp; Drainage Total</b>	<b>75,000</b>	<b>18,141</b>	<b>0</b>	<b>18,141</b>	<b>56,859</b>
<b>Cemetery</b>					
Forrest Hill Columbarium	10,000	0	0	0	10,000
Gatton Cemetery Extension	65,000	79,479	12,005	91,484	-26,484
<b>Cemetery Total</b>	<b>75,000</b>	<b>79,479</b>	<b>12,005</b>	<b>91,484</b>	<b>-16,484</b>
<b>Infrastructure Works &amp; Services Total</b>	<b>14,170,016</b>	<b>6,230,985</b>	<b>1,173,313</b>	<b>7,404,298</b>	<b>6,765,718</b>
<b>Organisational Development &amp; Planning</b>					
<b>Staging Post Café</b>					
Mini Re-Model	82,000	1,803	0	1,803	80,197
WiFi	2,500	0	0	0	2,500
<b>Staging Post Café Total</b>	<b>84,500</b>	<b>1,803</b>	<b>0</b>	<b>1,803</b>	<b>82,697</b>
<b>Planning &amp; Environmental Management</b>					
Laidley Futures - Main Steel works	1,000	1,375	0	1,375	-375
<b>Planning &amp; Environmental Management Total</b>	<b>1,000</b>	<b>1,375</b>	<b>0</b>	<b>1,375</b>	<b>-375</b>
<b>Organisational Development &amp; Planning Total</b>	<b>85,500</b>	<b>3,178</b>	<b>0</b>	<b>3,178</b>	<b>82,322</b>
<b>Grand Total</b>	<b>22,236,716</b>	<b>8,865,835</b>	<b>4,062,239</b>	<b>12,928,075</b>	<b>9,308,641</b>









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

This report provides an updated budget resulting from changes in Council's operations since the budget was adopted. A comprehensive review of all Council budget lines has been conducted to identify variances in income and expenditure, which need to be addressed through a budget variation. The changes include adjustments to operating income and expenditure, and capital works. Attached to the report is the updated Long Term Financial Forecast incorporating the recommended budget changes for Council adoption.

**THAT Council resolves to adopt the amended 2016-17 Budget and Long Term Financial Forecast as set out in the Attachment.**

**Moved By:** Cr Wilson      **Seconded By:** Cr Hagan  
**Resolution Number:** 16-20/0382

# ORDINARY COUNCIL MEETING MINUTES 22 FEBRUARY 2017

and expenditure items for the six months to 31 December 2016. As a result of this review, it is recommended that Council amend its 2016/17 budget and associated long-term financial forecast to better reflect the current budgeted position.

## 3. Report

At the end of the December quarter, a review of the financial performance against the budget was conducted. With half of the year now completed, the budget can be varied with more certainty. A further budget review will be conducted during the second half of the year to make any final adjustments before year-end.

Table 1 shows the operational income and expense items, which require amendment:

**TABLE 1 – OPERATING BUDGET AMENDMENTS**

Item	Income/ Expenditure	Description	Amount Increase/ (Decrease)	Comment
1	Income	Fees & Charges	500,000	Increase in development fees (\$300k), plumbing fees (\$100k), cemetery fees (\$30k) and dog registrations (\$70k).
2	Income	Interest Revenue	(142,000)	Reduction in bank interest (\$142k) due to interest rates remaining lower than expected.
3	Income	Federal Grants	38,000	Payment of plant hire recoveries by QRA.
4	Income	State Grants	60,000	Increase in QGAP funding (\$68k) offsetting net reduction in SES funding (\$8k).
5	Income	Other Revenue	512,000	Unexpected insurance recoveries (\$222k), rent on community housing (\$107k), QUU Income tax equivalent increase (\$100k), refunds of premiums and other costs (\$53k), and various minor increases in other income.
	<b>Total Income</b>		<b>968,000</b>	<b>Net Increase in Revenues.</b>
6	Expenditure	Employee Costs	306,000	Adjustments to salaries and wages for Staging Post Café and contract staff as well as leave adjustments.
7	Expenditure	Materials & Services	(571,500)	Reductions in contractors, consultants, communications, promotions, materials, plant & fleet costs offsetting increases in legal costs, printing and general expenses.
7	Expenditure	Depreciation	(499,000)	Reduction in depreciation due to improved asset data regarding useful lives and unit rates.
	<b>Total Expenditure</b>		<b>(764,500)</b>	<b>Net Decrease in Expenditure.</b>
	<b>Net Total</b>		<b>(1,732,500)</b>	<b>Overall, net Improvement in Council's Operating Result.</b>



# ORDINARY COUNCIL MEETING MINUTES 22 FEBRUARY 2017

The changes to the operational budget will increase the projected surplus by \$1.73M. Of the total changes, \$0.82M are ongoing savings and have been built into the long term financial forecast. The breakdown of the changes is as follows:

	One Off	Ongoing	Grand Total
<b>Income</b>			
Commonwealth Grants	38,000	-	38,000
Fees & Charge	400,000	100,000	500,000
Investment Income	-	(142,000)	(142,000)
Other Revenue	394,500	117,500	512,000
State Gov't Grants	(8,000)	68,000	60,000
<b>Income Total</b>	<b>824,500</b>	<b>143,500</b>	<b>968,000</b>
<b>Expenditure</b>			
Employee Costs	93,000	213,000	306,000
Materials & Services	(178,500)	(393,000)	(571,500)
Depreciation	-	(499,000)	(499,000)
<b>Expenditure Total</b>	<b>(85,500)</b>	<b>(679,000)</b>	<b>(764,500)</b>
<b>Net Total</b>	<b>(910,000)</b>	<b>(822,500)</b>	<b>(1,732,500)</b>

The Management Team are continuing to monitor budgets to risk manage ongoing minor variances within departmental budgets with reporting monthly to the Executive Leadership Team on variances.

Table 2 shows the forecast changes to capital income and expense items, which also require amendment:

**TABLE 2 – CAPITAL BUDGET AMENDMENTS**

Item	Income/ Expenditure	Description	Amount Increase/ (Decrease)	Comment
1	Income	Capital Grants	110,000	\$50K extra for Flood Information System Upgrade \$60K extra for DM Regional Capability Building Funding
	Income	Advocacy	(96,000)	Grant now paid over two years
	Income	Public Order & Safety	12,500	Grant for Lake Apex Car Park CCTV
	Income	Regional Development	144,000	Contribution Towards Lakeview Accommodation Works
	Income	Capital Program Deliver	225,500	Grant for Middletons Bridge Construction
	Income	Capital Program Deliver	(277,000)	Black Spot Program is dollar for dollar funding - reduction to match capital works projects above
	<b>Total Income</b>		<b>119,000</b>	<b>Net increase in Revenues.</b>
2	Expenditure	Staging Post Café	(50,000)	Remodel of Staging Post Not Proceeding

**ORDINARY COUNCIL  
MEETING MINUTES  
22 FEBRUARY 2017**

Item	Income/ Expenditure	Description	Amount Increase/ (Decrease)	Comment
3	Expenditure	Regional Development	144,000	Additional costs for Lakeview Accommodation Works
4	Expenditure	Disaster Management	46,000	Additional Water Ride System upgrade as per funding
5	Expenditure	Transfer Stations	(13,000)	Savings in purchase of new bins
6	Expenditure	Parks & Open Spaces	11,000	Replacement of Shade Sail in Grantham
8	Expenditure	Capital Program Delivery	(277,000)	Black Spot Projects completed and excess funds not required: <ul style="list-style-type: none"> <li>• Gerhke Road Regency Downs</li> <li>• Hatton Vale State School Parking</li> <li>• Old Laidley and Forest Hill Road</li> </ul>
	<b>Total Expenditure</b>		<b>(139,000)</b>	<b>Net decrease in Expenditure.</b>
	<b>Net Total</b>		<b>(258,000)</b>	<b>Overall net decrease in Expenditure.</b>

A further review of projects that are not likely to be completed in the 2016/17 year will be undertaken in March so that the budget and associated cash flows can be amended.

