



Banana Shire Council ORDINARY MEETING MINUTES

***Meeting Date:* Wednesday, 26 April 2017**

***Venue:* Banana Shire Council Chambers
62 Valentine Plains Road, Biloela**

***Time:* 9.00 am**

1.0 Opening of Meeting

"Council recognises that this meeting is held on the Land of the Gaangalu Nation and that the Banana Shire also includes land of the Iman People, Wulli Wulli People, Wadja People, Wakka Wakka People and Darumbal People."

2.0 Attendance including Apologies & Leave of Absence

3.0 National Anthem & Prayer

4.0 Confirmation of Minutes

4.0.1 Ordinary Meeting held 22 March 2017

5.0 Mayor's Report / Minute

6.0 Business Outstanding

6.0.1 Business Arising from Previous Meetings & Matters Lying on the Table

7.0 Declaration of Interest on Matters on the Agenda

8.0 Corporate & Community Services

8.1 Corporate Services

8.1.1 Financial Report P/E 31/03/17

8.1.2 Resolutions Actions Report

8.1.3 Major Capital Projects – Monthly Actual Expenditure as at 18/4/17

8.1.4 Consideration for Rebate on Water Consumption Charges – Assessment
No: 15367-30000-000

8.1.5 2016/17 Operational Plan Assessment as at 31/03/17

8.1.6 Revenue Policy 2017/2018

8.1.7 2017/2018 Cost-Recovery Fees & Commercial Charges

8.2 Administration

8.2.1 Customer Service Charter Policy

8.2.2 Records Management Policy

8.3 Tourism & Promotion

8.3.1 Lake Callide Retreat Caretaker/Operator

9.0 Infrastructure Services

- 9.1 Infrastructure Services
 - 9.1.1 Monthly Report – Infrastructure Services
 - 9.1.2 Resolutions Actions Report
 - 9.1.3 2016/17 Operational Plan Assessment as at 31/03/17
 - 9.1.4 Banana Shire Road Safety Management Reference Group – Minutes of Meeting held 15/2/17
 - 9.1.5 CQ Disaster Management Network
 - 9.1.6 Bridges Renewal Program - Round Three

10.0 Council Services

- 10.1 Council Services
 - 10.1.1 Resolutions Actions Report
 - 10.1.2 Major Capital Projects – Monthly Actual Expenditure as at 18/4/17
 - 10.1.3 2016/17 Operational Plan Assessment as at 31/03/17
- 10.2 Development & Environmental Services
 - 10.2.1 Proposed Alignment Amendments to the Banana Shire Planning Scheme 2005 and the Taroom Shire Planning Scheme 2005
 - 10.2.2 RAL005-16/17 – 1 lot into 2 – 101 Valentine Plains Road, Biloela – Lot 111 on SP130890
 - 10.2.3 RAL010-11/12 Request to Change – Development Permit for Reconfiguring of a Lot – 1 into 42 Lots – Raedon St, Biloela (formerly Lot 1 SP231274)

11.0 Executive Services

- 11.1 Executive Services
 - 11.1.1 Resolutions Actions Report
 - 11.1.2 Wulli Wulli Native Title ILUA Report – Balance of Claim Area Part B
 - 11.1.3 2016/17 Operational Plan Assessment as at 31/03/17

12.0 Close of Meeting

1.0 Opening of Meeting

The meeting commenced at 9.00 am.

2.0 Attendance including Apologies & Leave of Absence

Present

Councillors – Mayor Nev Ferrier and Crs Middleton, Snell, Brennan, Semple, Leo & Boyce

Officers – Chief Executive Officer & Director Corporate & Community Services

3.0 National Anthem & Prayer

Following the National Anthem, Pastor Thom Lowther from the Presbyterian Church led Council in prayer.

4.0 Confirmation of Minutes

Minute No: OM003719

Resolution:

That the minutes of the Ordinary Meeting held on 22 March 2017 be taken as read and confirmed.

Moved: Cr Leo

Seconded: Cr Boyce

Carried

5.0 Mayor's Report / Minute

The Mayor referred to the following during the month -

- The damage caused by Cyclone Debbie, and thanked all who worked in the Local Disaster Coordination Centre during the event. Advised still liaising for 'Category C' funding in certain areas.
 - Advised there was a good roll-up for the Anzac Day Services across the Shire.
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6.0 Business Outstanding

It was noted there is no business arising from previous meetings or matters lying on the table.

7.0 Declaration of Interest on Matters on the Agenda

It was noted there are no declarations of interest on matters on the agenda.

8.0 Corporate & Community Services

8.1.1 FINANCIAL REPORT AND BUDGET REVIEW – PERIOD ENDING 31 MARCH 2017

Date: 19 April 2017
Author: Manager Financial Services, Dave Steger
File No: CM7.2
Letter No:
Attachment: Statement of Comprehensive Income - Actual v Budget to 31 March 2017; Statement of Financial Position – Actual v Budget to 31 March 2017; Statement of Cash Flows - Actual v Budget to 31 March 2017; Statement of Changes in Equity to 31 March 2017; Account Balances, Cash Position and Rates Report to 19 April 2017; Cash Analysis Graph; Proposed Budget Amendment Worksheet for the period ending 31 March 2017.
Minute No: OM003720

This report is a legislative requirement.

Cr Leo asked about the 'Get Playing Plus funding for Callide Creek project' listed under Infrastructure and advised it is the same amount as the Moura Skate Park. DCCS will investigate and amend if incorrect.

Cr Leo also referred to the 'reduction in MR Revenue for Contracts' listed under Infrastructure and queried the \$2.2M figure which is the same as the line above. DCCS will amend if incorrect.

Resolution:

That Council:

- 1. Adopt the budget amendments which are attached to and form part of these minutes and;***
- 2. Receive the Financial Report as tabled for the period ending 31 March 2017.***

Moved: Cr Leo

Seconded: Cr Brennan

Carried

Report

1. Introduction

Under subsection 170(3) of the *Local Government Regulation 2012* a local government may, by resolution, amend its budget for a financial year at any time before the year ends. This allows Council to reallocate funds to programs requiring funds in excess of the original budget from programs which have been completed under budget or from programs that will not be commenced in the financial year.

Funds can be reallocated from operational expenditure to capital expenditure or vice versa within departmental programs or across departments. Constrained capital revenue such as developer contributions and capital subsidies cannot be reallocated to fund operations.

In amending its budget, as with setting its original budget, Council should ensure that its Corporate Plan objectives are still being achieved through its budget amendments.

The purpose of the Financial Report is to give Management and Council an overview of the organisation's financial performance for the period ending 31 March 2017.

It is presented in a format which compares the year to date to the amended 2016/2017 budget. The year to date budget is 9/12 or 75% of the amended budget. The financial analysis contained in this report compares; either year to date expenditure with equivalent budget to date expenditure or, in the case of rates, year to date expenditure with an appropriate cashflow position.

2. Report

Budget Amendments

The major 2016/17 budget amendments in the third review for this financial year are:

Revenue

- Additional operational revenue of \$1,038,000 – W4Q Funding - this funding is set aside for the completion of a Council approved program of capital and operational activity. Finance estimates that \$450,000 will be spent this financial year with the remaining \$588,000 placed in a reserve for the remainder of these works.
- Additional \$535,000 from the sale of plant items.
- Off-setting these additions are reductions in the following areas:
 - \$54,040 – Get Play – Callide Creek project deferred to 17/18;
 - \$20,690 – R2R – Excess funds reallocated to 18/19;
 - \$2,200,000 – Bridge Renewal Program – work and claim deferred to 17/18.
 - \$2,380,000 – reduction in contract revenue associated with work for TMR.

The net effect of these changes is:

- An increase in operational revenue of \$1,613,000;
- A reduction in capital revenue of \$2,274,730.

Operational Expenditure

- There has been a net reduction in budgeted operational expenditure of \$2,061,150. The major contributors are:
 - An increase is \$110,000 for the W4Q pest spraying project.
 - A decrease in the MR Contract Expenditure of \$2,142,000
- The other minor amendments are detailed on the attached supporting documents.

Capital Changes

Infrastructure (refer attached)

- There has been a change to the presentation of Infrastructure's budget amendments. It is now presented in the following format:
 - Revenue changes;
 - Operational changes; and
 - Changes to capital programs within the IDP. The full detail remains available to Council and is attached to, and forms part of, this report.
- The most significant capital changes at a program level are:
 - Reduction of \$4,335,757 in the Bridge Renewal Program – this is directly related to the deferment of the Callide Creek Project.
 - Reduction of \$334,569 in the Rural Construction Program – the changes relate to the addition of a new project – Jambin-Goovigen Rd rehabilitation; and the reallocation of funding to a new drainage project – Yaldwyn St K&C and pavement upgrade. Council will need to approve these two new projects.
 - Increase of \$341,238 in the Rural Drainage program – this change relates to the new drainage program detailed above.

- Reduction of \$238,843 in the Rural Reseal program – the adjustment in this program resulted from the budgeted cost of 14 separate projects being overestimated.
- As is common in these reviews a significant number of smaller adjustments are made. These adjustments redistribute funding from jobs that were less costly than estimated to those jobs that may require more funding.

Development & Environmental Services

- Significant capital changes include:
 - The reduction of \$90,000 for the new Junction Park Amenities;
 - An additional \$207,240 for variations relating to the Callide Dam project.
 - An increase of \$40,000 to the Theodore RSL project to upgrade the switch board.

Corporate and Community Services

- Significant capital changes include:
 - The recognition of \$340,000 of capital work related to W4Q;
 - Additional plant purchases of \$690,000
 - A reduction of \$372,000 for the Taroom/Thangool Aerodrome Lighting projects. These projects are the focus of a current State and Commonwealth Government funding applications.

These amendments result in an increase in the operating surplus from \$122,598 to \$812,598 and a change in the net result from \$8,736,683 to \$7,685,453.

Comprehensive Income Statement:

Councils operating surplus for the period ending 31 March 2017 is \$4,591,392. This compares to an operating surplus of \$3,527,764 for the same period in the 2015/16 financial year. The main points to consider are:

- Discount day was 16 March 2017 and therefore the current net rates position of less than 1% below budget is unlikely to change significantly.
- Excluding rates, other revenue sources are approximately 6.45% lower than the year to date amended budget. Despite the adjustment, contract and recoverable works revenue remain 8.48% below the year to date budgeted cashflow position.

Finance continues to monitor claims and is working with Infrastructure to improve cashflow in this area.

- Total operating expenditure is currently running 3.75% over the year to date budgeted position. This is a result of including the likely finance cost – approximately \$525,000 – associated with the rehabilitation provision. There is also minor budget over expenditure in the areas of employee benefits (6.48%) and depreciation (5.49%). It is worth noting that depreciation is likely to change as a consequence of the recent valuation of Water and Sewerage assets. The extent of this change should be known by the next Council meeting.

Cash Report

In addition to the regular monthly cash report we have attached a graph that shows how Council has been using its cash reserves over the last 2¾ financial years. This graph has been updated to include March's cash closing balance.

The positive cashflow in March is the result of the cyclical nature of Council's rate cycle.

Capital Expenditure:

Capital expenditure – see separate report.

3. Conclusion

Management will continue to monitor both incoming and outgoing cash flow in an effort to ensure that Council achieves the best possible end of the year outcome. Management will also endeavour to ensure that operating revenues are sufficient to meet all areas of committed service delivery.

Considerations

1. Corporate Plan

This matter has direct reference to Corporate Plan Strategy 1.2. (a), (b), (c) and (d).

2. Policy and Legal Implications

N/A

3. Financial and Resource Implications

Management will monitor revenue, expenditure and cashflow to ensure that Council has sufficient financial resources to deliver its budgeted commitments and achieve the foreshadowed operating surplus.