#### 4. Policy and Legal Implications

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

#### 5. Financial and Resource Implications

The amendments contained in this budget review are the result of a detailed and comprehensive review by the management team. Each Manager has assessed the variances in their budgets and adjustments have been made accordingly.

It should be noted that of the total adjustment of \$1.73M to the operating statement, \$0.82M is ongoing savings, and most of that amount is related to depreciation. While the reduction in depreciation has been applied to future years, the amounts are still subject to review as assets are revalued.

Some of the items included in the one-off savings will be further reviewed as part of the development of the 2017/18 Budget. These items are mainly project costs, which may no longer be of a high priority.

The updated Relevant Measures of Financial Sustainability are as follows:

# ORDINARY COUNCIL MEETING MINUTES 22 FEBRUARY 2017

	Target	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	Average
1 Operating Surplus Ratio (Net Operating Surplus / Total Operating Revenue) (%)	Between 0% and 10%	(5.0)%	3.6%	1.6%	2.5%	3.2%	4.8%	5.1%	7.7%	7.7%	7.6%	8.3%	5.2%
2 Net Financial Asset / Liability Ratio (Total Liabilities - Current Assets) / Total Operating Revenue	<= 60%	64.1%	61.4%	62.1%	57.9%	53.0%	48.2%	42.0%	35.3%	30.2%	23.4%	16.0%	42.9%
3 Asset Sustainability Ratio (Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)	>90%	96.1%	121.7%	107.4%	101.6%	98.4%	103.6%	105.5%	112.5%	113.7%	107.9%	107.0%	107.9%

The key changes to the long term forecast are:

Operating Service Ratio – The long term average increases from 3.6% to 5.2%, with operating surpluses maintained for the life of the plan.

Net Financial Asset/Liability Ratio – The long term average decreases from 48.1% to 42.9% and the ratio now only temporarily exceeds the recommended level for the 2017 and 2018 financial years. This ratio is highly dependent on Council's cash balances and the completion of the capital works program. It is likely that these ratios will improve as the capital program is reviewed.

Asset Sustainability Ratio – The long term average increases from 104.0% to 107.9% mainly due to the change in classification for projects in future years. The level of renewal works remains above the recommended ratio but is subject to change depending on the capital works approved and completed each year and further development of Council's asset management plans. The newly developed asset management plans will have a significant impact on the accuracy of this ratio in future years.

In addition to the legislated measures of financial sustainability, Council has also been monitoring its Cash Expense Coverage Ratio. This ratio is an indication of how many months of operations are supported by cash balances, with a recommended target of greater than three months. The updated ratio shows that Council is maintaining adequate cash to undertake its operations:

	Target	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	Average
Cash Expense Cover Ratio	>3	6.6	5.9	5.0	4.6	4.3	4.0	3.9	4.0	4.1	4.4	4.9	4.5
Number of months of operations supported by cash balance													

The amended long term financial forecast shows an improvement in Council's overall long term financial position. This is still subject to change as the year progresses and a high sense of budget discipline will be required to maintain or improve the operating surplus. The amended long term financial forecast will form the starting point for the development of the 2017/18 Budget.

## 6. Delegations/Authorisations

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

## 7. Communication and Engagement

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

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**8. Conclusion**

The December Quarterly Review has identified a number changes that need to be made to the budget and long term forecast. A comprehensive review of all Council budget lines has been conducted and variances in income and expenditure have been addressed through a budget variation. The changes include adjustments to both operating and capital income and expenditure.

**9. Action/s**

1. Update the Long Term Financial Forecast and publish it on Council's website.
2. Update the budgets in the One Council financial system.

**Attachments**

1 [View](#) Quarterly Budget Review - December 2017 4 Pages

Lockyer Valley Regional Council  
Amended 2016/2017 Budget and Long Term Financial Forecast 2017 to 2026  
Statement of Income and Expenditure

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Revenue</b>										
<b>Recurrent revenue:</b>										
Rates & Utility Charges	36.37M	40.16M	42.02M	43.90M	45.90M	47.79M	49.76M	50.81M	52.91M	55.09M
Less Discounts	(1.48M)	(1.54M)	(1.61M)	(1.68M)	(1.76M)	(1.83M)	(1.90M)	(1.98M)	(2.06M)	(2.14M)
Net rates and utility charges	36.89M	38.62M	40.41M	42.22M	44.14M	45.96M	47.86M	48.83M	50.85M	52.95M
Fees and charges	4.19M	3.79M	3.90M	4.02M	4.14M	4.27M	4.39M	4.53M	4.66M	4.80M
Sales - contract and recoverable works	1.80M	1.84M	1.89M	1.93M	1.98M	2.03M	2.08M	2.13M	2.19M	2.24M
General purpose grants	8.49M	7.11M	7.18M	7.08M	7.33M	7.40M	7.48M	7.52M	7.77M	7.85M
Interest received	1.75M	1.86M	1.85M	1.86M	1.90M	1.92M	1.95M	1.99M	2.06M	2.15M
Other recurrent income	3.98M	3.69M	3.79M	3.86M	3.94M	4.00M	4.06M	4.13M	4.19M	4.26M
<b>Total recurrent revenue</b>	<b>57.10M</b>	<b>56.92M</b>	<b>59.03M</b>	<b>60.99M</b>	<b>63.43M</b>	<b>65.59M</b>	<b>67.83M</b>	<b>69.13M</b>	<b>71.73M</b>	<b>74.26M</b>
<b>Capital revenue:</b>										
Capital Grants, Contributions & Donations	6.66M	1.27M	1.12M	1.13M	0.94M	0.94M	0.94M	0.94M	0.44M	0.60M
Gain on sale of property, plant and equipment	1.00M	0.29M	0.42M	0.38M	0.21M	0.35M	0.14M	0.14M	0.14M	0.14M
<b>Total capital revenue</b>	<b>7.66M</b>	<b>1.56M</b>	<b>1.54M</b>	<b>1.51M</b>	<b>1.14M</b>	<b>1.28M</b>	<b>1.08M</b>	<b>0.58M</b>	<b>0.74M</b>	<b>0.74M</b>
<b>Total income</b>	<b>64.76M</b>	<b>58.48M</b>	<b>60.57M</b>	<b>62.49M</b>	<b>64.57M</b>	<b>66.87M</b>	<b>68.91M</b>	<b>69.71M</b>	<b>72.47M</b>	<b>75.00M</b>
<b>Expenses</b>										
<b>Recurrent expenses:</b>										
Employee benefits	22.58M	22.91M	23.26M	24.07M	24.91M	26.10M	27.21M	28.37M	29.48M	30.73M
Materials and services	18.10M	18.18M	18.57M	18.99M	19.45M	19.96M	20.51M	21.07M	21.65M	22.25M
Depreciation and amortisation	12.65M	13.32M	14.24M	14.63M	14.80M	15.08M	13.89M	13.49M	14.37M	14.48M
Finance costs	1.69M	1.58M	1.47M	1.36M	1.23M	1.11M	0.97M	0.85M	0.75M	0.64M
<b>Total expenses</b>	<b>55.02M</b>	<b>56.00M</b>	<b>57.54M</b>	<b>59.05M</b>	<b>60.39M</b>	<b>62.24M</b>	<b>62.59M</b>	<b>63.79M</b>	<b>66.25M</b>	<b>68.10M</b>
<b>Result from ordinary activities</b>	<b>9.75M</b>	<b>2.48M</b>	<b>3.03M</b>	<b>3.44M</b>	<b>4.18M</b>	<b>4.63M</b>	<b>6.32M</b>	<b>5.92M</b>	<b>6.22M</b>	<b>6.90M</b>
<b>Operating Result</b>										
Adj for Capital Income	2.08M	0.92M	1.49M	1.94M	3.04M	3.34M	5.24M	5.35M	5.47M	6.16M

Lockyer Valley Regional Council  
Amended 2016/2017 Budget and Long Term Financial Forecast 2017 to 2026  
Statement of Financial Position

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Current assets</b>										
Cash assets and cash equivalents	19,98M	17,20M	16,00M	15,49M	14,68M	15,07M	15,86M	16,87M	18,85M	21,52M
Other inventory	3,49M	3,49M	3,49M	3,49M	3,49M	3,49M	3,49M	3,49M	3,49M	3,49M
Receivables	2,94M	2,92M	3,03M	3,13M	3,27M	3,39M	3,51M	3,57M	3,71M	3,85M
Prepayments	0,47M	0,47M	0,47M	0,47M	0,47M	0,47M	0,47M	0,47M	0,47M	0,47M
<b>Total current assets</b>	<b>26,87M</b>	<b>24,07M</b>	<b>22,99M</b>	<b>22,57M</b>	<b>21,91M</b>	<b>22,41M</b>	<b>23,32M</b>	<b>24,39M</b>	<b>26,52M</b>	<b>29,32M</b>
<b>Non-current assets</b>										
Land held for development or sale	1,00M	1,00M	1,00M	1,00M	1,00M	1,00M	1,00M	1,00M	1,00M	1,00M
Joint Ventures & Associates	29,35M	30,39M	31,45M	32,54M	33,66M	34,78M	35,90M	37,02M	38,14M	39,25M
Property, plant and equipment	542,86M	582,53M	584,21M	585,60M	626,75M	627,55M	629,31M	673,40M	674,73M	683,59M
Intangible assets	4,87M	3,96M	3,10M	2,18M	1,65M	1,33M	1,20M	0,78M	0,43M	0,18M
Capital works in progress	7,72M	7,72M	7,72M	7,72M	7,72M	7,72M	7,72M	7,72M	7,72M	-
Other non-current assets	14,74M	14,74M	14,74M	14,74M	14,74M	14,74M	14,74M	14,74M	14,74M	14,74M
<b>Total non-current assets</b>	<b>600,53M</b>	<b>640,33M</b>	<b>642,22M</b>	<b>643,78M</b>	<b>685,52M</b>	<b>687,11M</b>	<b>689,86M</b>	<b>734,65M</b>	<b>736,76M</b>	<b>738,75M</b>
<b>Total assets</b>	<b>627,41M</b>	<b>664,40M</b>	<b>665,21M</b>	<b>666,35M</b>	<b>707,42M</b>	<b>709,52M</b>	<b>713,18M</b>	<b>759,04M</b>	<b>763,27M</b>	<b>768,08M</b>
<b>Current liabilities</b>										
Trade and other payables	3,88M	3,90M	3,96M	4,05M	4,17M	4,30M	4,43M	4,56M	4,71M	4,85M
Borrowings	1,67M	1,78M	1,90M	2,02M	2,15M	2,29M	1,62M	1,53M	1,74M	1,85M
Employee payables/provisions	3,87M	3,70M	3,87M	4,05M	4,23M	4,40M	4,58M	4,76M	4,94M	5,11M
Other provisions	0,13M	0,13M	0,13M	0,13M	0,13M	0,13M	0,13M	0,13M	0,13M	0,13M
<b>Total current liabilities</b>	<b>9,55M</b>	<b>9,51M</b>	<b>9,86M</b>	<b>10,26M</b>	<b>10,68M</b>	<b>11,13M</b>	<b>10,76M</b>	<b>11,08M</b>	<b>11,52M</b>	<b>11,95M</b>
<b>Non-current liabilities</b>										
Borrowings	30,58M	28,10M	25,50M	22,78M	19,92M	16,93M	14,61M	12,28M	9,84M	7,29M
Employee payables/provisions	0,51M	0,48M	0,51M	0,53M	0,55M	0,58M	0,60M	0,62M	0,64M	0,67M
Other provisions	21,31M	21,31M	21,31M	21,31M	21,31M	21,31M	21,31M	21,31M	21,31M	21,31M
<b>Total non-current liabilities</b>	<b>52,39M</b>	<b>49,88M</b>	<b>47,31M</b>	<b>44,61M</b>	<b>41,78M</b>	<b>38,81M</b>	<b>36,52M</b>	<b>34,21M</b>	<b>31,79M</b>	<b>29,26M</b>
<b>Total liabilities</b>	<b>61,94M</b>	<b>59,39M</b>	<b>57,17M</b>	<b>54,87M</b>	<b>52,46M</b>	<b>49,94M</b>	<b>47,28M</b>	<b>45,29M</b>	<b>43,30M</b>	<b>41,21M</b>
<b>Net community assets</b>	<b>565,47M</b>	<b>605,01M</b>	<b>608,04M</b>	<b>611,48M</b>	<b>654,96M</b>	<b>659,59M</b>	<b>665,90M</b>	<b>713,75M</b>	<b>719,97M</b>	<b>726,87M</b>
<b>Community equity</b>										
Asset revaluation reserve	201,71M	238,78M	238,78M	238,78M	278,07M	278,07M	278,07M	319,99M	319,99M	319,99M
Retained surplus (deficiency)	363,76M	366,24M	369,26M	372,71M	376,89M	381,52M	387,83M	393,76M	399,97M	406,88M
<b>Total community equity</b>	<b>565,47M</b>	<b>605,01M</b>	<b>608,04M</b>	<b>611,48M</b>	<b>654,96M</b>	<b>659,59M</b>	<b>665,90M</b>	<b>713,75M</b>	<b>719,97M</b>	<b>726,87M</b>

Lockyer Valley Regional Council  
Amended 2016/2017 Budget and Long Term Financial Forecast 2017 to 2026  
Statement of Cash Flows