4. Risk Assessment

N/A

2016/17 BUDGET AMENDMENTS to 31/03/2017

ACCOUNT/JOB NUMBER	DESCRIPTION	ORIGINAL BUDGET	AMENDED BUDGET	NOTES	CHANGE	INCOME	DISCOUNT	OP COST	EMP COST	CAPITAL	RESERVES
Executive Services					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Corporate & Community Services					\$ 588,000	-535,000					588,000
2680-4809	Special Projects Reserve	\$ 347,977	\$ 935,977	Set aside W4Q money for remainder of W4Q projects in 17/18	\$ 588,000						
2680-4808	Plant & Equipment Disposal Clearing Account	-\$ 300,000	-\$ 835,000	Additional plant sales in 2016/17	-\$ 535,000						
2680-4808	Heavy Plant Purchases	\$ 1,060,000	\$ 1,750,000	Additional plant purchases in 2016/17	\$ 690,000					690,000	
2680-4808	Small Plant Purchases	\$ 150,000	\$ 220,000	New linemarker purchased for Infrastructure Services & additional small pl	\$ 70,000					70,000	
2680-4708	Taroom/Thangool Aerodrome Lighting Upgrade	\$ 385,000	\$ 13,000	Projects dependent on funding applications (BoR & BBRF)	-\$ 372,000					-385,000	
2200-1020	W4Q income	\$ -	\$ 1,038,000	Unbudgeted grant income - W4Q	-\$ 1,038,000	-1,078,000					
2200-2350	W4Q Operational Expenditure	\$ -	\$ 110,000		\$ 588			110,000			
J/N 3500-4100	W4Q - Biloela SES	\$ -	\$ 100,000		\$ 100,000					100,000	
J/N 3500-4101	W4Q - Callide Dam recreational Area	\$ -	\$ 130,000		\$ 130,000					130,000	
J/N 3500-4102	W4Q - Electrical Upgrade Secondary Disaster Centre	\$ -	\$ 20,000		\$ 20,000					20,000	
J/N 3500-4103	W4Q - Moura WTP Admin Amenities	\$ -	\$ 40,000		\$ 40,000					40,000	
J/N 3500-4104	W4Q - Demountable State Park - Wowan	\$ -	\$ 50,000		\$ 50,000					50,000	
					-\$ 256,412	-\$ 1,613,000	\$ -	\$ 110,000	\$ -	\$ 715,000	\$ 588,000
Development & Environmental Services											
3500-4740-0000	Junction Park New Toilet	\$ 200,000	\$ 110,000	Grant Project-Funding \$148,587, Council \$99,238	-\$ 90,000						-90,000
3500-4738-0000	Taroom town hall roofs over A/C units	\$ 10,000	\$ -		-\$ 10,000						-10,000
3500-4705-0000	Moura Transfer Station Relocatable Donga	\$ -	\$ 15,580		\$ 15,580						15,580
3500-4739-0000	Theodore RSL Hall Air Con	\$ 141,756	\$ 181,756	New Switch Board Required	\$ 40,000						40,000
3500-4720-0000	Taroom Pool Upgrade	\$ 359,000	\$ 373,828	Work Completed	\$ 14,828						14,828
3500-4751-0000	Dunn St improvements - Concrete works	\$ 8,500	\$ 13,750	Work Completed	\$ 5,250						5,250
3580-4322-0000	Biloela Lawn Cemetery	\$ 70,000	\$ 58,000		-\$ 12,000						-12,000
New Item	Pound CCTV	\$ -	\$ 12,000		\$ 12,000						12,000
3911-4402-0000	Old Thangool Landfill Rehabilitation	\$ 20,000	\$ 8,070	\$11930 to be journaled to below item	-\$ 11,930						-11,930
3170-2200-0001	Approved Inspection Program Admin - Not Cap	\$ -	\$ 11,930		\$ 11,930				11,930		
New Item	Callide Dam Variations	\$ -	\$ 207,240		\$ 207,240					207,240	
3500-4742-0000	Wowan Depot Awning	\$ 30,000	\$ 21,150		-\$ 8,850						-8,850
New Item	Baralaba Show Grounds RV Dump Point Power	\$ -	\$ 8,850		\$ 8,850			8,850			
					\$ 182,898	\$ -	\$ -	\$ 8,850	\$ 11,930	\$ 162,118	\$ -
Infrastructure Services											
5300-1050	Get Playing Plus funding	\$ 55,040	\$ -	Reallocation of Moura Skate Park to 17/18 Budget	\$ 55,040	55,040					
5050-1020	Roads to Recovery (R2R) Grant	\$ 2,859,636	\$ 2,838,946	Excess R2R funds to be reallocated for use in 2018/19 budget	\$ 20,690	20,690					
5050-1032	Bridges Renewal Funding	\$ 2,365,000	\$ 165,000.00	Callide Creek Project Funding to be spent and claimed in 2017/18 budget	\$ 2,200,000	2,200,000					
5110-1400	MR Revenue Contract Works	\$ 9,900,000	\$ 7,520,000.00	Reduction in MR revenue	\$ 2,380,000	2,380,000					
J/N 0525-0256-0000	Jambin Dakenba Road	\$ 836,028	\$ 796,028.00	New linemarker purchased for Infrastructure Services	-\$ 40,000						-40,000
5200-2480	Road Maintenance	\$ 5,200,000	\$ 5,202,000	Councillor Requested Bin at Moura Bakery	\$ 2,000					2,000	
5110-2480	MR Expenses Contract Works	\$ 8,999,156	\$ 6,857,156	Associated reduction in contract expenditure	-\$ 2,142,000					-2,142,000	
IDP Program Changes - for complete details please see the IDP Worksheet.	Bikeways & Footpaths	\$ 253,418	\$ 253,418.00	Kelman St pram ramp completed as part of Yaldwyn Footpath	\$ -						
	Bridge Upgrade Program	\$ 5,479,339	\$ 1,143,582.00	Callide Creek Project to be completed in the 2017/18 budget and costs from Lonesome Creek Bridge project 2015/16	-\$ 4,335,757						-4,335,757
	Gravel Resheeting	\$ 1,063,418	\$ 1,030,069	Overestimation of project budgets	-\$ 33,349						-33,349
	Parks & Open Spaces	\$ 375,196	\$ 320,156	Moura Skate Park Project to be completed in the 2017/18 budget.	-\$ 55,040						-55,040
	Rural Construction	\$ 2,333,236	\$ 1,998,667	Reallocation of excess funds to other Capital Projects and new project - Jambin Goovigen Rd	-\$ 334,569						-334,569
	Rural Drainage	\$ 2,491,394	\$ 2,832,632	Reallocation of excess funds from other Capiral Projects	\$ 341,238						341,238
	Rural Reseals	\$ 769,991	\$ 531,148	All project excess funds to be reallocated to new Rural Construction project - Jambin Gooviqen Rd	-\$ 238,843						-238,843
	Rural Road Safety	\$ 115,000	\$ 116,089		\$ 1,089						1,089
	Urban Construction	\$ 261,439	\$ 262,741	Additional funds to cover 2015/16 budget carry over	\$ 1,302						1,302
	Urban Drainage	\$ 2,644,434	\$ 2,613,622	Reallocation of Hutton St Project funds and Increase of budget for Stanley St project	-\$ 30,812						-30,812
	Urban Reseals	\$ 340,203	\$ 320,963	Excess R2R funds to be reallocated for use in 2018/19 budget	-\$ 19,240						-19,240
					-\$ 2,228,251	\$ 4,655,730	\$ -	-\$ 2,180,000	\$ -	-\$ 4,703,981	\$ -
Water Supply					\$ -						
					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sewerage					\$ -						
					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total					-\$ 2,301,765	\$ 3,042,730	\$ -	-\$ 2,061,150	\$ 11,930	-\$ 3,826,863	\$ 588,000
					-\$ 2,245,353						

NOTES

Infrastructure Budget Reallocation Breakdown

Job Number	Original Project Budget	Transfer From	Transfer To	Amended Project Budget	Change	Project Classification	Project Name	Reason
0191-0939-0000	\$ 12,000	\$ 12,000		\$ -	-\$ 12,000	Bikeways and Pathways	Kelman St Concrete Pram Ramp	Kelman St Pram Ramp completed as part of the Pathway construction
0192-0966-0000	\$ 60,000		\$ 12,000	\$ 72,000	\$ 12,000		Yaldwyn St Pathway	Kelman St Pram Ramp completed as part of the Pathway construction
0151-0256-0000	\$ 4,730,000	\$ 4,400,000		\$ 330,000	-\$ 4,400,000	Bridge Upgrade Program	Callide Creek Bridge Project	Project has been listed in 2017/18 budget to be completed - Funds to be removed from 2016/17 budget
0151-0483-0000	\$ 332,859		\$ 64,243	\$ 397,102	\$ 64,243		Theodore Moura Rd - Lonesome Creek Bridge	Underestimation of project budget
0131-0138-0000	\$ 50,000	\$ 42,408		\$ 7,592	-\$ 42,408	Gravel Resheeting	Drumburle Rd Gravel Resheeting	Reduction to project scope due to additional funds for Flood damage
0131-0487-0000	\$ -		\$ 9,059	\$ 9,059	\$ 9,059		Three Chain Rd Gravel Resheeting	Costs for completion of project from 2015/16 budget
0132-0197-0000	\$ 286,125	\$ 86,124	\$ 86,124	\$ 286,125	\$ -		Glenmoral Roundstone Gravel Resheeting	Whole project costs claimed under R2R funding - Council money reallocated and R2R funds from other projects used to replace this money
0309-4991-0000	\$ 77,040	\$ 55,040		\$ 22,000	-\$ 55,040	Parks & Open Spaces	Moura Skate Park	Reallocation of Sport and Rec Funding to 2017/18 budget
0111-0070-0000	\$ 177,400	\$ 7,727		\$ 169,673	-\$ 7,727	Rural Construction	Buneru Rd Rehab and widening	Overestimation of project budget
0111-0130-0000	\$ 322,917		\$ 1,108	\$ 324,025	\$ 1,108		Dixalea-Deeford Rd Reconstruction	Underestimation of project budget
0111-0200-0000	\$ 379,000	\$ 236,238		\$ 142,762	-\$ 236,238		Hv Compliance Upgrades - Goovigen Connection Rd	Transfer of funds from Construction Section of project to Drainage Section
0111-0489-0000	\$ 253,919		\$ 446	\$ 254,365	\$ 446		Tollermaches Rd	Underestimation of project budget
0112-0184-0000	\$ -		\$ 212	\$ 212	\$ 212		Gibihi Rd Roundabout construction	Costs for completion of project from 2015/16 budget
0113-0483-0000	\$ 900,000	\$ 331,212		\$ 568,788	-\$ 331,212		Theodore Moura Rd Road construction - Stage 1	Majority of project completed and paid for in 2015/16 budget
	\$ -		\$ 238,842	\$ 238,842	\$ 238,842		Jambin Goovigen Rd Rehab	New Project
0151-0195-0000	\$ 150,000	\$ 20,000		\$ 130,000	-\$ 20,000	Rural Drainage	Glenhaughton Road Erosion work at water course	Reduction to the project scope due to fish passages requirements
0152-0200-0000	\$ 596,000		\$ 361,238	\$ 957,238	\$ 361,238		Floodway T Holes Goovigen Connection Rd	Need for additional funds to allow for installation of temporary bridge on sidetrack
Job Number	Original Project Budget	Transfer From	Transfer To	Amended Project Budget	Change	Project Classification	Project Name	Reason
0171-0014-0000	\$ 98,000	\$ 14,807		\$ 83,193	-\$ 14,807	Rural Reseal	Argoon Kilburnie Rd Reseal	Overestimation of project budget
0171-0070-0000	\$ 15,000	\$ 15,000		\$ -	-\$ 15,000		Buneru Rd Reseal	Seal completed as part of the Rural Construction Project (Low Cost Seal)
0171-0096-0000	\$ 10,725	\$ 4,499		\$ 6,226	-\$ 4,499		Clanfields Rd Reseal	Overestimation of project budget
0171-0197-0000	\$ 29,500	\$ 1,801		\$ 27,699	-\$ 1,801		Glenmoral Roundstone Rd Reseal	Overestimation of project budget
0171-0258-0000	\$ 10,725	\$ 4,917		\$ 5,808	-\$ 4,917		Jameson Rd Reseal	Overestimation of project budget
0171-0282-0000	\$ 62,218	\$ 13,392		\$ 48,826	-\$ 13,392		Kokotungo Don River Rd Reseal	Overestimation of project budget
0171-0283-0000	\$ 80,000	\$ 37,665		\$ 42,335	-\$ 37,665		Kokotungo Wandoo Rd Reseal	Overestimation of project budget
0171-0332-0000	\$ 21,450	\$ 11,022		\$ 10,428	-\$ 11,022		McLaughlins Rd Reseal	Overestimation of project budget
0171-0381-0000	\$ 32,000		\$ 1,273	\$ 33,273	\$ 1,273		Orange Creek Rd Reseal	Underestimation of project budget
0171-0384-0000	\$ 4,000	\$ 4,000		\$ -	-\$ 4,000		Paines Rd Reseal	Project delay for future budget
0171-0397-0000	\$ 25,000	\$ 13,437		\$ 11,563	-\$ 13,437		Pocket Creek Rd Reseal	Overestimation of project budget
0171-0403-0000	\$ 68,600	\$ 27,474		\$ 41,126	-\$ 27,474		Prospect Creek Goovigen Rd Reseal - Ch 8555 to 10455	Overestimation of project budget
0171-0421-0000	\$ 10,725	\$ 6,635		\$ 4,090	-\$ 6,635		Rifle Range Rd - Mortons Lane Intersection Reseal	Overestimation of project budget
0172-0403-0000	\$ 132,000	\$ 79,932		\$ 52,068	-\$ 79,932		Prospect Creek Goovigen Rd Reseal - Ch 10455 to 13455	Overestimation of project budget
0172-0421-0000	\$ 10,725	\$ 5,535		\$ 5,190	-\$ 5,535		Rifle Range Rd Reseal	Overestimation of project budget
0621-0251-0000	\$ 50,000		\$ 1,089	\$ 51,089	\$ 1,089	Rural Road Safety	Injune Taroom Rd - Netrisk Safety Improvements	Underestimation of project budget
0141-0051-0000	\$ 88,483	\$ 1,390		\$ 87,093	-\$ 1,390	Urban Construction	Blanchs Rd Rehab and widening	Overestimation of project budget
0141-0939-0000	\$ 150,000		\$ 7,536	\$ 157,536	\$ 7,536		Kelman St Pavement widening & Upgrade - Stage 1	Transfer of costs for Kelman St Upgrade from 2016/17 budget project to 2015/16 and cover of short fall

Infrastructure Budget Reallocation Breakdown

Job Number	Original Project Budget	Transfer From	Transfer To	Amended Project Budget	Change	Project Classification	Project Name	Reason
0142-0939-0000	\$ 110,000	\$ 4,844		\$ 105,156	-\$ 4,844		Kelman St Pavement widening & Upgrade - Stage 2	Tranfer of costs for Kelman St Upgrade from 2016/17 budget project to 2015/16 and cover of short fall
0161-0201-0000	\$ -		\$ 6,090	\$ 6,090	\$ 6,090		Baralaba Urban Drainage Study	Costs for completion of project from 2015/16 budget
0161-0495-0000	\$ 381,433		\$ 1,053	\$ 382,486	\$ 1,053		Browns Gully Completion Works	Underestimation of project budget
0161-0737-0000	\$ 80,000	\$ 80,000		\$ -	-\$ 80,000		Upgrade of Raedon St and Callistemon St Intersection	Design completed and determined that the available funds would not be sufficient to complete the project. Project budget increased & included in 2017/18 budget
0161-0901-0000	\$ -		\$ 3,281	\$ 3,281	\$ 3,281	Urban Drainage	Moura Urban Drainage Study	Costs for completion of project from 2015/16 budget
0161-0938-0000	\$ 500,000	\$ 500,000	\$ 15,467	\$ 15,467	-\$ 484,533		Hutton St Drainage Project (Stage 1)	Project put back to 2018/19 budget - design costs
0161-0949-0000	\$ 32,607		\$ 123,297	\$ 155,904	\$ 123,297		Kelman St North St Drainage	Costs for completion of project from 2015/16 budget
0161-0966-0000	\$ -		\$ 357,000	\$ 357,000	\$ 357,000		Yaldwyn St K&C and pavement Upgrade	New Project
0161-0992-0000	\$ 8,000		\$ 25,000	\$ 33,000	\$ 25,000		Stanley St K&C Reconstruction	Increase in budget due to past experience with the condition of the Thangool K&C
0162-0667-0000	\$ 370,000		\$ 18,000	\$ 388,000	\$ 18,000		CBD drainage Project	Underestimation of project budget
Job Number	Original Project Budget	Transfer From	Transfer To	Amended Project Budget	Change	Project Classification	Project Name	Reason
0181-0516-0000	\$ 26,070	\$ 9,902		\$ 16,168	-\$ 9,902	Urban Reseal	Baralaba Reseal - Woornoah Rd	Overestimation of project budget
0181-0623-0000	\$ 4,000		\$ 4,555	\$ 8,555	\$ 4,555		Baralaba Reseal - Ashfield St	Underestimation of project budget
0181-0626-0000	\$ 7,095	\$ 1,115		\$ 5,980	-\$ 1,115		Baralaba Reseal - Dawson St	Overestimation of project budget
0181-0628-0000	\$ 8,000	\$ 2,841		\$ 5,159	-\$ 2,841		Baralaba Reseal - Dunsten St	Overestimation of project budget
0181-0629-0000	\$ 6,600	\$ 2,015		\$ 4,585	-\$ 2,015		Baralaba Reseal - Harcourt St	Overestimation of project budget
0181-0630-0000	\$ 10,395	\$ 6,969		\$ 3,426	-\$ 6,969		Baralaba Reseal - Leichhardt St	Overestimation of project budget
0181-0631-0000	\$ 25,000	\$ 7,344		\$ 17,656	-\$ 7,344		Baralaba Reseal - Mimosa St	Overestimation of project budget
0181-0632-0000	\$ 6,800	\$ 671		\$ 6,129	-\$ 671		Baralaba Reseal - Morgan St	Overestimation of project budget
0181-0633-0000	\$ 13,000		\$ 18,528	\$ 31,528	\$ 18,528		Baralaba Reseal - Power St	Underestimation of project budget
0181-0634-0000	\$ 6,300	\$ 1,961		\$ 4,339	-\$ 1,961		Baralaba Reseal - Railway Terrace	Overestimation of project budget
0181-0636-0000	\$ 7,500	\$ 604		\$ 6,896	-\$ 604		Baralaba Reseal - Stafford St	Overestimation of project budget
0181-0637-0000	\$ 12,375	\$ 4,910		\$ 7,465	-\$ 4,910		Baralaba Reseal - Stopford St	Overestimation of project budget
0181-0642-0000	\$ 21,000	\$ 8,301		\$ 12,699	-\$ 8,301		Baralaba Reseal - Woornoah St	Overestimation of project budget
0181-0643-0000	\$ 15,000	\$ 11,016		\$ 3,984	-\$ 11,016		Baralaba Reseal - Bedford St	Reduction in the length of the reseal
0181-0843-0000	\$ 20,597		\$ 4,074	\$ 24,671	\$ 4,074		Goovigen Reseal - Stanley St	Underestimation of project budget
0181-0844-0000	\$ 7,403	\$ 1,189		\$ 6,214	-\$ 1,189		Goovigen Reseal - Stone Cres	Overestimation of project budget
0181-0872-0000	\$ 24,271	\$ 3,597		\$ 20,674	-\$ 3,597		Moura Reseal - King St	Overestimation of project budget
0181-1053-0000	\$ 10,000		\$ 19,576	\$ 29,576	\$ 19,576		Wowan Reseal - Don St - Ch 712 to 1024	Cost for project spread over all three separate reseal projects for Don St
0181-1055-0000	\$ 10,500	\$ 3,152		\$ 7,348	-\$ 3,152		Wowan Reseal - East St	Overestimation of project budget
0181-1056-0000	\$ 8,000	\$ 2,398		\$ 5,602	-\$ 2,398		Wowan Reseal - Railway Ave	Overestimation of project budget
0181-1058-0000	\$ 2,400		\$ 17,702	\$ 20,102	\$ 17,702		Wowan Reseal - Railway Ave	Extension of length of seal
0181-1059-0000	\$ 3,500	\$ 977		\$ 2,523	-\$ 977		Wowan Reseal - Alma St	Overestimation of project budget
0182-0939-0000	\$ 2,885	\$ 182		\$ 2,703	-\$ 182		Taroom Reseal - Kelman St	Overestimation of project budget
0182-1053-0000	\$ 8,000		\$ 3,886	\$ 11,886	\$ 3,886		Wowan Reseal - Don St - Ch 534 to 694	Cost for project spread over all three separate reseal projects for Don St
0183-1053-0000	\$ 25,000	\$ 18,417		\$ 6,583	-\$ 18,417		Wowan Reseal - Don St - Ch 0 to 200	Cost for project spread over all three separate reseal projects for Don St

Total Change to Budget -\$ 4,703,981

Current Capital Budget Total	\$ 16,217,067
New Capital Budget Total After Reallocation	\$ 11,513,086

8.1.2 ACTION REPORT ON PREVIOUS COUNCIL RESOLUTIONS – CORPORATE & COMMUNITY SERVICES

Date: 7 April 2017
Author: Todd Sleeman - Director Corporate & Community Services
File No:
Letter No: N/A
Attachment: Resolutions Action Report
Minute No: OM003721

A discussion was held in relation to the smaller second airstrip near Taroom and the Mayor advised he will arrange to meet with the relevant stakeholder/s.

Resolution:

That the Resolutions Action Report for Corporate & Community Services as presented be noted and received.

Moved: Cr Leo

Seconded: Cr Middleton

Carried

Report

This report is to advise Council of the outstanding matters currently being dealt with by the organisation.

Considerations

1. **Corporate Plan**
N/A
2. **Policy and Legal Implications**
Policy and legal implications will be addressed through each matter.
3. **Financial and Resource Implications**
Budget impacts will be addressed in resolving each matter.
4. **Risk Assessment**
N/A

8.1.3 MAJOR CAPITAL PROJECTS – MONTHLY ACTUAL EXPENDITURE – CORPORATE & COMMUNITY SERVICES

Date: 20 April 2017
Author: Todd Sleeman - Director Corporate & Community Services
File No:
Letter No:
Attachment: Capital Expenditure Report
Minute No: OM003722

Resolution:

That Council note and receive the Major Capital Expenditure Report as at 18 April 2017 for Corporate & Community Services.

Moved: Cr Snell

Seconded: Cr Semple

Carried

Report

Providing a report on Council's Major Capital Expenditure as at 18 April 2017 for Corporate & Community Services.

Refer attachment.

8.1.4 CONSIDERATION FOR REBATE ON WATER CONSUMPTION CHARGES – ASSESSMENT NO: 15367-30000-000

Date: 05 April 2017
Author: Manager Financial Services, Dave Steger
File No: 15367-30000-000
Letter No:
Attachment: Doc ID: 109645, 104576, 108533, OM003653, OM003593
Minute No: OM003723

Proposed Recommendation:

That Council does not grant a rebate for the water consumption charges on Assessment No: 15367-30000-000.

Resolution:

That pursuant to sections 120 (1) (c), 121 (a) and 122 (1) (a) of the Local Government Regulation 2012, Council resolves to grant a concession to the ratepayers of Assessment No: 15367-30000-000 by way of rebate of 50% (\$3581.60) of the water consumption charge for the period 1st July 2016 to 31st December 2016, on the basis that requiring these ratepayers to pay the full amount of the water consumption charge originally levied will cause them hardship given payment of the significant previous half yearly water consumption charge.

Moved: Cr Ferrier

Seconded: Cr Brennan

Carried

The above motion was carried with Cr Snell voting against the motion.

Report

Council has received correspondence from the owners of Assessment No: 15367-30000-000 located at 51-57 Valentine Plains Road, Biloela, asking Council to grant a concession for the water consumption for the period 1st July – 31st December 2016 as listed on the rates notice for this assessment issued on 13th February 2017.

This request has direct relevance to recent decisions where Council resolved at the meetings held on 23rd November 2016 and 25th January 2017 to not grant a rebate for water consumption charges on Assessment No: 15367-30000-000 – see Meeting Reference No: OM003653 and OM003593.

As per the decision at prior Council meetings, it is my recommendation that Council does not grant a rebate for the water consumption charges on Assessment No: 15367-30000-000.

Should Council wish to grant a concession for the water consumption charges then the following wording is required for the resolution:

“Pursuant to sections 120 (1) (c), 121 (a) and 122 (1) (a) of the Local Government Regulation 2012, Council resolves to grant a concession to the ratepayers of Assessment No: 15367-30000-000 by way of rebate of **XX% (\$XXXX.XX)** of the water consumption charge for the period 1st July 2016 to 31st December 2016, on the basis that requiring these ratepayers to pay the full amount of the water consumption charge originally levied will cause them hardship”.

Considerations**1. Corporate Plan**

This matter has direct reference to Corporate Plan Strategy 1.1 (a), (b), and 1.2 (a).

2. Policy and Legal Implications

N/A

3. Financial and Resource Implications

Financial implication: - Loss of revenue if a full or partial rebate of the water consumption charges is given for the period 1st July 2016 – 31st December2016. The total water consumption charge for the period on Assessment No: 15367-30000-000 was \$7,163.20.

4. Risk Assessment

N/A

8.1.5 2016/17 CORPORATE & COMMUNITY SERVICES OPERATIONAL PLAN ASSESSMENT AS AT 31/03/2017

Date: 20 April 2017
Author: Todd Sleeman – Director Corporate & Community Services
File No:
Letter No:
Attachment: Operational Plan
Minute No: OM003724

Resolution:

That Council receive Corporate & Community Services' third quarter assessment of the 2016/17 Operational Plan.

Moved: Cr Semple

Seconded: Cr Leo

Carried

Report

Corporate & Community Services third quarter assessment of 2016/17 Operational Plan is attached.

8.1.6 2017-2018 REVENUE POLICY

Date: 19th April 2017
Author: Manager Financial Services, Dave Steger
File No:
Letter No:
Attachment: Draft 2017-2018 Revenue Policy
Minute No: OM003725

Resolution:

That Council adopt the 2017/2018 Revenue Policy, a copy of which is attached to and forms part of these minutes.

Moved: Cr Middleton

Seconded: Cr Leo

Carried

Report

Under section 104 of the *Local Government Act 2009* (LGA) Council must prepare a Revenue Policy. Under subsection 193 (3) of the *Local Government Regulation 2012* (LG Reg), Council must ensure that its Revenue Policy is reviewed annually and in sufficient time to allow an annual budget that is consistent with the Revenue Policy to be adopted for the next financial year.

Under subsection 193 (1) of the LG Reg, a local government's Revenue Policy for a financial year must include details of the principles applied by it for the year for each of the following—

- (i) levying rates and charges; and
- (ii) granting concessions for rates and charges; and
- (iii) recovering overdue rates and charges; and
- (iv) cost-recovery methods.

The Revenue Policy must further state:

- (a) if the local government intends to grant concessions for rates and charges – the purpose for the concessions; and
- (b) the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

The Revenue Policy may further state guidelines that can be used for preparing Council's Revenue Statement.

Considerations

1. Corporate Plan

This matter has direct reference to Corporate Plan Strategy 1.1 (a), (b), and 1.2 (a) and (c).

2. Policy and Legal Implications

This policy is a legislative requirement under the *Local Government Act 2009* and the *Local Government Regulation 2012*.

3. Financial and Resource Implications

N/A

4. Risk Assessment

N/A



BANANA SHIRE COUNCIL

Policy

TITLE	2017/2018 REVENUE POLICY
POLICY NUMBER	44
COUNCIL FUNCTION	FINANCIAL SERVICES (REVENUE)
RESPONSIBLE DEPARTMENT	CORPORATE AND COMMUNITY SERVICES
LEGISLATION	Local Government Regulation 2012 Sections 169 and 193 Local Government Act 2009 Section 94
ADOPTED	Budget Meeting 28 June 2017
REVIEWED/AMENDED	Minute No. OM003725 – 26 April 2017 Ordinary Meeting
NEXT REVIEW DUE	March 2018

SCOPE

This policy has been developed taking into account the provisions of Section 193 of the Local Government Regulation 2012.

OBJECTIVE

The purpose of this revenue policy is to set out the principles used by Council in the 2017/2018 financial year for:

- Levying rates and charges;
- Granting concessions for rates and charges;
- Recovering overdue rates and charges;
- Cost-recovery methods.

POLICY

1. Principles used for the levying of rates and charges

Pursuant to section 94 of the Local Government Act 2009, Council must levy general rates and may levy special rates and charges, utility charges and separate rates and charges. In general Council will be guided by the principle of user pays in the levying of rates and charges (other than general rates) so as to minimise the impact of rating on the efficiency of the local economy.

Council will also be guided the principles of:

- transparency in the making of rates and charges; having in place a rating regime that is simple and inexpensive to administer;
- equity by having regard to the different classes of ratepayers within the local community;

- equity through flexible payment arrangements for ratepayers experiencing difficulty in paying their rates by the due date;
- flexibility to take account of changes in the local economy;
- flexibility to take into account the impact that different industries have on the shire's infrastructure;
- ensuring ratepayers are given adequate notice of their liability to pay rates and charges; and
- making clear the obligations and responsibility of both Council and ratepayers in respect to rates and charges;

2. Principles used for granting concessions for rates and charges

In considering the application of concessions, Council will be guided by the principles of:

- equity by having regard to the different classes of ratepayers within the local community;
- the same treatment for ratepayers with similar circumstances;
- transparency by making clear the availability of concessions and eligibility requirements;
- flexibility to allow Council to respond to local economic issues; and
- long term planning to ensure the financial sustainability of concessions.

Purpose for the concessions:

Council intends to exercise its power under Chapter 4, Part 10 of the Local Government Regulation 2012 to partly remit rates and utility charges for the purpose of recognising the particular financial and related circumstances of qualifying pensioners within the shire.

Council may also grant concessions to not for profit recreation, sporting and community organisations in accordance with the provisions of Chapter 4, Part 10 of the Local Government Regulation 2012.

Consideration may be given by Council to granting a class concession in the event all or part of the local government area is declared a natural disaster area by the State Government.

3. Principles used for the recovery of overdue rates and charges

Council will exercise its rate recovery powers in order to reduce the overall rate burden on ratepayers. It will be guided by the principles of:

- transparency by making clear the obligations of ratepayers and the processes used by Council in assisting them meet their financial obligations;
- making the processes used to recover overdue rates and charges clear, simple to administer and cost effective; (These processes are set out in Council's Recovery of Overdue Rates & Charges Policy & Procedure)
- negotiating arrangements for payment where appropriate;
- equity by having regard to providing the same treatment for ratepayers with similar circumstances; and
- flexibility by responding where necessary to changes in the local economy.

4. Principles used for cost-recovery methods

Under section 97 of the Local Government Act 2009 Council may, under a local law or by resolution, fix a cost-recovery fee. In collecting and setting cost-recovery fees, Council will be guided by the principles of:

- application of the user pays principle in collecting cost-recovery fees; and
- cost-recovery fees will be set by Council to ensure that each fee does not exceed the cost to Council of taking the action for which the fee is charged.

Council also has the power to conduct business activities and make commercial charges for services and facilities it provides on this basis. Commercial charges are a class of charge which are purely commercial in application.