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Cash flows from operating activities:</b>										
Receipts from customers	55.27M	53.27M	55.21M	57.16M	59.51M	61.67M	63.88M	65.20M	67.64M	70.10M
Payment to suppliers and employees	(43.12M)	(41.40M)	(41.69M)	(42.90M)	(44.16M)	(45.86M)	(47.53M)	(49.26M)	(50.93M)	(52.78M)
Interest received	1.75M	1.86M	1.85M	1.86M	1.90M	1.92M	1.95M	1.99M	2.06M	2.15M
Finance costs	(1.57M)	(1.46M)	(1.35M)	(1.23M)	(1.10M)	(0.97M)	(0.84M)	(0.71M)	(0.60M)	(0.49M)
<b>Net cash inflow (outflow) from operating activities</b>	<b>12.32M</b>	<b>12.27M</b>	<b>14.02M</b>	<b>14.89M</b>	<b>16.14M</b>	<b>16.76M</b>	<b>17.47M</b>	<b>17.23M</b>	<b>18.17M</b>	<b>18.98M</b>
<b>Cash flows from investing activities:</b>										
Payments for property, plant and equipment	(21.82M)	(14.81M)	(14.99M)	(14.97M)	(15.83M)	(15.40M)	(15.17M)	(15.38M)	(15.50M)	(15.50M)
Subsidies, donations and contributions for new capital expenditure	6.38M	0.77M	0.62M	0.63M	0.44M	0.44M	0.44M	0.44M	0.60M	0.60M
Proceeds from sale of property, plant and equipment	1.93M	0.58M	0.84M	0.75M	0.41M	0.70M	0.28M	0.28M	0.28M	0.28M
Net transfer (to) from cash investments	0.73M	0.77M	0.79M	0.78M	0.76M	0.76M	0.76M	0.76M	0.76M	0.76M
<b>Net cash inflow (outflow) from investing activities</b>	<b>(12.78M)</b>	<b>(12.69M)</b>	<b>(12.74M)</b>	<b>(12.81M)</b>	<b>(14.22M)</b>	<b>(13.51M)</b>	<b>(13.69M)</b>	<b>(13.90M)</b>	<b>(13.86M)</b>	<b>(13.86M)</b>
<b>Cash flows from financing activities:</b>										
Proceeds from borrowings	-	-	-	-	-	-	-	-	-	-
Repayment of borrowings	(2.26M)	(2.37M)	(2.48M)	(2.60M)	(2.72M)	(2.85M)	(2.99M)	(2.32M)	(2.33M)	(2.44M)
<b>Net cash inflow (outflow) from financing activities</b>	<b>(2.26M)</b>	<b>(2.37M)</b>	<b>(2.48M)</b>	<b>(2.60M)</b>	<b>(2.72M)</b>	<b>(2.85M)</b>	<b>(2.99M)</b>	<b>(2.32M)</b>	<b>(2.33M)</b>	<b>(2.44M)</b>
<b>Net increase (decrease) in cash held</b>	<b>(2.72M)</b>	<b>(2.78M)</b>	<b>(1.20M)</b>	<b>(0.52M)</b>	<b>(0.80M)</b>	<b>0.39M</b>	<b>0.79M</b>	<b>1.01M</b>	<b>1.98M</b>	<b>2.67M</b>
Cash at beginning of reporting period	22.70M	19.98M	17.20M	16.00M	15.49M	14.68M	15.07M	15.86M	16.87M	18.85M
<b>Cash Balance</b>	<b>19.98M</b>	<b>17.20M</b>	<b>16.00M</b>	<b>15.49M</b>	<b>14.68M</b>	<b>15.07M</b>	<b>15.86M</b>	<b>16.87M</b>	<b>18.85M</b>	<b>21.52M</b>

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Amended 2016/2017 Budget and Long Term Financial Forecast 2017 to 2026  
Statement of Changes in Equity

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Asset revaluation surplus</b>										
Opening balance	201.71M	201.71M	238.78M	238.78M	238.78M	278.07M	278.07M	278.07M	319.99M	319.99M
Increase in asset revaluation surplus	-	37.06M	-	-	39.30M	-	-	41.92M	-	-
<b>Closing balance</b>	<b>201.71M</b>	<b>238.78M</b>	<b>238.78M</b>	<b>238.78M</b>	<b>278.07M</b>	<b>278.07M</b>	<b>278.07M</b>	<b>319.99M</b>	<b>319.99M</b>	<b>319.99M</b>
<b>Retained surplus</b>										
Opening balance	354.01M	363.76M	366.24M	369.26M	372.71M	376.89M	381.52M	387.83M	393.76M	399.97M
Net result	9.75M	2.48M	3.03M	3.44M	4.18M	4.63M	6.32M	5.92M	6.22M	6.90M
<b>Closing balance</b>	<b>363.76M</b>	<b>366.24M</b>	<b>369.26M</b>	<b>372.71M</b>	<b>376.89M</b>	<b>381.52M</b>	<b>387.83M</b>	<b>393.76M</b>	<b>399.97M</b>	<b>406.88M</b>
<b>Total</b>										
Opening balance	555.72M	565.47M	605.01M	608.04M	611.48M	654.96M	659.59M	665.90M	713.75M	719.97M
Net result	9.75M	2.48M	3.03M	3.44M	4.18M	4.63M	6.32M	5.92M	6.22M	6.90M
Increase in asset revaluation surplus	-	37.06M	-	-	39.30M	-	-	41.92M	-	-
<b>Closing balance</b>	<b>565.47M</b>	<b>605.01M</b>	<b>608.04M</b>	<b>611.48M</b>	<b>654.96M</b>	<b>659.59M</b>	<b>665.90M</b>	<b>713.75M</b>	<b>719.97M</b>	<b>726.87M</b>





## PID 211410 Review of Rating Category

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

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letter on 2 August 2016 to provide a completed objection form if the property was used as a principal place of residence.

**3. Report**

An Objection form was received via email on 16 September 2016. This form was undated, did not indicate which category the land should be placed into, and did not include any supporting evidence that one of the owners is residing at the property. A request for supporting documentation was emailed on 19 September 2016 as the objection could not be assessed without the required information. There was no further contact on this matter until 15 December 2016 when the additional documentation was provided.

Based on the information provided at that time, the owners were advised that the property would be re-categorised for the future levy as the application was received outside of the time frame for objections. Council's policy is in accordance with the *Local Government Regulation 2012*, which allows property owners thirty days from the date of issue of the relevant rate notice to lodge the objection. For the first levy of 2016/17 this date was 12 September 2017.

**4. Policy and Legal Implications**

The categorisation of properties for rating purposes is governed by the *Local Government Act 2009* and the *Local Government Regulation 2012* and the definitions contained in Council's adopted Revenue Statement for the financial year. There is a statutory objection process where a property owner believes that their property has been categorised incorrectly.

Once lodged, the objection is to be reviewed and allowed or disallowed. If the objection is allowed, the property is re-categorised from the start of that rating period and the rates adjusted accordingly. If the objection is disallowed, the property owner has the right to appeal to the Land Court.

Council regularly receives objections outside of the thirty day objection period and if the objection would have been allowed, the changed category is applied from the issue date of the next rate instalment. This practice is particularly relevant to properties included in the Non-Principal Place of Residence category as they can change status if the property is sold or the owners return to the property.

The only time properties are re-categorised retrospectively is on the advice of the Department of Natural Resources and Mines that the land use or valuation has changed.

If this request is approved, the practice of applying changes to the next rating period would have to be reviewed to ensure consistent treatment for property owners in a similar situation.

**5. Financial and Resource Implications**

Should the property be re-categorised the amount in lost revenue for this property would be \$244.04; however, the precedent set would require a review of similar cases and which would increase the amount of revenue lost.

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**6. Delegations/Authorisations**

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

**7. Communication and Engagement**

A response will be sent to the property owners outlining Council's decision.

**8. Conclusion**

It is recommended that as the required information was not provided within the statutory timeframe, the categorisation for the 2016/17 first levy should remain unchanged.

**9. Action/s**

1. Respond to the owner confirming that the property has been correctly categorised.



## Rating Concession Request - PID 228770

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At the Club's instigation, Council has had discussions regarding the surrender of the lease and removal of their improvements as they are no longer used by the Club. The surrender of the lease will assist in completing the transformation of the old swimming pool site. The outstanding rate balance needs to be addressed prior to the surrender of the lease.

The current Treasurer of the club has written to Council via email outlining the reasons as to why the Club should be granted a concession on the basis of financial hardship.

### **3. Report**

Historically the lessees of the property have applied for a concession on the rates levied through Council's Community Grants Scheme. In recent years the Club was successful in obtaining concessions on the rates for the 2012/13, 2013/14, 2015/16 and future financial years. Due to changes within the management committee and miscommunication between the Club and Council, an application was not assessed for the 2014/15 financial year.

The concessions applied to the property each year have varied from all rates and charges to only the general rates and these differences have led to confusion over the actual amounts payable. In addition, the timing of the credit of the concessions to the account has led to interest charges being levied on outstanding balances which, under the concession, would not have been applicable.

Payments have been made for some of the amounts which were not covered by the concessions, such as the Waste Management Levy, and Emergency Preparedness Levy. At present there remains a balance on the account of \$2,768.32. Over the past few years the Club has made a number of attempts to address the outstanding amount; however, the turnover in the management committee has meant that these attempts were not followed through until recently.

In order to address the request to provide a concession due to financial hardship, a detailed reconciliation of the account has been undertaken. This review has shown that if the credits had been applied at the time of the rates levy, thus negating the interest charges, and if a concession had been granted for the 2014/15 consistent with the prior year concessions then the outstanding balance would be \$462.97. This remaining balance is comprised of the additional levies not covered by the concessions granted.

Unaudited financial information provided by the Club shows that the current year budget will result in a \$945.00 deficit. This includes \$100.00 per month to pay off the outstanding rates account. At 9 February 2017 the Club had \$386.07 in their bank account. Although there was no information provided on the other assets of the Club, based on this information supplied, the Club does not have the cashflow to operate and repay the rates debt at \$100.00 per month without selling some of its equipment, which will be detrimental to its members and the future viability of the Club.

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

Council is under no obligation to grant concessions and this should be considered carefully with regards to the potential implications of setting a precedent.

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The granting of concessions is governed by Part 10 of the *Local Government Regulation 2012* Section 120(1) (c) - the payment of the rates and charges will cause hardship to the land owner.

Whilst there is no guidance provided on how to assess how the payment of the rates will cause hardship, Council should be reasonably satisfied that hardship will occur. To minimise the risk of setting a precedent, each case should be assessed on its merits.

In this example, the key factor to consider is that the land is leased by Council to the Club and there is limited recourse to recover the overdue amounts. Furthermore Council and the Club are actively negotiating the surrender of the lease.

If Council were to continue to pursue the outstanding rates it would require the Club to sell assets and potentially close down instead of merely formalising its relocation to Toowoomba (where most of its members reside). Even if Council were to take possession of the land and its improvements in lieu of the outstanding rates, it would be unlikely to recover its costs as the land is earmarked for other uses, which are not compatible with leasing a small portion to another organisation (should one be found that was interested).

There are two types of concession under Section 121 of the *Local Government Regulation 2012* that Council could grant: a rebate of all or part of the rates or charges; or an agreement to defer payment of the rates or charges. The amount of the rebate could be set as a percentage of rates levied or a fixed dollar amount. If payment is deferred then interest would not apply as the amount would no longer be overdue.

It is recommended that a rebate is granted equal to the amount of outstanding rates and charges.

**5. Financial and Resource Implications**

If the concession is granted to provide a rebate on the outstanding rates and charges, there will be an amount of lost revenue of \$2,768.32.

**6. Delegations/Authorisations**

Council cannot delegate the granting of rating concessions of this type.

**7. Communication and Engagement**

Following the decision by Council, the applicant will be contacted via letter to advise of the outcome the request.

Council should avoid making media statements about individual concessions so as not to generate any further interest from other ratepayers.

**8. Conclusion**

The granting of rating concessions is permitted under the *Local Government Regulation 2012*. In granting concessions, Council should consider the potential for setting a precedent as well as the short term and long term financial implications.

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In this instance, as the Club does not have the means to pay, the property is owned by Council and a request has been made to surrender the lease, there is nothing to be gained by pursuing the outstanding amounts any further. Therefore the granting of a concession is recommended.

**9. Action/s**

1. Ratepayer to be contacted via letter and advised of the outcome.





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**12.5 Rating Concession Request - PID 192540**

**Date:** 10 February 2017  
**Author:** Tony Brett, Manager Finance and Customer Service  
**Responsible Officer:** David Lewis, Executive Manager Corporate & Community Services

**Summary:**

The purpose of this Report is to provide Council with information to determine if the applicant (the owner of Property ID 192540) should be granted a rating concession on the grounds of financial hardship.

**Officer's Recommendation:**

**THAT Council resolve not to allow a concession under Section 120 (1)(c) of the *Local Government Regulation 2012* to the general rates levied on Property ID 192540 as it is not satisfied that the payment of the rates will cause hardship;**

**Further;**

**THAT Council advise the property owner that the current payment arrangement be extended and reviewed at 31 May 2017.**

**RESOLUTION**

**THAT Council resolve not to allow a concession under Section 120 (1)(c) of the *Local Government Regulation 2012* to the general rates levied on Property ID 192540 as it is not satisfied that the payment of the rates will cause hardship;**

**Further;**

**THAT Council advise the property owner that the current payment arrangement be extended and reviewed at 31 May 2017.**

**Moved By: Cr McDonald                      Seconded By: Cr Wilson**  
**Resolution Number: 16-20/0385**

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

**Report**

**1. Introduction**

A request for a rating concession on the grounds of financial hardship has been received from the owner of property ID 192540. The owner's request is to defer the due date of the rates until May 2017. The property is a rental property and the rates first became overdue in March 2016. The owner currently has a payment arrangement with Council to pay the debt off in instalments.

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## **2. Background**

In the 2015/16 financial year, the property was originally categorised as a non-principal place of residence; however, this was changed as a result of the Council decision in October 2015 to re-categorise certain properties.

The property owner was advised by letter on 2 August, 2016 that for 2016/17 the property would be categorised as a non-principal place of residence unless evidence could be provided that it belonged in another category. No response was received.

The rates on the property first became overdue following the second levy for the 2015/16 financial year. To repay this debt, the owner had been making regular payments under an agreed payment plan, but these became irregular in August 2016 and the arrangement was cancelled in September 2016. A request for Council to waive interest on the 2015/16 overdue rates was rejected in August 2016. The property owner has since entered into a new short term payment commitment of \$100.00 per fortnight and the balance on the rates account at the time of this report is \$3,251.18.

It should be noted that there is no legislative mechanism for a ratepayer to object to the quantum of rates levied, only the category in which their property is placed. The property owner did not lodge an objection within the required timeframe and a review of the categorisation has shown that the property is classified correctly and therefore, if an objection had been lodged it would have been disallowed.

The property owner has written to Council via email outlining her reasons as to why she should be granted a concession on the basis of financial hardship.

## **3. Report**

She owns a property which has been categorised as a non-principal place of residence as it is currently tenanted with a lease in place until the end of March 2017. Due to the change in categorisation, the general rates on the property are \$572.22 per annum higher than if the property was included in Category 16 – Rural Residential. In addition to the change in the category, the property's value has increased by \$12,500.00.

The property owner has requested a concession on the grounds of financial hardship for the following reasons:

- a) A dispute with Centrelink resulted in her pension being cancelled and she had to rent out her house. Her pension cannot be reinstated until the tenant moves out and the property becomes her principal place of residence and
- b) She is a widow who was diagnosed with cancer in 2009 and this has prevented her from gaining employment.

In order to properly assess the application, further information was requested to help assess her financial situation. She has provided a statement attached to a Statutory Declaration dated 13 January 2017 which provided the following financial information:

- Balance of bank account
- Home Loan

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- Credit card debt
- Calculated expenses per month
- Expected income 2016-17 (it is unclear if this includes the net rent)

The statement also advises that she has approached a number of banks to refinance her debts but does not state if this was successful. Finally, she indicates that she is expecting to be able to pay the outstanding rates by May 2017, as a friend will be moving into the property with her. It is implied that the sale of her friend's house will provide the opportunity to pay out the remaining balance on this property.

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

As the rates have been levied correctly in accordance with Council's budget resolutions, Council is under no obligation to grant concessions and this should be considered carefully with regards to the potential implications of setting a precedent.

The granting of concessions is governed by Part 10 of the *Local Government Regulation 2012* Section 120(1) (c) - the payment of the rates and charges will cause hardship to the land owner.

Whilst there is no guidance provided on how to assess how the payment of the rates will cause hardship, Council should be reasonably satisfied that hardship will occur. To minimise the risk of setting a precedent, each case should be assessed on its merits.