5. Physical and Social Infrastructure Costs

Council requires developers to pay reasonable and relevant contributions towards the cost of infrastructure required to support the development and the impact on the locale and community. In setting charges for new developments, Council's objective is to apportion the establishment cost of infrastructure and facilities over all benefiting development (existing and future) commensurate with the demand or load that existing and future development will place on existing and planned infrastructure and facilities while ensuring a reasonable and equitable distribution of costs between Council and developers of land. Specific charges are detailed in Council's schedule of fees and charges which is reviewed annually.

CERTIFICATION

.....
CHIEF EXECUTIVE OFFICER
BANANA SHIRE COUNCIL

.....
DATE

8.1.7 2017-2018 COST-RECOVERY FEES AND COMMERCIAL CHARGES

Date: 19th April 2017
Author: Manager Financial Services, Dave Steger
File No:
Letter No:
Attachment: 2017-2018 Cost-recovery Fees and Commercial Charges Register
Minute No: OM003726

A discussion was held in relation to the charges set by SPERS and the CEO recommended these charges be discussed at a Council workshop.

Resolution:

That Council in accordance with the requirements of the Local Government Act 2009 fix the Cost-recovery Fees and Commercial Charges for the 2017/2018 financial year which are attached to and form part of these minutes.

Moved: Cr Leo

Seconded: Cr Snell

Carried

Report

Council has the power to create both Cost-recovery Fees and Commercial Charges under the relevant sections of the *Local Government Act 2009*.

Council each year should review its fees and charges to ensure consistency and appropriateness bearing in mind that the legislation requires that a Cost-recovery Fee must not be more than the cost to the local government of providing the service or taking the action for which the fee is charged.

Fees and charges are an important revenue source of revenue for Council and should demonstrate the user pays principle of accountability. The proposed fees and charges have been compiled by all relevant departmental managers and directors.

Council needs to adopt the fees and charges prior to the commencement of the financial year so that external agencies can be notified of the changes prior to the commencement of the financial year

The proposed fees and charges were discussed by Council at the Council Workshop on the 18th April 2017.

Considerations

1. Corporate Plan

This matter has direct reference to Corporate Plan Strategy 1.1 (a), (b), and 1.2 (c).

2. Policy and Legal Implications

Sections 9 and 97 of the LGA apply to the setting of fees and charges and have been applied.

3. Financial and Resource Implications

The Cost-Recovery fees and Commercial Charges outlined in the register attached to this report form a significant part of Council's revenue raising requirements and provide the source of funding and/or a funding contribution to various programs delivered by Council.

The fees and charges are set in conjunction with the Budget each year to ensure appropriate and responsible revenue raising and in the case of Cost-recovery Fees to ensure the fee does not exceed cost of providing the service or taking the action for which the fee is charged.

4. Risk Assessment

N/A

8.2.1 CUSTOMER SERVICE CHARTER POLICY REVIEW

Date: 20 March 2017
Author: Frank Smallwood, Manager Administration and Community
File No:
Letter No:
Attachment: Customer Service Charter Policy
Minute No: OM003727

Resolution:

That the attached Customer Service Charter Policy be adopted by Council.

Moved: Cr Boyce

Seconded: Cr Semple

Carried

Report

This policy has been revised as part of the process of reviewing and updating all of Council's policies and procedures to ensure they meet legislative requirements and current needs and to ensure it complies with Council's plans, assist staff in its implementation and is readily available, open and transparent for all residents of the shire.

Only minor changes were made to this charter to reflect current circumstances, improve the setting out and correct some minor anomalies etc. There is no significant difference in its intent or implementation to the current policy.

I recommend that Council adopt this revised policy.

Considerations

1. Corporate Plan

Complies with 1.2.1 a

2. Policy and Legal Implications

No apparent legal implications with adoption of these policies.

3. Financial and Resource Implications

No additional financial implications or resource requirements.

4. Risk Assessment

No apparent risks with adoption.



BANANA SHIRE COUNCIL

Policy

TITLE	CUSTOMER SERVICE CHARTER
POLICY NUMBER	67
COUNCIL FUNCTION	ADMINISTRATION, EXECUTIVE AND GOVERNANCE
RESPONSIBLE DEPARTMENT	CORPORATE AND COMMUNITY SERVICES
LEGISLATION	<i>Local Government Act 2009 Section 9 and 262</i>
ADOPTED	25 JUNE 2014 ORDINARY MEETING – MINUTE OM002789 Previously Approved by EMT 01 July 2013
REVIEWED/AMENDED	26 April 2017 Ordinary Meeting - Minute No. OM003727
NEXT REVIEW DUE	March 2021

POLICY

That, in dealing with customers, Council and staff observe following the principles:

- Treat customers courteously and with respect;
- Provide accurate and up to date information;
- Act on commitments in a timely manner;
- Provide linkages and referral to other relevant information as required,
- Be open and transparent about Council policies, procedures and protocols.

PROCEDURE

The Customer Service Charter incorporating these principles be adopted.

See attached.

CERTIFICATION

.....
CHIEF EXECUTIVE OFFICER
BANANA SHIRE COUNCIL

.....
DATE

Providing Feedback

Feedback on our Services

We are constantly looking for ways to improve the services and programmes we provide. As such, we invite you to provide feedback (both positive and negative) regarding our services. This feedback can be given in person, by phone or in writing.

On occasions, a survey will also be available to our customers online to gauge your impression of our services and offer suggestions for improvement.

Contact details

Phone: (07) 4992 9500
Postal Address: PO Box 412
Biloela, Qld, 4715
Email: enquiries@banana.qld.gov.au
Website: www.banana.qld.gov.au



Banana Shire Council Central News



Customer Service Centres

ADMINISTRATION CENTRE

62 Valentine Plains Road,
Valentine Plains, Biloela, Qld 4715
Opening hours: Monday to Friday
8.00am to 5.00pm

MOURA CUSTOMER SERVICE CENTRE

Administration Office,
43 Gillespie Street, Moura, Qld 4718
Opening hours: Monday to Friday
8.30am to 4.30 pm

TAROOM CUSTOMER SERVICE CENTRE

Administration Office,
Yaldwyn Street, Taroom, Qld 4420
Opening Hours: Monday to Friday
8.00am to 5.00pm



CUSTOMER SERVICE CHARTER



Our Commitment to You

MISSION STATEMENT

'Our Council is committed to promoting and striving for continuous improvement in all that we do, for the benefit and growth of the whole of our Shire'.

This Charter is our commitment to you, our customer, to provide quality services and deliver customer service standards that are professional, efficient and effective.

WHO WE ARE

Banana Shire Council has an area of 28,577 square kilometres, 14,947 residents, more than 4,800 kilometres of road including over 800 kilometres of main road, numerous national parks and recreation reserves and a large number of community facilities and libraries.

Banana Shire is home to a diverse range of cultures. The Shire dates back to 1903. Prior to this, it was a Divisional Board starting in 1880. Generations of families have made this area their home and there is a fairly even mix of age groups throughout the Shire. The cultural diversity and age demographics provide stability for work and community life.

Our Customer Service Principles

At all times, we aim to:

- Treat customers courteously and with respect;

- Provide accurate and up to date information;
- Act on our commitments in a timely manner;
- Provide linkages and referral to other relevant information as required,
- Be open and transparent about our policies, procedures and protocols.

When you phone Council or visit in person, we:

- Will attend to you promptly and professionally, providing a courteous and attentive service;
- Aim to answer your call within 30 seconds. If we cannot, you will have the option to remain on the line or leave a message so that we may return your call at our earliest opportunity;
- Aim to answer your enquiries promptly and if able, deal with them directly without unnecessary delay, providing accurate and complete information;
- Will listen to your requests and discuss your concerns;
- Will respect your privacy and address your concerns in a confidential manner in accordance with relevant legislation.

When you contact Council in writing:

We will acknowledge or respond to your written correspondence within 10 (ten) business days of receipt.



Our Expectation of the Customer

To make our job easier in providing our services, we ask customers to:

- Treat Council staff with respect
- Respect the privacy, safety and needs of other members of the community
- Provide accurate and complete information to staff to enable them to assist you with your enquiry
- Make an appointment to speak with a specific department or officer for complex enquiries
- Let us know when circumstances change, e.g. your address or dog registration details
- Work with us to resolve problems
- Provide us with constructive feedback on our services

8.2.2 RECORDS MANAGEMENT POLICY REVIEW

Date: 11 April 2017
Author: Frank Smallwood, Manager Administration and Community
File No:
Letter No:
Attachment: Records Management Policy and supporting procedure
Minute No: OM003728

Resolution:

That the reviewed and amended Records Management Policy as attached be adopted by Council.

Moved: Cr Middleton

Seconded: Cr Snell

Carried

Report

This policy has been revised as part of the process of reviewing and updating all of Council's policies and procedures to ensure they meet legislative requirements and current needs and to ensure it complies with Council's plans, assist staff in its implementation and is readily available, open and transparent for all residents of the shire.

Any reference to a particular brand of computer programme has been removed, legislation references updated and minor changes were made to this policy to reflect current circumstances, improve the setting out and correct other minor anomalies etc. There is no significant difference in its intent or implementation to the current policy.

I recommend that Council adopt this revised policy.

Considerations

- 1. Corporate Plan**
Complies with 1.2.1 a
- 2. Policy and Legal Implications**
No apparent legal implications with adoption of this policy.
- 3. Financial and Resource Implications**
No additional financial implications or resource requirements.
- 4. Risk Assessment**
No apparent risks with adoption.



BANANA SHIRE COUNCIL

Policy

TITLE	RECORDS MANAGEMENT POLICY
POLICY NUMBER	
COUNCIL FUNCTION	ADMINISTRATION, EXECUTIVE AND GOVERNANCE
RESPONSIBLE DEPARTMENT	CORPORATE AND COMMUNITY SERVICES
LEGISLATION	<i>Electronic Transactions (Queensland) Act 2001 Evidence Act 1977 Evidence Regulation 2007 Financial Accountability Act 2009 Financial Accountability Regulation 2009 Financial and Performance Management Standard 2009 Information Privacy Act 2009 Information Privacy Regulation 2009 Judicial Review Act 1991 Local Government Act 2009 Local Government Regulation 2012 Public Records Act 2002 Public Records Regulation 2014 Right to Information Act 2009 Right to Information Regulation 2009</i>
ADOPTED	23 March 2005 Minute No 30064
REVIEWED/AMENDED	26 April 2017 Ordinary Meeting – Minute No. OM003728
NEXT REVIEW DUE	March 2021

SCOPE

- All Council staff, including contract staff, councillors and external service providers,
- All aspects of Council's operations,
- All records created to support Council business activities and
- All Council business applications used to create records, including email, business systems, database applications and websites.

OBJECTIVE

To provide the overarching framework for the creation and management of records within the Banana Shire Council.

RATIONALE

Banana Shire Council's records are its corporate memory, and as such are a vital asset that support

ongoing operations and provide valuable evidence of business activities over time.

Council is committed to implementing best practice recordkeeping practices and systems to ensure the creation, maintenance and protection of accurate and reliable records.

Council recognises its regulatory requirements as a public authority under the *Public Records Act 2002*. It is committed to the principles and practices set out in Information Standard 40 *Recordkeeping*, and other standards and guidelines promulgated by Queensland State Archives to all agencies.

All practices concerning recordkeeping within Council are to be in accordance with this policy and its supporting procedures.

DEFINITIONS

CEO, Chief Executive Officer

The Chief Executive Officer of Banana Shire Council

Council

Banana Shire Council

Record

Recorded information in any form, including data in computer systems created or received and maintained by an organisation or person in the transaction of business or the conduct of affairs and kept as evidence of such activity.

Information Standard 40 (IS40)

Standards issued under the ambit of the *Public Records Act 2002* which states that all staff have a recordkeeping responsibility.

Electronic Data Management System

A computerised system used by council to record, hold and distribute documents electronically

POLICY

Council is committed to complying with relevant legislative Acts and Regulations as well as recognised standards.

Accordingly Council is committed to developing and maintaining a recordkeeping systems that captures and maintain records with appropriate evidential characteristics in accordance with the requirements of such legislation and standards, including those issued by the Queensland State Archives, for the management of Council's records including the ongoing development and maintenance of a recordkeeping systems that captures and maintains records with appropriate evidential characteristics.

Council supports an holistic approach to the management of all corporate information, and integrates its recordkeeping policies and procedures within the broader information management regime of the organisation.

To achieve this Council will utilise an electronic data management recordkeeping system to create and maintain authentic, reliable and useable records, which meet the needs of internal and external stakeholders. These records are to be maintained for as long as they are required to effectively and efficiently support the business functions and activities of the Council by management of the following

processes:

- creation and capture of records
- storage of records
- protection of record integrity and authenticity
- security of records
- access to records
- the disposal of records

Note – in general, it is an offence to destroy any public record without authorisation from the State Archivist. Unless otherwise authorised, all record disposal within Council must be undertaken in compliance with the relevant General and Local Government Retention and Disposal Schedules issued by Queensland State Archives.

Council's recordkeeping systems are to assist in making full and accurate records which should be:

- **adequate** for the purposes for which they are created and kept
- **complete** in content and contain the structural and contextual information necessary to document a transaction
- **meaningful** with regards to information and/or linkages that ensure the business context in which the record was created and used is apparent
- **accurate** in reflecting the transactions, activities or facts that they document
- **authentic** in providing proof that they are what they purport to be and that their purported creators did actually create them
- **inviolable** through being securely maintained to prevent unauthorised access, alteration, removal or destruction
- **accessible** by being kept in a format that allows their continued use
- **useable** through being maintained so that they are identifiable, retrievable and available when needed

PROCEDURE

As approved, issued and subject to amendment by the Chief Executive Officer.

CERTIFICATION

.....
CHIEF EXECUTIVE OFFICER
BANANA SHIRE COUNCIL

.....
DATE

8.3.1 APPOINTMENT OF LAKE CALLIDE RETREAT CARETAKER/OPERATOR

Date: 4th April 2017
Author: Jamie Petrie, Land & Lease Management Coordinator
File ID:
Letter ID:
Attachment: Budget & Retainer Confirmation Letters
Minute No: OM003729

Resolution:

That Council appoint Steve and Dianne Wandmaker as the caretaker/operators of Lake Callide Retreat and accept the retainer of \$70,700-00 (excl GST) per annum as per their letter dated 3rd April 2017, for a period of 2 years.

Moved: Cr Brennan

Seconded: Cr Semple

Carried

Report

Council received six (6) expressions of interest for the caretaker/operators position for the Lake Callide Retreat.

All applications were reviewed and responses assessed against the selection criteria by the panel consisting of Council's Director Corporate & Community Services, Manager Administration & Community and Land & Lease Management Coordinator.

Three (3) candidates were short listed and ranked accordingly –

1. Steve and Dianne Wandmaker
2. Steve & Sue Gallagher
3. Shane Moran & Mariana Jora.

Considerations

1. **Corporate Plan**
1.1a, 1.1b
 2. **Policy and Legal Implications**
N/A
 3. **Financial and Resource Implications**
Included in 2017/18 Operating Budget
 4. **Risk Assessment**
Nil
-

Corporate & Community Services Miscellaneous

The CEO referred to the FAGs grant freeze until 2017/18 and advised the approximate cost to Banana Shire is \$780,000 compounded over the three (3) year time frame. Further advised the Australian Local Government Association is lobbying to have the last 'freeze' year dropped.

DCCS advised Council's application under the Building Our Regions for Thangool Aerodrome is being submitted today.

The Director Infrastructure Services (DIS) attended the meeting and Director Corporate & Community Services left the meeting.

9.0 Infrastructure Services

9.1.1 MONTHLY REPORT – INFRASTRUCTURE SERVICES INCLUDING MONTHLY ACTUAL EXPENDITURE

Date: 12 April 2017
Author: Stephen Mow – Works Manager
File ID:
Letter ID:
Attachment: Works Program
Minute No: OM003730

Cr Boyce referred to orange bunting etc around an area in front of the Information Centre at Taroom that was dug approximately 4 weeks ago and advised no work has been carried out since. DIS will investigate and advise.

Resolution:

That Council receive the April 2017 Infrastructure Services Monthly Report as presented.

Moved: Cr Brennan

Seconded: Cr Semple

Carried

Report

1. Introduction

This Monthly Report by Infrastructure Services details the ‘actual expenditure’ in the principal areas of the Works Section’s operations. Namely:

- Internal Works
 - Town and General Maintenance (excl Parks)
 - Parks and Open Spaces
 - Road Maintenance
 - Capital Works Program
- NDRRA – Approved Response, Emergent & Restoration Works
- External Works
 - RMPC - Road Maintenance Performance Contract
 - TMR Capital

2. Background

To assist Council in monitoring the delivery of the various programs, this Monthly Report provides an updated delivery program and actual expenditure in key areas.

3. Report

The particular expenditure for several programs can be seen on the enclosed graphs of the key areas.

Internal Works

- Council Road Maintenance
- Council Towns and General Maintenance
- Council's Major Works Program
 - A summary of project status is shown below:

Project Type	Project Description	Status
Gravel Resheeting	Old Injune Rd – gravel resheeting	Scheduled to commence in early May
Rural Construction	Theodore-Moura Rd – bridge approaches	Progressing – delayed due to Cyclone Debbie. Completion is expected in early to mid-May
Bikeways and Footpaths	Yaldwyn St, Taroom – concrete footpath	Complete
Urban Drainage	Yaldwyn St, Taroom – kerb and channel replacement	Now deferred due to water main replacement work.
Urban Drainage	Biloela CBD drainage upgrade – construct open drain on former rail reserve	Commenced - progressing
Urban Drainage	Biloela CBD drainage upgrade – construct underground drainage in Melton St from Kariboe St to former rail reserve.	Now scheduled to commence end of April and take about 7 weeks
Urban Drainage	Biloela CBD drainage upgrade – construct underground drainage in Kariboe St from Gladstone Rd to Melton St.	Tender has been called. Work is anticipated to start mid to late May
Rural Construction	Goovigen Connection Rd – heavy vehicle route upgrade	Bridge to T-Holes floodway has been widened and rehabilitated. Approaches to T-Holes still to be done after the slab is complete
Rural Drainage	Goovigen Connection Rd – T-holes floodway upgrade	Delayed due to Cyclone Debbie
Rural Drainage	Cracow Rd – construct new concrete floodway at about 31km from Taroom (Cockatoo Ck)	Now scheduled to commence in late April
Rural Construction	Quarrie Rd rehabilitation – from Paines Rd for 300m	Complete

NDRRA Works

- Cyclone Marcia

All submissions have been approved. Total approved costs (including QRA additions) are – Unsealed roads \$12M, Sealed Roads \$1.7M. The majority of the reconstruction projects have been completed. The Tender for the remaining projects has been finalized. The projects will be completed before the financial year 30 June 2017 and will be acquitted with QRA.

- Betterment Projects

- Linkes Rd - The contractor has started the Linkes Rd and the scheduled completion is May 2017.
- Lindleys Rd – The project has been rescheduled to the extension of the existing pipes and it is in progress for the new design,. The funds will be reduced..

- During the Nov 2016 month 3 more Betterment projects have been prepared, designed, estimated and submitted and after several negotiations
- Jambin Dakenba Rd – The construction has been commenced by Council's Day-Labor teams and the concrete margin was completed. The stabilization will be start early April. The project has been approved for \$836,000,. However the cost will be significantly lower.
- Callide Highway project was not approved by QRA for this year's Betterment.
- Baralaba Rd project was not approved by QRA for this year's Betterment.

- February 2015 Event

The February 2016 Event has been approved and preliminary payment has been paid (\$478,679). The projects need to be scheduled and completed before end of the June 2018.

The unit rates has been developed/increased and the new Benchmark rates for the 2016-2017 projects has been approved.

- Mrch 2017 Event – Debbie Cyclone

The Debbie Cyclone Rainfall has been activated for Reconstruction of Essential Public Assets (RPEA) and the preparation of the damage photos is in progress. The engineering evaluation/reports, cost estimation and the formal submission will proceed in due course.

The approximate damages estimate is between \$2 and \$2.5 M. The reconstruction projects need to be scheduled and completed before end of the June 2019.

Some of the previously approved reconstruction and Betterment projects have been damaged by Cyclone Debby Rainfalls which will be estimated and reported to QRA for reconsideration.

External Works

- RMPC - Road Maintenance Performance Contract

The contract value has almost been fulfilled this year with work activities primarily being slashing and pothole patching for the remainder of 2016/17.

- Main Roads

- Burnett Highway, Lawgi to Thangool – was delayed due to Cyclone Debbie. A second road works crew will be on-site in early May.
- Burnett Highway rehabilitation north of Thangool – progressing, completion by early May
- Dawson Highway surface correction from the shire boundary to Bauhinia - complete.
- Burnett Highway foam bitumen stabilisation from Jambin to Jambin School – project has been awarded to a contractor (Downer). Likely on site start is early to mid-May.

- Works Program

A Works Program 2016-2017 gives an indication of current work and future work over the next 2 months and is attached.

Parks, Gardens and Open Spaces

There is no report this month.

Monthly Actual Expenditure

**BANANA SHIRE COUNCIL
Infrastructure Services**

Capital Expenditure Report For Year 2016/2017 as at 18/04/2017

Work Area / Project	Job Costing Number	2016/2017 Budget	YTD Expenditure	Committed	Total Expenditure	(Over)/Under Budget (\$)	Over/Under
INFRASTRUCTURE SERVICES							
Roads / Drainage							
See Infrastructure Development Plan (IDP) - For detailed report please see Engineering Report for Council Meeting		16,147,022.00	6,634,754.36	3,900,950.75	10,535,705.11	5,611,316.89	UNDER
TOTAL ROADS/DRAINAGE		16,147,022.00	6,634,754.36	3,900,950.75	10,535,705.11	5,611,316.89	UNDER
INFRASTRUCTURE SERVICES TOTAL		16,147,022.00	6,634,754.36	3,900,950.75	10,535,705.11	5,611,316.89	UNDER

Considerations

1. Corporate Plan

The delivery of the RIP relates to Council's 'Corporate Objective 5 – Planning and Delivering our Infrastructure Services' as part of Council's Corporate Plan.

2. Policy and Legal Implications

The delivery of this program will be managed in such a way as all appropriate/applicable policies/legislation is complied with.

3. Financial and Resource Implications

The delivery of the various works programs are a significant undertaking by the Works Section which require an extensive commitment by the entire Works group.

All of these various programs will be delivered simultaneously utilising various combinations of Council, Sub-Contractor and Principal Contractor resources.

Critical to the delivery of these inter-connected programs is the diversity and multi-skilled competency of the expanded workforce, with a degree of internal redundancy contained within the Section.

Actual expenditure to date compared to target expenditure for 2016/17 is shown on the included graphs with upper and lower limits as an indicative monitoring measure.

4. Risk Assessment

The primary risk factors and control measures that would impede the full delivery of the Capital Works program are:

- Wet weather

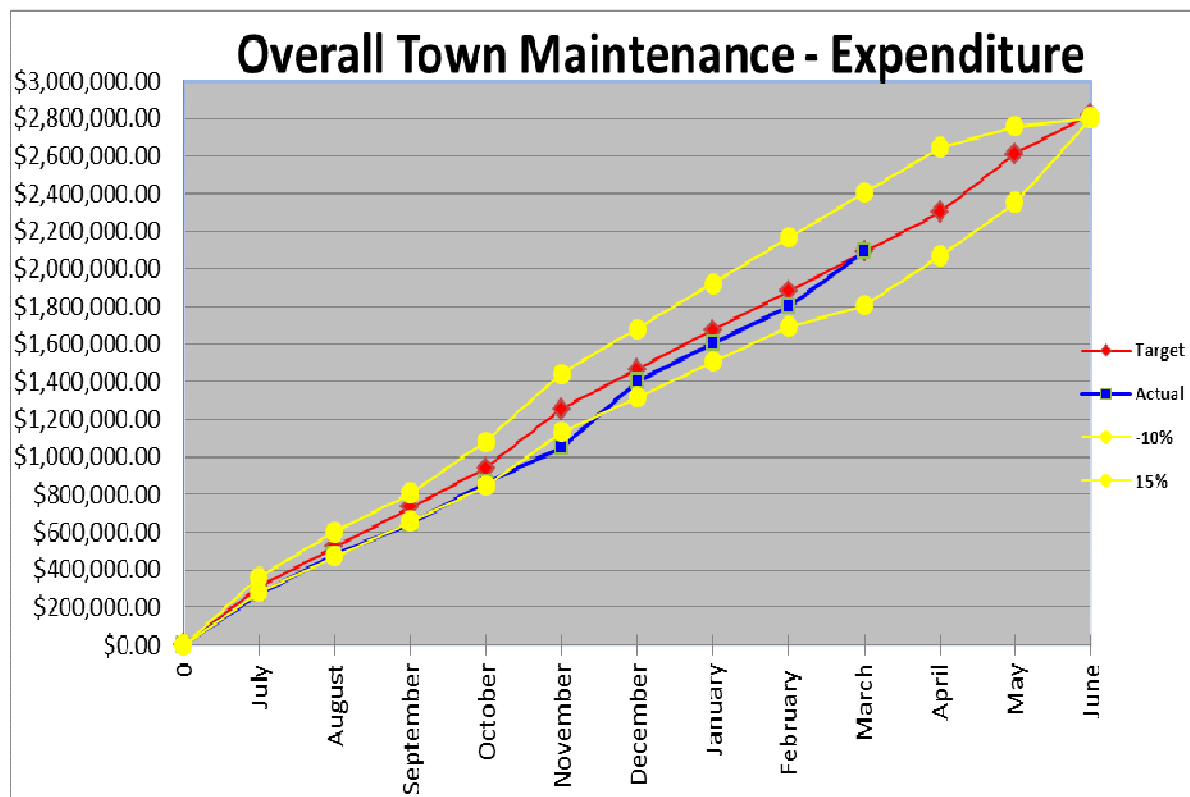
- Loss of key staff
- Inability to appropriately up-skill, attract and/or retain key staff
- Breakdown of critical plant items
- Availability of key sub-contract plant and services
- Availability of key materials
- Availability of approved designs