In this example, there are two key factors to consider:

1. The property is currently used as a rental property and therefore could be sold to provide relief from debts.

If the property was the principal place of residence of the owner, it could be argued that the situation would be different. As a rental property, it has the capacity to generate income either through rent or sale and if the financial situation is as serious as it appears then this may be the prudent course of action.

2. A temporary payment arrangement of \$100.00 per fortnight exists between the property owner and Council with an expectation that the debt will be settled in May 2017.

As this payment arrangement is being honoured, there is no indication that paying off the rates in this manner is causing financial hardship. The temporary arrangement is set to cease in March 2017 and as she has indicated that she will be in a position to pay the outstanding amount in May, it is recommended that the arrangement be extended until the end of May 2017. Although interest continues to accrue on the overdue amounts, while the arrangement is complied with, legal action will not be taken.

There are two types of concession under Section 121 of the *Local Government Regulation 2012* that Council could grant: a rebate of all or part of the rates or charges; or an agreement to defer payment of the rates or charges. The amount of the rebate could be set as a percentage of rates levied or a fixed dollar amount. If payment is deferred then interest would not apply as the amount would no longer be overdue.

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**5. Financial and Resource Implications**

If the concession is granted to provide a rebate on the increased general rates, there will be an amount of lost revenue of \$572.22.

If the rates are deferred, there will be a reduction in revenue of less than \$100.00 as the rates will no longer be overdue and interest will not be applicable.

**6. Delegations/Authorisations**

Council is unable to delegate the granting of rating concessions of this type.

**7. Communication and Engagement**

Following the decision by Council, the applicant will be contacted via letter to advise of the outcome the request.

Council should avoid making media statements about individual concessions so as not to generate any further interest from other ratepayers.

**8. Conclusion**

The granting of rating concessions is permitted under the *Local Government Regulation 2012*. In granting concessions, Council should consider the potential for setting a precedent as well as the short term and long term financial implications. In this instance, as the property is currently tenanted and a payment arrangement is in place, the granting of a concession is not recommended.

**9. Action/s**

1. Ratepayer to be contacted via letter and advised of the outcome.



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## **Report**

### **1. Introduction**

This report discusses the further detailed responses from Nexus Delivery regarding the two outstanding items of steep grades, and non-lighting of underpasses which Council could not reasonably provide a non-objection to in the Council meeting in December 2016.

### **2. Background**

Council has previously considered the non-lighting of underpasses, and the steep grades on returned works in both October and December 2016. As part of these considerations, Council requested that officers from Council and the Department of Transport and Main Roads investigate opportunities to address the unacceptably steep gradients in the designs in conjunction with adjacent landholders, in particular on McNamaras Road where the grade was steep over a long section.

Council subsequently discussed the option of re-design with the Department of Transport and Main Roads, however they were not supportive of the option in the short term. This does not prevent Council from pursuing this option at some time in the future if it is deemed appropriate.

### **3. Report**

#### Steep road gradients

Although Nexus Delivery believes the longitudinal gradient is satisfactory for the designed Morleys Road, they have since provided a revised risk assessment regarding the steep grades. Within this risk assessment, it is recognised that steep grades over long sections on unsealed gravel roads can cause scour on the road, affecting the rideability and safety of the surface, as well as increased wear and tear on the road surface. The solution now provided by Nexus Delivery to reduce the risk from medium to low is to seal Morleys Road through the steep section from Chainage 250m to Chainage 600m.

Additionally, the steep grade proposed on the unsealed road may have been difficult for trucks to traverse uphill due to traction issues. This is also assisted by the proposed sealing of the steep section to improve vehicular traction.

It is considered appropriate that the long steep grade on Morleys Road Returned Works is sealed, as this will improve the safety and durability of the road, as well as reducing ongoing maintenance costs (due to the steep grade).

#### Lighting of underpasses

Nexus has provided further information including a detailed risk assessment undertaken by a Registered Professional Engineer of Queensland (RPEQ). This amended report provided to Council addresses the risk to the road user colliding with the underpass during daytime and night time driving, as well as with pedestrians on the road. In the case of the Gittins Road underpass, the report includes the risk of collision with others using the Bicentennial Trail which traverses through the underpass.

The report now details the low risk of collision due to the non-lighting of the underpasses at the three locations, largely due to the low traffic volumes on these roads, and the appropriate road safety measures on the approaches to the underpasses.

It is considered appropriate that the risk assessment included in the Lighting Requirements assessment report for the underpasses on Morleys Road, McNamaras Road and Gittins Road is adequate for Council to accept the non-lighting of these underpasses, based on the recommendation of the RPEQ.

**4. Policy and Legal Implications**

Adequate reasoning and risk assessment has been undertaken by the RPEQ and designers for the non-lighting and steep grades, therefore reducing the risk of liability to Council in the future.

**5. Financial and Resource Implications**

Maintenance of roads to be included in future budgets.

**6. Delegations/Authorisations**

No further delegations are required.

**7. Communication and Engagement**

Council officers have been in regular discussions with Nexus and the Department of Transport and Main Roads regarding these designs and the outstanding issues.

**8. Conclusion**

It would appear risk that may have been transferred to Council has been reduced significantly through the risk assessments undertaken by an RPEQ and submitted to Council.

**9. Action/s**

Council advise Nexus Infrastructure and Department of Transport and Main Roads of the resolution of these two matters.





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**13.2 Award of Contract for Laidley Flood Mitigation Construction Works**

**Date:** 15 February 2017  
**Author:** Seren McKenzie, Manager Infrastructure Planning & Design  
**Responsible Officer:** Myles Fairbairn, Executive Manager Infrastructure Works & Services

**Summary:**

The purpose of this report is for Council to consider that the award of the construction contract for the Laidley Flood Mitigation project be delegated to the Chief Executive Officer to ensure the project progresses in a timely manner.

**Officer's Recommendation:**

**THAT Council delegate authority to the Chief Executive Officer to negotiate and award the contract for the construction of the 2016-17 stage of the Laidley Flood Mitigation project.**

**RESOLUTION**

**THAT Council delegate authority to the Chief Executive Officer to negotiate and award the contract for the construction of the 2016-17 stage of the Laidley Flood Mitigation project.**

**Moved By: Cr McDonald                      Seconded By: Cr Hagan**  
**Resolution Number: 16-20/0387**

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

**Report**

**1. Introduction**

This report is to update Council on the current status of the Laidley Flood Mitigation project, being the stage of works from Patrick Street bridge downstream to the outfall at the end of Stanford Place.

**2. Background**

The 2016-17 stage of the Laidley Flood Mitigation project consists of augmentation of the main drain and construction of the associated levee downstream of the Patrick Street bridge.

The tender for the design of the works, including flood modelling and review and refinement of Council's current flood data, as well as development of tender documentation and supervision of the construction of the works was awarded to Cardno in 2016. This work has progressed and preparation of the construction tender documents has progressed well.

### **3. Report**

Since the award of the contract, Cardno has progressed through the project with modelling of the 2013 event as the major design event, as well as modelling of various other smaller rainfall events. The work has included assessing the 2013 modelled event against known levels for accuracy of the model, and then progressively modelling the rainfall events through different scenarios, including augmentation of the Patrick Street bridge and Whites Road culverts, through to the ultimate Laidley Flood Mitigation works including all levees to protect the CBD and residents.

This modelling effort has allowed the impact of the proposed construction works in the current stage of the project to be modelled in both the current situation and the ultimate mitigation scenario. The proposed 2016-17 works downstream of Patrick Street bridge may require further augmentation when other upstream elements of the Laidley Flood Mitigation scheme are implemented. This is because the construction of, for example, a levee bank along Whites Road in 2016-17 would likely have a detrimental upstream impact without other works being simultaneously executed.