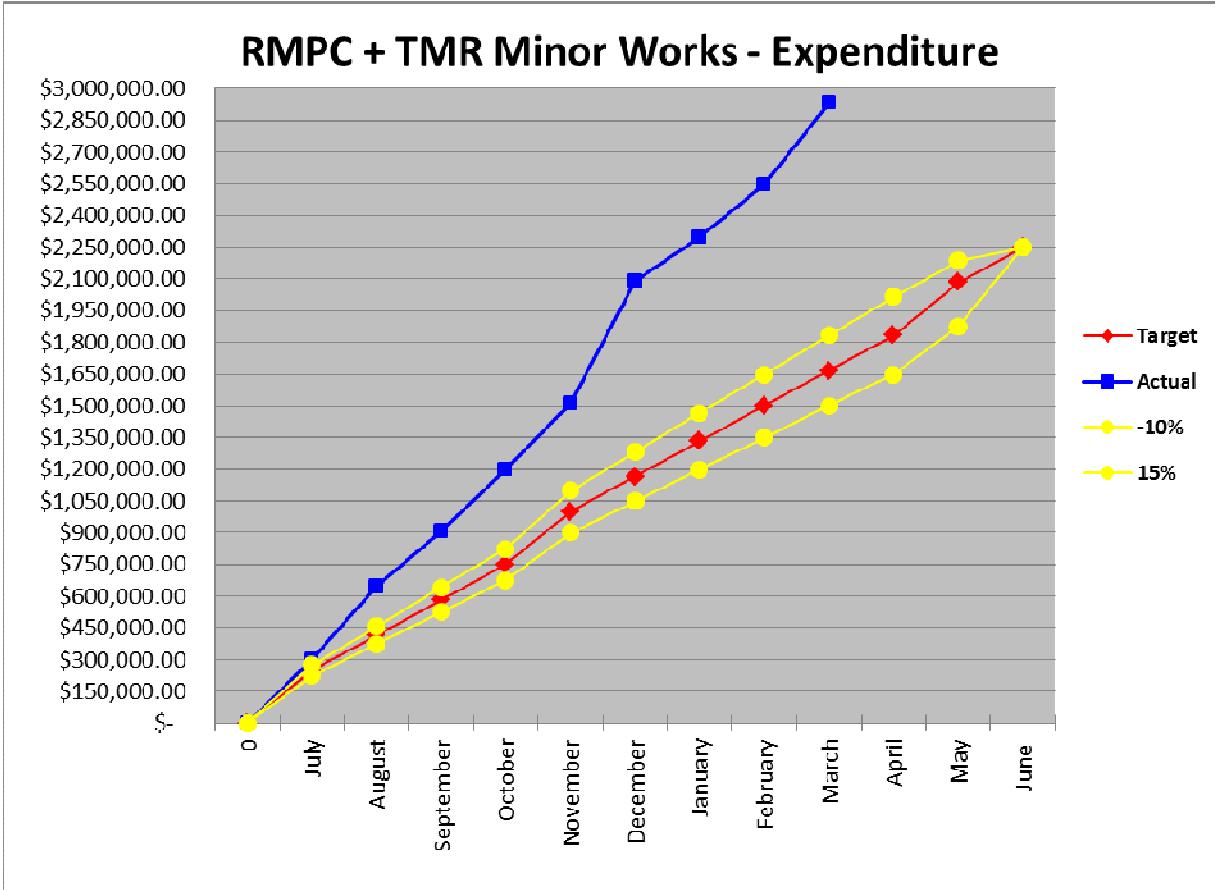
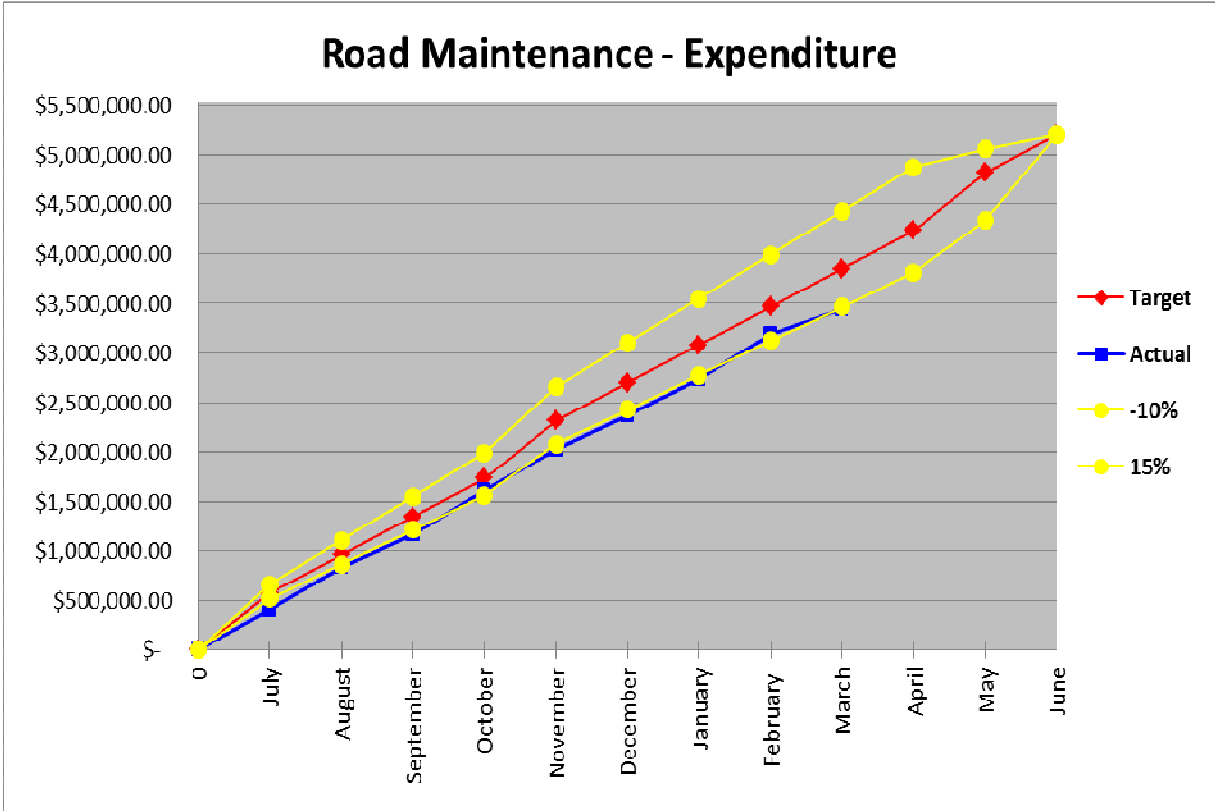
These risks are constantly being monitored, reviewed and addressed.

*Please see below the current expenditure profiles for various programs.

The lines shown represent:

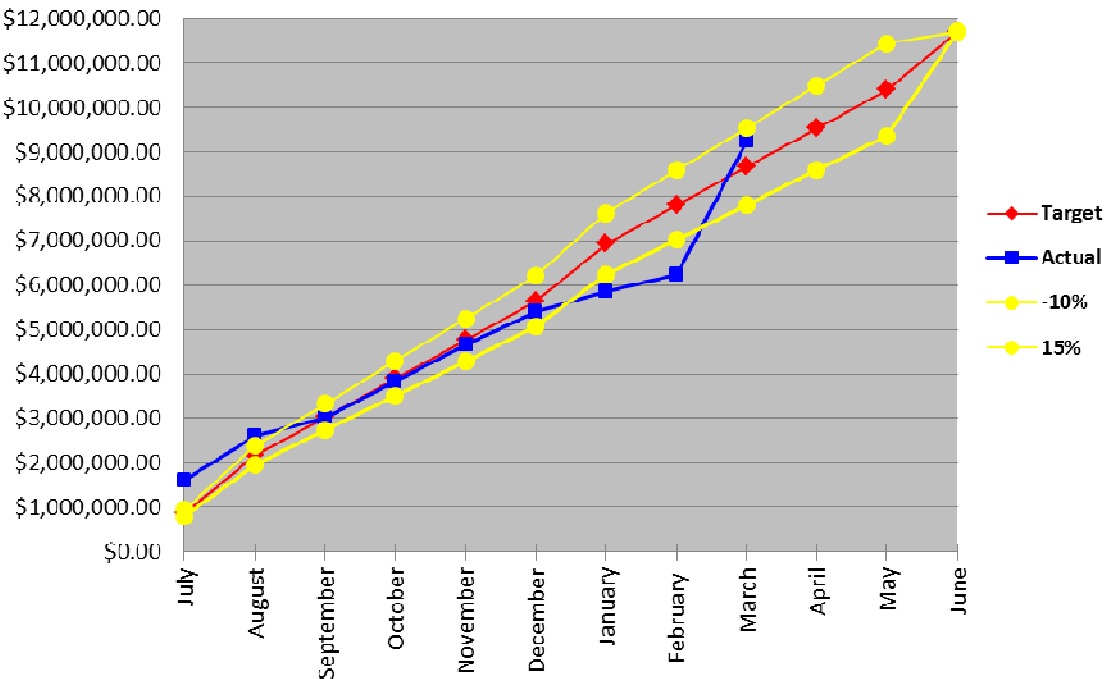
- Yellow - (15% above, 10% below target)
- Red - (on target based on a “straight line approximation”)
- Blue – Actual expenditure



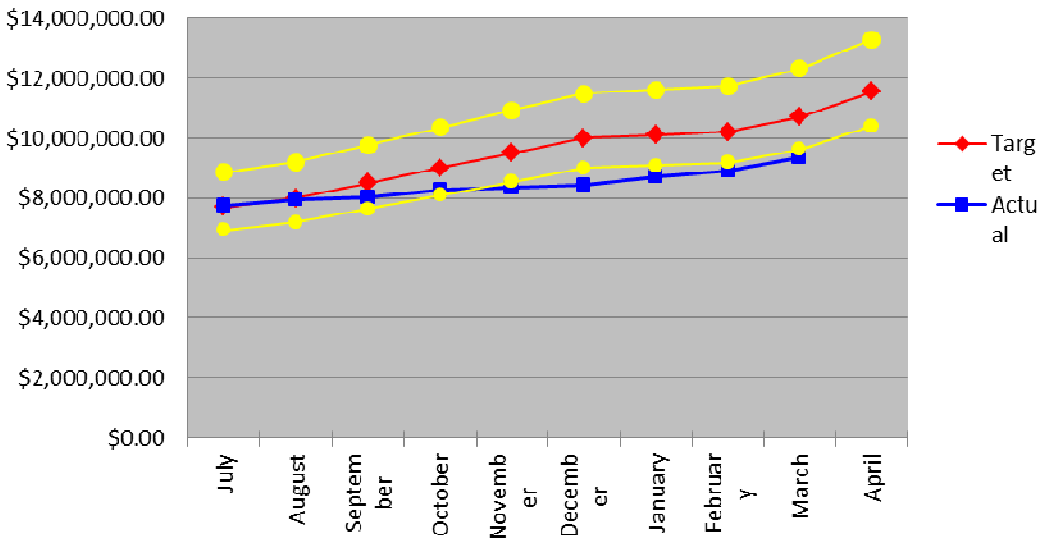


“DRAFT – SUBJECT TO APPROVAL OF BUDGET AMENDMENTS”

Council Capital Works - Expenditure to Date



Cyclone Marcia 2015 - Expenditure



9.1.2 ACTION REPORT ON PREVIOUS COUNCIL RESOLUTIONS – INFRASTRUCTURE SERVICES

Date: 20 April 2017
Author: Frank Nastasi – Director Infrastructure Services
File No:
Letter No:
Attachment: Resolutions Action Report
Minute No: OM003731

Resolution:

That the Resolutions Action Report for Infrastructure Services be noted and received.

Moved: Cr Semple

Seconded: Cr Brennan

Carried

Report

This report is to advise Council of the outstanding matters currently being dealt with by the organisation.

Considerations

1. **Corporate Plan**
N/A
 2. **Policy and Legal Implications**
Policy and legal implications will be addressed through each matter.
 3. **Financial and Resource Implications**
Budget impacts will be addressed in resolving each matter.
 4. **Risk Assessment**
N/A
-

9.1.3 2016/17 INFRASTRUCTURE SERVICES OPERATIONAL PLAN ASSESSMENT AS AT 31/03/2017

Date: 20 April 2017
Author: Frank Nastasi – Director Infrastructure Services
File No:
Letter No:
Attachment: Operational Plan
Minute No: OM003732

Resolution:

That Council receive Infrastructure Services' third quarter assessment of the 2016/17 Operational Plan.

Moved: Cr Brennan

Seconded: Cr Boyce

Carried

Report

Infrastructure Services third quarter assessment of 2016/17 Operational Plan is attached.

9.1.4 ROAD SAFETY MANAGEMENT REFERENCE GROUP MEETING MINUTES – 15 FEBRUARY 2017

Date: 20 April 2017

Author: Leesa Millar – Infrastructure Planning Advisor

File No:

Letter No:

Attachment: Doc 120506 - Minutes of Road Safety Management Reference Group Meeting held 15/2/17

Minute No: OM003733

Cr Leo referred to the minutes advising of a meeting being organised with the Moura School Principal and sought clarification if it is the High School or Primary School Principal. The DIS will investigate.

Cr Snell referred to the 40km signage on Lawrence Street and also at the roundabout on the intersection of Prairie and Rainbow Streets. The DIS will investigate and consider whether a safety audit is required at the Prairie and Rainbow Streets location.

Cr Boyce referred to the intersection at Theodore heading to Taroom and will provide details of concerns raised with her about this intersection per email to the Director Infrastructure Services.

Resolution:

That Council receive the report, and endorse the following recommendations:

- 1. Council install school speed zone signage on the connecting streets within the Lawrence St school zone.*
- 2. Council extend the 50km/hr speed zone on Three Chain Road.*

Moved: Cr Brennan

Seconded: Cr Semple

Carried

Report

The attached minutes refer to the meeting held at the Banana Shire Council Administration Centre on 15th February 2017.

Councillor's attention is invited to the following agenda items:

- **Lawrence St Speed Signage**

In a previous meeting a request regarding parking along Lawrence St was investigated by representatives from the Biloela Police. During this investigation it was noted that while the 40km/hr school zone areas of Lawrence St were signed within Lawrence St itself there was no signage for this speed zone on the connecting streets. Therefore vehicles turning onto Lawrence Street from these connecting streets within the school zone were not aware of the speed requirements.

The Group decided that Council would install the necessary speed zone signs at the end of all access streets that enter Lawrence St within the school speed zone.

- **Extension of 50km/hr zone on Three Chain Road**

An application was made by QNP for the extension of the 50km/hr zone on Three Chain Road. The request was that the zone be extended (and signed) another 100m past the QNP

access. This request was discussed by the group and it was suggested that this should slow down truck entering and existing QNP and as such would increase safety.

The Group agreed to the extension and decided that Council would look into the requirements to relocate the speed signage.

- **Uncle Toms Road Intersection**

The request to investigate the safety of the Uncle Toms intersection was discussed by the group and it was noted that a preliminary investigation of the safety of the intersection, with regards to the highway road users, was undertaken by DTMR. This investigation found the current intersection layout met the Main Roads safety requirements but it was agreed by the group some warning signage may be required based on the traffic count of Uncle Toms Road and its status as a bus route.

The Group decided to collect additional information regarding the use of Uncle Toms Road and discuss further at the next meeting.

- **Fiveways Mount Eugene Road intersection**

During the meeting it was noted that Council had received a number of requests for the upgrading of the Burnett Highway / Goovigen Connection Road / Fiveways Mount Eugene Road intersection. The requests noted that due to the high use of the intersection by grain haulage into Goovigen and also the designation of Fiveways Mount Eugene Road as a school bus route the installation of passing lanes on both legs of the highway would increase the safety of the intersection.

DTMR are to investigate the safety of this intersection and determine if a passing lane can be installed.

Considerations

1. **Corporate Plan**

5.1(h) Provide and maintain effective transport infrastructure

2. **Policy and Legal Implications**

N/A

3. **Financial and Resource Implications**

N/A

4. **Risk Assessment**

N/A

9.1.5 CENTRAL QUEENSLAND LOCAL GOVERNMENT DISASTER MANAGEMENT NETWORK

Date: 24 February 2017
Author: Disaster Management Coordinator - Andrew Bicknell
File No:
Letter No: N/A
Attachment: Terms of Reference - Central Queensland Local Government Disaster Management Network
Minute No: OM003734

Resolution:

That Council endorse the establishment of the Central Queensland Local Government Disaster Management Network.

Moved: Cr Middleton

Seconded: Cr Boyce

Carried

Report

The Central Queensland Local Government Disaster Management Network (CQLGDMN) has been established and an inaugural meeting held on 22 and 23 March 2017.

This network has been encouraged by the Office of the Inspector General Emergency Management Queensland to facilitate the sharing of knowledge and support within the local government disaster management arena.

The purpose of the CQLGDMN is to facilitate a peer network of local government disaster management practitioners to provide practical support by:

- Sharing knowledge;
- Developing ideas;
- Learning from each other's experiences; and
- Identifying, sharing and developing best practice

Membership of the CQLGDMN is to consist of disaster management practitioners of relevant Council's based on local government membership of the Central Queensland Regional Organisation of Councils and the Mackay/Whitsunday Regional Organisation of Councils.

The establishment of the CQLGDMN provides distinct advantages to these local governments through the implementation of a regional approach to identifying and supporting disaster management activities and initiatives and similar networks have been established in other areas of Queensland.

Considerations

1. Corporate Plan

1.1(f) – Demonstrate Council's passion for the community and the services it provides through continued or enhanced service delivery;

1.1(g) – Undertake continuous improvement of Council's processes and services

2. Policy and Legal Implications

NIL

3. Financial and Resource Implications

The CQLGDMN will meet twice yearly, generally in April and October. Financial implications include staff time, travel and accommodation.

Invitations will also be extended to Chairpersons and Deputy Chairpersons of Local Disaster Management Groups to attend meetings.

Hosting of such meetings will be rotated among the member Councils with some economic benefit to local accommodation providers and other businesses.

4. Risk Assessment

N/A

9.1.6 BRIDGES RENEWAL PROGRAM ROUND THREE - POCKET CREEK, WOWAN BRIDGE UPGRADE

Date: 20 April 2017
Author: Al Heit – Manager Infrastructure Technology
File No:
Letter No:
Attachment: 2017/18 Bridge upgrades
Minute No: OM003735

Resolution:

That Council authorise the inclusion of the Pocket Creek bridge upgrade into the 2017/2018 budget and approve submission of an application for 50 / 50 funding under the Bridges Renewal Program (BRP) Round Three.

Moved: Cr Brennan

Seconded: Cr Semple

Carried

Report

The Banana Shire has twenty bridges located on council maintained roads, bridge structural conditions are rated from 1-5 using TMR guidelines (rating 1 is new and rating 5 is bridge closure). Currently the Banana Shire has four bridges rated 4, Delusion Creek, Oxtrack Creek, Pocket Creek and Gogango Creek.

Delusion Creek bridge and Oxtrack Creek bridge are included in the draft 2017/2018 budget, it is proposed that the Pocket Creek bridge is also included for upgrading in the 2017/2018 budget. Total bridge upgrade 2017/2018 funding will be:

- Delusion Creek - \$400K (\$100K R2R funding; \$300K gas funding)
- Oxtrack Creek - \$50K (\$50K R2R funding)
- Pocket Creek - \$300K (\$150K BRP, \$150K council)

Considerations

1. Corporate Plan

5.1.b Infrastructure Strategic Direction.

Plan and deliver effective and efficient infrastructure services. Focus on essential service delivery especially transport including road, street and bridges network and aerodromes, water and sewerage treatment and supply systems and waste including garbage and water.

2. Policy and Legal Implications

N/A

3. Financial and Resource Implications

Total project costs of \$300K with 50% funded by Council, and 50% funded by Bridges Renewal Program (BRP) Round Three.

4. Risk Assessment

N/A

The Director Council Services attended the meeting during discussion of the above agenda item.

Infrastructure Miscellaneous

Cr Leo advised she still hasn't received a reply in relation to Council's 'grading' schedule and the DIS advised he is trying to establish a reporting regime and provide to all, e.g. fortnightly etc.

The Director Infrastructure Services left the meeting.

Minute No: OM003736

Resolution:

That the meeting adjourn at 10.25 am for morning tea.

Moved: Cr Semple

Seconded: Cr Snell

Carried

That the meeting resume at 10.47 am.

Moved: Cr Snell

Seconded: Cr Middleton

Carried

10.0 Development & Environmental Services

10.1.1 ACTION REPORT ON PREVIOUS COUNCIL RESOLUTIONS – DEVELOPMENT & ENVIRONMENTAL SERVICES

Date: 18 April, 2017
Author: John McDougall, Director Council Services
File No:
Letter No: N/A
Attachment: Resolutions Action Report
Minute No: OM003737

Resolution:

That the Resolutions Action Report for Development & Environmental Services as presented be noted and received.

Moved: Cr Middleton

Seconded: Cr Snell

Carried

Report

This report is to advise Council of the outstanding matters currently being dealt with by the Department.

Considerations

1. **Corporate Plan**
N/A
2. **Policy and Legal Implications**
Policy and legal implications will be addressed through each matter.
3. **Financial and Resource Implications**
Budget impacts will be addressed in resolving each matter.
4. **Risk Assessment**
N/A

10.1.2 MAJOR CAPITAL PROJECTS – MONTHLY ACTUAL EXPENDITURE – DEVELOPMENT & ENVIRONMENTAL SERVICES

Date: 20 April 2017
Author: John McDougall – Director Council Services
File No:
Letter No:
Attachment: Capital Expenditure Report
Minute No: OM003738

Resolution:

That Council note and receive the Major Capital Expenditure Report for Development & Environmental Services as at 18 April 2017.

Moved: Cr Middleton

Seconded: Cr Snell

Carried

Report

Providing a report on Council's Major Capital Expenditure as at 18 April 2017 for Council Services.

Refer attachment.

10.1.3 2016/17 DEVELOPMENT & ENVIRONMENTAL SERVICES OPERATIONAL PLAN ASSESSMENT AS AT 31/03/2017

Date: 11 April 2017
Author: John McDougall – Director Council Services
File No:
Letter No:
Attachment: 2016/17 Operational Plan – 3rd Quarter Review
Minute No: OM003739

Resolution:

That Council receive Development & Environmental Services' third quarter assessment of the 2016/17 Operational Plan.

Moved: Cr Middleton

Seconded: Cr Snell

Carried

Report

Development & Environmental Services third quarter assessment of 2016/17 Operational Plan is attached.

10.2.1 PROPOSED ALIGNMENT AMENDMENTS TO THE BANANA SHIRE PLANNING SCHEME 2005 AND THE TAROOM SHIRE PLANNING SCHEME 2005

Date: 29 March, 2017
Author: Chris Welch, Manager Environment & Planning
File ID: 1151
Letter ID:
Attachment:
Minute No: OM003740

Resolution:

That Banana Shire Council resolve to propose to make alignment amendments to the Banana Shire Planning Scheme 2005 and the Taroom Shire Planning Scheme in accordance with section 293 of the Planning Act 2016 and Statutory Guideline - Alignment Amendment Rules for the purpose of ensuring that both planning schemes are prepared for the commencement of the Planning Act 2016 on 3 July 2017.

Moved: Cr Middleton

Seconded: Cr Snell

Carried

Report

On 25 November 2016 the Minister for the Department of Infrastructure, Local Government and Planning made rules, *Statutory Guideline - Alignment Amendment Rules*, about making amendments to a local planning instrument pursuant to section 293 of the *Planning Act 2016*. This gave Council the opportunity to amend the Banana Shire Planning Scheme 2005 and the Taroom Shire Planning Scheme to align terminology and assessing structure with the operation of the new Act.

The age of both planning schemes, both of which were prepared and adopted under the provisions of the previously repealed *Integrated Planning Act 1997*, leaves considerable disparity between their terminology and operation and the planning and decision-making regime of the new Act. While the new Act includes transitional provisions to continue the operation of existing planning schemes without amendment, updating the Banana and Taroom planning schemes is an opportunity to resolve some minor problems as part of making the alignment amendments.

Most significantly, alignment amendments are only permitted to improve or clarify existing assessment benchmarks, reformatting or revising the planning scheme structure to improve its operation and updating terminology and references. Alignment amendments are not permitted to make a substantial change to existing policy, alter assessment levels for development, change development rights or likely to result in widespread public interest or multiple submissions.

The Rules require that Council formally resolve to make an alignment amendment to the planning schemes in accordance with the Rules.

Recommendation

It is recommended that Council resolve to proceed with alignment amendments for the Banana Shire Planning Scheme 2005 and the Taroom Shire Planning Scheme 2005 to ensure readiness for the commencement of the *Planning Act 2016*.

Considerations

1. Corporate Plan

Governance

1.1 (l) Operate with probity and integrity while achieving legislative compliance.

Social Well-being

2.1(d) Encourage healthy and balanced communities through effective and efficient planning and development management.

2. Policy and Legal Implications

N/A

3. Financial and Resource Implications

The State Government has agreed to fund the cost of external consultants to prepare alignment amendments. PSA Consulting have been appointed to prepare alignment amendments on behalf of Banana Shire Council.

4. Risk Assessment

N/A

10.2.2 RAL005-16/17 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT - 1 INTO 2 LOTS (IMPACT ASSESSABLE) LOCATED AT 101 VALENTINE PLAINS ROAD DESCRIBED AS LOT 111 ON SP130890

Date: 29 March 2017
Author: Rentia Robertson, Planning Officer
File ID: RAL005-16/17
Attachment: 1. ID119204 - Conditions of Approval
2. ID106106 - Proposal Plan
3. ID119209 - Location Map
Minute No: OM003741

Resolution:

That Development Permit Application RAL005-16/17 for a Reconfiguring a Lot - 1 into 2 lots (Impact Assessable) located at 101 Valentine Plains Road, Biloela, described as Lot 111 on SP130890 be approved subject to the conditions contained in Attachment 1.

Moved: Cr Middleton

Seconded: Cr Brennan

Carried

Report

Applicant: Alan Maclean
Owner/s: Douglas and Lexie Howard
Subject Site: 101 Valentine Plains Road, Biloela
Application Lodged: 31 January 2017 (properly made on the 6 February 2017)
Planning Scheme: Banana Shire Planning Scheme 2005
Zone and Overlays: Rural Zone – Natural Features Overlay (Catchment overlay), Economic resources Overlay (Agricultural Land Class overlay)
Applicable Codes: Rural Zone Code, Reconfiguring a Lot Code, Development Standards Code, House code
Referral Agencies: Nil
Submissions: Nil
Summary: The proposal is consistent with the overall intent and provisions of the Banana Shire Planning Scheme 2005 and the *Sustainable Planning Act 2009*.

Background

Proposal

The application seeks to subdivide Lot 111 on SP130890 into two lots, creating one smaller lot, while the remaining lot will be retained for agricultural purposes. The proposal is for the subdivision to allow separation of the exiting residential use on Proposed Lot 1 and agricultural uses for Proposed Lot 2.

The reconfiguration will create proposed Lot 1 with an area of 6580m² and proposed Lot 2 with an area of 79.342ha.

As both lots are below the minimum lot size for the Rural Zone the application is referred to Council for decision.



Subject Site and Surrounding Land Uses

The site is located at 101 Valentine Plains Road, Biloela, and is approximately 1.6km from the town of Biloela, and has a total area of 80ha. The site is mainly used for agricultural uses and residential purposes. Proposed Lot 1 contains a residence with associated rural outbuildings and has access from Valentine Plains Road. Proposed lot 2 is suitable for agricultural uses and contain no existing buildings. No new dwellings or improvements are proposed for Lot 2 with this application. Both allotments will have frontages to Valentine Plains Road, maintaining the existing accesses. The surrounding land uses are as follows: adjoining land uses are of a rural nature with associated uses, while land uses opposite the proposed site are used for recreation purposes.

Planning History

There is no relevant planning history.

Key Issues

Minimum Lot sizes

The application proposes to subdivide Lot 111 into two portions that will be below the minimum lot size of 80 hectares as prescribed by the Reconfiguring a Lot Code. Proposed Lot 1 is to be 6580m² and proposed Lot 2 will be 79.342ha. The smaller lot is to retain the dwelling while the remainder lot is to continue and sustain the productive capacity of the land for rural purposes. The reconfiguring is to separate the existing uses so that the rural character and its use continues and are maintained on proposed Lot 2. The proposal does not involve any changes to the existing accesses to either lots and does not alter the existing use of the land or the character of the area.

Flood Hazard

Parts of the Banana Shire are susceptible to flooding. The subject site is identified as flood prone according to the Flood Study KBR – Version 2 - Banana Shire Flood Assessment– Biloela and Thangool – Maximum Flood Depth – 10% AEP Event, dated 12/05/2016 (Map 01-CA-203). The subject property is identified as being flood prone according to the Banana Shire Flood Assessment 12/05/2016.

Although this flood mapping is still to be adopted by Council it does provide sufficient information and statistics to consider in the assessment of this development application. The property is at risk of flooding. However the subdivision of the property into two portions will not increase the risk of flooding as the proposal is not changing the use of the land. The potential for flooding is an existing hazard. However in assessing any potential flood hazard to any future developments this flood mapping is

providing necessary information to consider in any future developments of the site. The subdivision of the land into two portions does not increase the risk for further flooding as the uses are in existence and no new structures are proposed with this development.

The subdivision is seeking to separate the current uses. No new uses are proposed with this application.

Referral Agencies

There were no referral agencies for this application.

Internal Referral Comments

The application was referred internally on 1 February 2017 (ID 105375).

Infrastructure Services – Comments received 23 February 2017 (ID 109752).

Environmental Health – Comments received 10 February 2017 (ID 107267).

Water and Sewerage – Comments received 23 February 2017 (ID 109677).

Comments, conditions and advice received during internal referral have been incorporated in the decision and conditions of approval.

Public Notification

The application was subject to public notification.

The application was advertised for not less than fifteen (15) business days in accordance with the *Sustainable Planning Act 2009*; the advertising period was between 24 February 2017 and 21 March 2017. Public Notification was carried out correctly. ID116663.

No submissions were received about the application.

Town Planning Considerations

Banana Shire Planning Scheme 2005

The subject land is located in the Rural Zone and the following planning scheme overlay/s:

- Catchment Overlay
- Agricultural Land Class Overlay

The proposed development is therefore assessable against the following applicable codes:

- Rural Zone Code
- Natural Features and Conservation Area Overlays;
- Economic Resources Overlay
- Reconfiguring a Lot Code
- Development Standards Code
- House Code

Rural Zone Code

The intent of the Rural Zone is to protect rural uses and character of the land, including to ensure the water and soil quality is maintained together with preventing the spread of weeds and pest animals.

The application does not propose any changes to the existing uses of either proposed Lot 1 and 2. The land is used as farm land containing a dwelling and agricultural uses. The proposal is to separate the existing residence from the farm land, maintaining the rural use. The existing character of the land is preserve without impacting on the environmental values.

The proposed development is considered to comply with the Rural Zone Code.

Natural Features and Conservation Area Overlays Code

The proposed development is identified on the Catchment Overlay Map as being within the Declared Sub-Artesian Area. The purpose of the Natural Features and Conservation Area Overlays Code is to protect and maintain the groundwater quality and to ensure that development does not place excessive demands on the water supply.

The proposal is for a reconfiguring a lot 1 into 2. No changes are proposed with this application that will impact on the groundwater quality. The existing residence is provided with water by agreement, no changes are proposed to the onsite effluent disposal therefore no impact is expected to the sub artesian basin. The application does not propose development of any nature that will change the existing character or use. Any adverse impacts on the environmental values are expected to be none.

The proposed development is considered to comply with the Natural Features and Conservation Area Overlays Code.

Economic Resources Overlay Code

The site is identified on the Agricultural Land Class Overlay Map, as containing Class A land.