Final designs of the proposed levee from the rail crossing north to the outfall are currently being completed. Following this, an operational works application will be required for assessment by various entities including Council (this will be reviewed by external consultant), Department of Natural Resources and Mines, Department of Agriculture and Fisheries, Department of Transport and Main Roads, Queensland Rail and Queensland Urban Utilities. In addition to this, the design and modelling assumptions will be peer reviewed by the consultant undertaking the operational works assessment for Council.

Due to concerns with managing impacts on adjoining residential and agricultural land, the modelling and refining of the levee and drain design has taken longer than originally expected. This has pushed the completion date of the project out, and the current timelines assume all approvals will be given in a timely manner. Construction of the levee and the drainage works is forecast to take 8 weeks from the end of April.

The tender will be assessed by both Council officers and Cardno, with a joint recommendation to be supplied.

To comply with the timeframes for the project, delegation to the Chief Executive Officer to award the construction tender is sought.

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

Detailed modelling and peer review of the works is required to assure Council of no potential future legal issues concerning increased flood levels on private land.

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

Timeframe and budget limitations apply to this project, which is funded 60% by Council and 40% by the State. The expected range of construction costs would be of the order of \$1M - \$1.2M.

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**6. Delegations/Authorisations**

Delegation to the Chief Executive Officer for award of the construction contract is sought.

**7. Communication and Engagement**

Council and Cardno have engaged with the community through a public community consultation session in January 2017. Further consultation has been undertaken on a one on one basis with impacted property owners.

**8. Conclusion**

In order to progress the construction phase in a timely manner, it is considered appropriate for Council to delegate the authority to award the tender for construction of the current stage of the Laidley Flood Mitigation project to the Chief Executive Officer.

**9. Action/s**

1. The Infrastructure Works and Services Group to provide a progress update to the Council Meeting of 22 March 2017
2. Chief Executive Officer to award the construction tender for the Laidley Flood Mitigation.
3. Ongoing updates thereafter on project progress to be provided to Council.

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*Cr Holstein arrived at the meeting, the time being 10.44 am. Cr Holstein advised that she was absent due to her attendance on behalf of Council at a Senior Investiture Ceremony at Withcott State School.*

**13.3 Functionally-based Organisational Structure for the Roads and Drainage Unit**

**Date:** 15 February 2017

**Author:** Baldeep Sehmi, Manager Infrastructure Delivery

**Responsible Officer:** Myles Fairbairn, Executive Manager Infrastructure Works & Services

**Summary:**

The report provides information regarding the proposed functionally-based organisational structure for the Roads and Drainage unit in the Infrastructure Works and Services (IWS) Group.

**Officer's Recommendation:**

**THAT Council endorse the adoption of the proposed functionally-based structure for the Roads and Drainage Unit in the Infrastructure Works and Services Group.**

**RESOLUTION**

**THAT Council endorse the adoption of the proposed functionally-based structure for the Roads and Drainage Unit in the Infrastructure Works and Services Group.**

**Moved By: Cr Cook**

**Seconded By: Cr Hagan**

**Resolution Number: 16-20/0388**

**CARRIED**

**6/0**

**Report**

**1. Introduction**

The purpose of this report is to provide details regarding the proposed functionally-based organisational structure for the Roads and Drainage unit within the Infrastructure Works and Services (IWS) Group.

**2. Background**

The current Roads and Drainage organisational structure has been operated on a trial North and South area geographic model, and managed through two Works Overseers (who are seconded to the roles), this has been the case for just over two years.

The existing structure is less efficient that it could be in terms of delivering the Capital and Maintenance programs, as it leads to sub-optimal resource utilisation and a sometimes inconsistent approach to maintenance standards across the Lockyer Valley region.

### **3. Report**

The organisational structure for the Roads and Drainage business unit has been reviewed to determine the best option available to align future budget forecasts with the labour resources required. This structure has been developed using first principles in order to determine the workforce size required to deliver forecast future budgets. This process has enabled the new structure to be closely aligned to expected future budgets and provide more certainty about the resources levels required to deliver the Capital and Maintenance Programs.

The proposed structure removes the north/south boundary and operates as a single functionally-based organisational structure for the region. This is how the Roads and Drainage unit operated prior to first trialling the north and south areas in early 2015.

The benefits of the proposed structure are:

- Structure is better aligned to budget forecast and service needs
- Simple task allocation for Customer Requests and clear responsibility
- Consistent approach to deliver the Capital and Maintenance programs regionally (consistency of service)
- Improved efficiencies (plant and labour) across the region
- Permanent appoint staff to roles based on capabilities and strengths.

To fill the positions created during the trial, several staff were seconded from their existing positions in the structure. It is important to note that the majority of Roads and Drainage staff will continue to undertake their work activities as per the trial but their reporting line may change.

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

No significant policy or legal implications are anticipated. Engagement with the unions has been done and ongoing interaction is being undertaken with affected staff.

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

The structure implementation will be managed within the current financial and resource availability.

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

No additional delegations are required to implement the proposed functionally-based organisational structure.

### **7. Communication and Engagement**

A staged implementation plan has been developed to guide consultation with staff throughout the rollout process.

### **8. Conclusion**

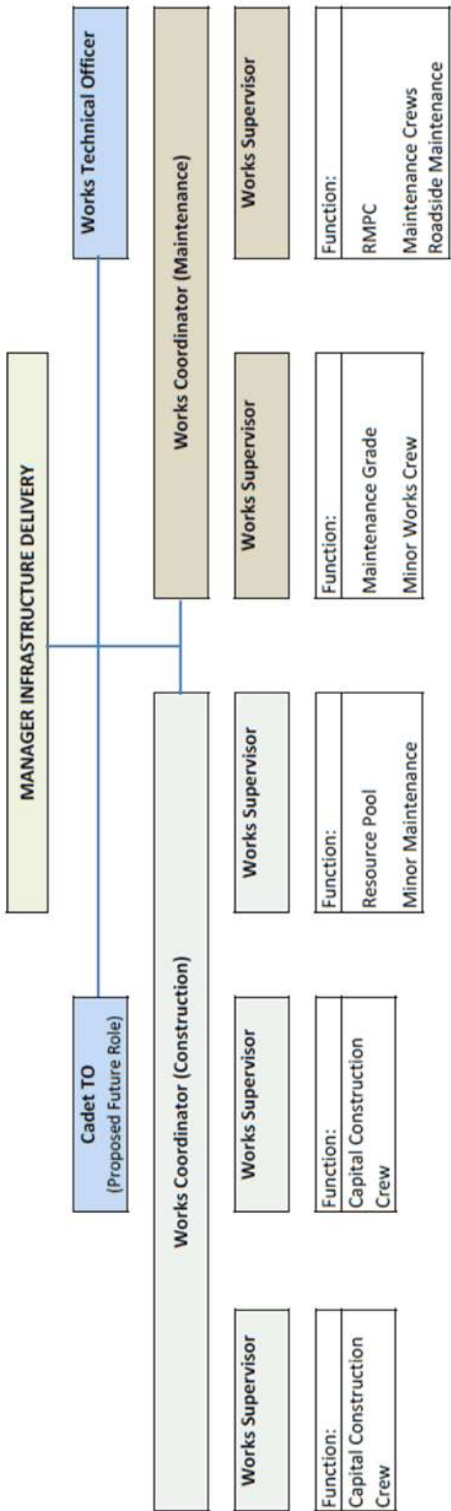
It is recommended that the proposed functionally-based organisational structure for the Roads and Drainage unit in the IWS Group be adopted.

**9. Action/s**

Implement the functionally-based organisational structure for the Roads and Drainage unit.

**Attachments**

1 [View](#) Structure 1 Page





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## **14.0 ITEMS FOR INFORMATION**

### **14.1 Regional Weather Outlook for February to April 2017**

**Date:** 13 February 2017  
**Author:** Peter Hillcoat, Disaster Management Coordinator  
**Responsible Officer:** David Lewis, Executive Manager Corporate & Community Services

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#### **Summary:**

This report will focus on the weather outlook for the Lockyer Valley Region for the period February to the end of April 2017. It also includes other useful information that may be of assistance to Council.

#### **RESOLUTION**

**This document is for Council's information only.**

#### **RESOLUTION**

**THAT Council receive and note the Regional Weather Outlook for February to April 2017.**

**Moved By: Cr Holstein                      Seconded By: Cr Cook**  
**Resolution Number: 16-20/0389**

**CARRIED**

**7/0**

#### **Report**

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

This report is based on data from the Bureau of Meteorology. It focuses on rainfall and temperatures and includes medians and the chance of non-average outcomes. The intent is to give Council an overview of what to expect with regard to weather in the coming months.

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

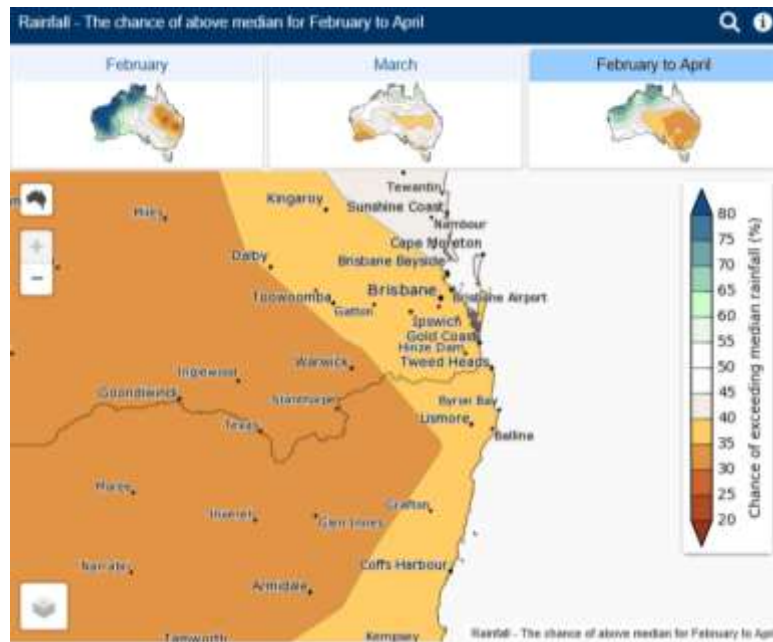
Knowledge of weather outlook information is a useful tool for the general public, but of particular importance to the various response agencies, non-government agencies and government at all levels.

Local governments can use this information to plan for maintenance, manage resources and to maintain vigilance for Disaster Management purposes.

Lockyer Valley Regional Council should be equipped with this knowledge, and combined with lessons learnt from recent disaster events can feel confident that every reasonable step can be taken to plan and prepare for significant weather events.

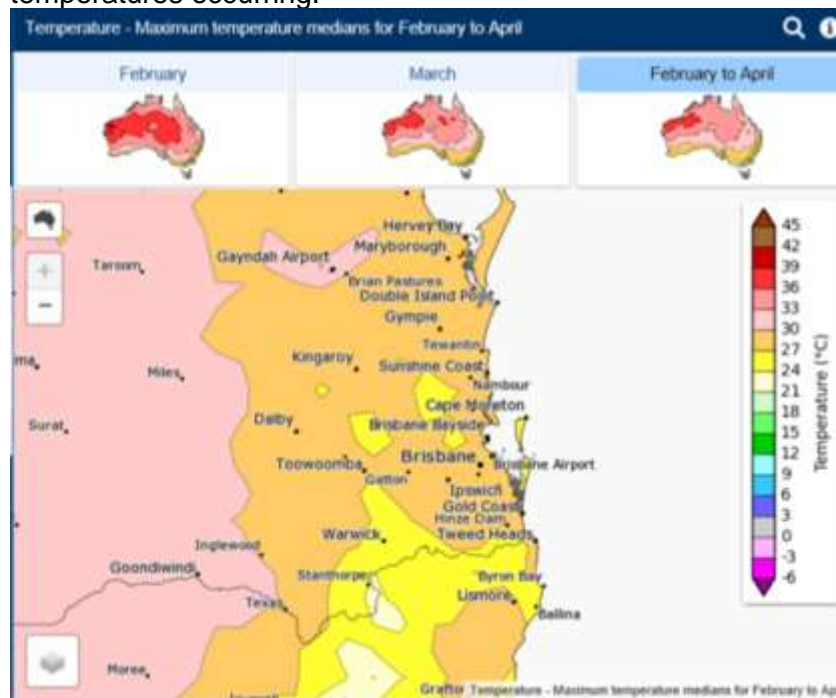


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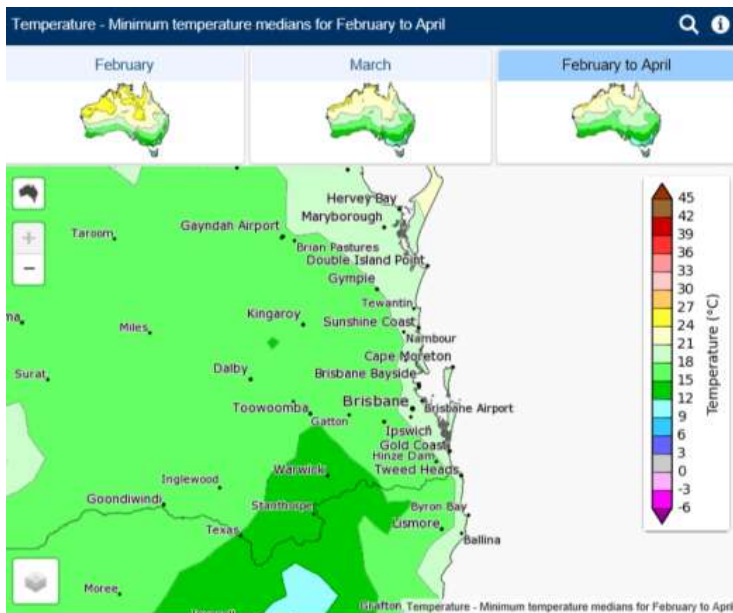


### Temperature

The February to April maximum temperature medians for the region are currently around 27° to 30°, and the minimum around 15° to 18°. The chances of non-average maximum medians occurring are around 75%, and there is a 65% chance of higher than average minimum temperatures occurring.



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## **BOM Weather App**

The Bureau's Weather App is a useful and simple to use tool that gives you a live picture as to what the weather is doing. Apart from saving favourite locations, you can also get updates on your current location as you move around. This is a simple but effective tool for both Councillors and officers.



### **Dam Levels**

Dam levels in the Lockyer Valley at the time of writing are fairly low, while the levels for the main water supply dams for the South-east region remain high. Levels are as follows:

#### Lockyer Valley

- Bill Gunn Dam: 6.9%
- Lake Clarendon Dam: 7.8%

#### Other Dams

- Somerset Dam: 75.4%
- Wivenhoe Dam: 70.7%
- Atkinson Dam: 5.4%

### **LVRC Disaster Management**

The Disaster Management Team will continue to monitor weather events and report on any event that may have the potential to cause damage or disruption within the Lockyer Valley region.

<http://www.bom.gov.au/climate/outlooks/#/overview/video/>



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**15.0 CONFIDENTIAL ITEMS**

*No Confidential Items*

**16.0 MEETING CLOSED**

*There being no further business the meeting closed at 10.47 am.*