The Economic Resources Overlay more specifically assessed in regards to the Agricultural Land Class Overlay aims for agricultural land to remain productive and to protect the land from any fragmentation that will result in lot sizes that are not viable for agriculture. The proposed subdivision creates lot sizes that are below the minimum lot size as noted in the Reconfiguring a Lot Code for Rural Zone. The purpose of the reconfiguring is to separate the existing uses on the land for residential and agricultural uses. The subdivision will bring about a small allotment characterised by residential uses and the larger remainder that will continue its agricultural uses as for Class A agricultural land for rural purposes. Proposed Lot 1 captures the existing dwelling for residential purposes. The proposal does not fragment the land further than it is currently used for, and is seeking to establish separate titles for each portion.

The proposed development is considered to comply with the Economic Resources Overlay Code.

Reconfiguring a Lot Code

The site is identified on the Agricultural Land Class Overlay Map as containing Class A Crop land. The Reconfiguring a Lot Code identifies a minimum lot size of 80 hectares for this land class. This is intended to sustain the utility and productive capacity of rural land, ensures the separation of uses and maintains rural character. Regard may also be given to the location of the proposed lots that it is located approximately 1.6km from the town of Biloela.

The subdivision will bring about a small allotment (proposed Lot 1) that is characterised by residential use and the larger remainder (proposed Lot 2) that will continue and facilitate its land management practises as for Class A agricultural land and rural purposes.

The subdivision is not bringing about any physical change to the site as all uses are in existence. Council records indicate that Building approval was given for the dwelling in 2000.

The proposed development is considered to comply with the Reconfiguring a Lot Code.

Development Standards Code

The Development Standards Code regulates engineering design and standards applicable to subdivisions. This includes aspects of access, and the provision of services such as electricity and telecommunications.

The application does not propose any changes to the existing accesses, electricity and telecommunications to the two new proposed lots, however council's infrastructure services have assessed the application and have imposed conditions to ensure the development achieves full compliance with the code.

Infrastructure Services provided comments and conditions on the 23 February 2017, refer to document (ID 109752).

House Code

The House Code regulates house scale, construction materials and associated activities and special requirements for houses on small allotments.

No new dwelling is proposed with this development, the House Code is therefore not applicable.

Desired Environmental Outcomes

The proposed development does not represent a departure from any of the relevant planning scheme codes. Having considered the proposed development in detail, Development and Environmental Services is satisfied that approval of the development will not compromise the Desired Environmental Outcomes for the Planning Scheme Area. That is, assessment of the proposal revealed that the development is consistent with the relevant planning scheme code which is an indication of advancing the Planning Schemes Desired Environmental Outcome's.

Adopted Infrastructure Charges Resolutions

Council's Adopted Infrastructure Charges Resolution No. 1 is not applicable to the proposed development.

State Planning Policy

The State Planning Policy has been considered in the assessment of this application.

The site is mapped for the following matters under the State Planning Policy: Biodiversity, Water Quality and Natural Hazards Risk and Resilience.

Biodiversity

The biodiversity that is triggered by the mapping relates to regulated vegetation (intersecting a watercourse) which relates to a watercourse traversing lot 111. The watercourse traversing the lot has been cleared for agricultural purposes. However the proposed subdivision does not intersect the mapped areas of significance on the site nor does it propose any vegetation clearing.

Water quality

The whole of the lot area is mapped for stormwater management design objectives. The SPP requires that development avoids and minimises adverse effects on the environmental values of receiving from altered flows, waste waters or artificial waterways. The reconfiguring does not propose any adverse impacts on the natural drainage of stormwater, alter the flow of stormwater, or contaminate the stormwater.

The proposal is for a subdivision and proposes no new uses or structures that will impact on the stormwater management.

Natural Hazards Risk and Resilience – Flood hazard area level 1 – Queensland flood plain assessment overlay and bushfire hazard area.

The SPP requires that development avoids or mitigate flood risk to an acceptable level, does not propose an increase in flood severity or contribute to contamination of the flood waters by storing hazardous materials in flood risk areas.

The proposal is for a subdivision of existing uses only. No earthworks are proposed with this development thus not affecting any minor or flood waters. The area is flood prone and is exposed to potential flooding. The subdivision of the land does not alter or increase the risk of flooding to the existing dwelling on the site.

The site is also mapped for bushfire hazard area; however the area mapped is to the far northern corner of the allotment. The subdivision proposal affects the southern part of the allotment and thus avoids any possible impacts on the mapped bushfire hazard area.

The proposal is consistent with the outcomes sought by the SPP.

Central Queensland Regional Plan

The Regional Plan is not applicable to the assessment of this application.

Conclusion

On the basis of the above assessment, it is considered that the application be approved subject to conditions.

Delegations/Authorisations

The Chief Executive Officer of Banana Shire Council is delegated the power to issue a Decision Notice Approval pursuant to the relevant sections of the SPA.

The Chief Executive Officer of Banana Shire Council delegated power to the Director Council Services, Manager Environment & Planning to take action as an 'Assessment Manager' under the relevant sections of the SPA under which this application was processed, and under which the Decision Notice will be issued.

Under normal operating procedures, applications with submissions or involving policy sensitive matters (as determined by the Director Council Services) are considered by Council for determination.

Communication

The applicant will be advised of Council's decision in accordance with the requirements of the Sustainable Planning Act 2009.

Considerations

1. Corporate Plan

This report and recommendation is consistent with the intent of the Banana Shire Council Corporate Plan 2009-2014.

2. Policy and Legal Implications

The application was processed in accordance with the relevant provisions of the Sustainable Planning Act 2009 (SPA). Appeal rights apply to the applicant and to submitters.

3. Financial and Resource Implications

N/A

4. Risk Assessment

Nil

10.2.3 RAL010-11/12 – REQUEST TO CHANGE - DEVELOPMENT PERMIT FOR RECONFIGURING OF A LOT - 1 INTO 42 LOTS - RAEDON STREET, BILOELA (FORMERLY LOT 1 ON SP231274)

Date: 11 April 2017
Author: Gideon Genade – Principal Planner, Reel Planning CQ
File ID: RAL010-11/12
Letter ID: N/A
Attachment: Attachment 1 – Assessment Manager Conditions (amended) (ID#119285)
 Attachment 2 - Notice about request for permissible change – relevant entity (ID#117633)
Minute No: OM003742

Resolutions:

That the request to change for Development Permit RAL010-11/12 for Reconfiguring of a Lot - 1 into 42 lots - Raedon Street, Biloela (formerly Lot 1 on SP231274) be approved by amending the current wording of Condition 27:

“The reconfiguration must be completed within four years from the issue date of this Development Permit.”

WITH

“The reconfiguration must be completed within ten years from the issue date of this Development Permit.”

That the above change to conditions, be reflected in an Amended Decision Notice issued to the applicant, subject to conditions contained in Attachment 1, for Development Permit RAL010-11/12 for Reconfiguring of a Lot (1 into 42 lots) Raedon Street, Biloela (formerly Lot 1 on SP231274).

That to reflect the current Council laws and policies, specifically the Council’s Charges Resolution (No.1) 2015, the applicant be issued with an Amended Adopted Infrastructure Charges Notice for Development Permit RAL010-11/12 for Reconfiguring of a Lot (1 into 42 lots) Raedon Street, Biloela (formerly Lot 1 on SP231274).

Moved: Cr Middleton

Seconded: Cr Snell

Carried

Report

Applicant: Banana Shire Council
Owner/s: Banana Shire Council
Subject Site: Lot 100 on SP270056; Lot 1 on SP270056 and Lots 3 - 8 on SP266157 (formerly Lot 1 on SP231274)
Application Lodged: 6 March 2016
Planning Scheme: Banana Shire Planning Scheme 2005
Zone and Overlays: Town Zone, Industrial Precinct
Applicable Codes: N/A
Referral Agencies: Department of Infrastructure, Local Government and Planning (DILGP)
Submissions: N/A
Summary: The proposal is consistent with the overall intent and provisions of the Banana Shire Planning Scheme 2005 and the *Sustainable Planning Act 2009* (SPA).

Background

Proposal

Pursuant to section 369 of the SPA, the applicant has submitted a request to change the existing development approval RAL010-11/12. The request relates to Condition 27, and it is proposed to change (extend) the timeframe in which the development must be completed from four (4) years to ten (10) years from the issue date of the Development Permit, being 24 May 2013.

Planning History

On 22 May 2013, Council approved Development Permit RAL010-11/12 for a staged Reconfiguring a Lot (1 onto 42 lots). The Decision Notice was issued on 24 May 2013 and included conditions of approval, an adopted infrastructure charges notice and a concurrence agency response (conditions).

Stage 2 has been completed, which was the first stage of the approved development and resulted in the creation of eight (8) industrial lots and road reserve. The adopted infrastructure charges for this stage, being \$144,912.60, was paid on 8 April 2014. There are five stages remaining of the approved development (stages 3 to 6).

Key Issues

There are no issues that are not otherwise detailed under the Town Planning Considerations section of this report.

Referral Agencies

The original application triggered referral to the Department of Transport and Main Roads as a concurrence agency, as the site is located on land within 100 metres of a State-Controlled Road. A concurrence response (conditions) was included in the Council decision notice.

Pursuant to section 372 of the SPA, a copy of the request to change was given to the concurrence agency (now DILGP) on 9 March 2017. A response was received on 3 April 2017, stating that the department had considered the proposed change to the development approval and advised that it has no objection to the change being made.

Internal Referral Comments

The request was not internally referred.

Town Planning Considerations

Section 374 of the SPA outlines matters which the responsible entity (Council) must have regard to when assessing a request to change made under section 369 of the SPA. Section 374 is provided below:

374 Responsible entity to assess request

(1) To the extent relevant, the responsible entity must assess the request having regard to—

- (a) the information the person making the request included with the request; and*
- (b) the matters the responsible entity would have regard to if the request were a development application; and*
- (c) if submissions were made about the original application—the submissions; and*
- (d) any notice about the request given under section 373 to the entity; and*
- (e) any pre-request response notice about the request given to the entity.*

(2) For subsection (1)(b), the responsible entity must have regard to the planning instruments, plans, codes, laws or policies applying when the original application was made, but may give the weight it considers appropriate to the planning instruments, plans, codes, laws or policies applying when the request was made.

The following sections provide an assessment of the request against each of the relevant matters prescribed by Section 374:

(1) (a) The information the person making the request included with the request

The request was supported by the following information:

- The first stage of the approved development, being Stage 2, has been completed;
- The balance of the stages (stages 3 to 6) have not yet been commenced due to a general lack of demand, following the downturn in the resource sector;
- The subject land is the only industrial-zoned land in Biloela with a development approval that is ready to respond to any increase in demand for industrial land; and
- In turn, the change to Condition 27 to continue the currency of the Development Permit is required to meet any future demand.

The above justification for the request is considered satisfactory for supporting the recommendations of this report.

(1) (b) The matters the responsible entity would have regard to if the request were a development application

The original development application was code assessable and was subsequently assessed against the applicable codes under the Banana Shire Planning Scheme 2005, being the Town Zone Code, Development Standards Code and Reconfiguring a Lot Code. At the time of the application's original decision, the proposal was generally consistent with the provisions of the codes and the intent of the Town Zone and the Industrial Precinct.

Due to the nature of the request to continue the currency of the Development Permit, the approved development as a staged reconfiguring a lot remains the same. The Banana Shire Planning Scheme 2005 is still in effect and in turn, if the request were a development application, the development would still be generally consistent with the Planning Scheme.

Despite the consistency with the current Planning Scheme, additional planning instruments, plans, codes, laws and policies have come into effect since the time of the original approval, which include the:

- Banana Shire Council Charges Resolution (No.1) 2015;
- State Planning Policy; and
- Central Queensland Regional Plan.

Pursuant to section 374 (2), the above listed resolution and planning instruments were current when the request was made (and are still current to this day) and will therefore be considered as part of this assessment:

(i) Adopted Infrastructure Charges Resolution

The *Adopted Infrastructure Charges Resolution (No.1) 2013* applied at the time the Development Permit was granted. The *Charges Resolution (No.1) 2013* has since been superseded by the *Banana Shire Council Charges Resolution (No.1) 2015*, which took effect on 29 June 2015.

Under the superseded *Charges Resolution (No. 1) 2013*, a total contribution of \$1,715,661.00 applied to the Development Permit based on the charges outlined in Table 1.

Table 1 - Charges Resolution (No.1) 2013

Water Supply			
Development Type	Units Payable	Unit Charge	Charges
ROL - 1 into 42 (total industrial lot area = 21.24 ha)	318.6 X Equivalent Tenement (ET)	\$4,060 per ET (Low Level Zone)	\$1,293,516.00
Sewerage			
Development Type	Units Payable	Unit Charge	Charges
ROL - 1 into 42 (total industrial lot area = 21.24 ha)	318.6 X ET	\$1,325.00 per ET	\$422,145.00
Parks			
Development Type	Units Payable	Unit Charge	Charges
n/a	n/a	n/a	n/a
Car Parking			
Development Type	Units Payable	Unit Charge	Charges
n/a	n/a	n/a	n/a
Total Charges			
			\$1,715,661.00

Charges Resolution (No.1) 2015, the subject site is within the charge area boundary of Area 1. The adopted infrastructure charges for the entire approved development (42 lots) in accordance with *Charges Resolution (No.1) 2015* are outlined in Table 2.

Table 2 - Charges Resolution (No.1) 2015 as it relates to all approved stages

Column 1 Land Use	Column 2 Infrastructure Network	Column 3 Area 1 – adopted charge per lot per infrastructure network	All stages (42 Lots, including 2 drainage reserve lots)
Industry	Water / Sewer	\$12000.00	\$504,000.00
	Parks	\$2545.00	\$106,890.00
	Transport (if in the Valley View Drive / Dawson Highway Transport zone)	n/a	n/a
Total Charge		\$14,545.00	\$610,890.00

In accordance with section 626 (3) and (3A) of the SPA, a local government is granted with the power to amend an infrastructure charges notice for a relevant development approval that is subject to a request to change. The amendment relates to the current *Charges Resolution (No. 1) 2015* and subsequently Council has the power to issue an amended infrastructure charges notice in accordance with this resolution.

In issuing an amended infrastructure charges notice, it should be noted that Stage 2 has been completed, which was the first stage of the approved development that resulted in the creation of eight (8) industrial lots and road reserve. The adopted infrastructure charges for this stage, being \$144,912.60, was paid on 8 April 2014. Any amended infrastructure charges notice, with charges calculated in accordance with *Charges Resolution (No.1) 2015*, should only apply to the remaining four stages of the approved development (stages 3 to 6). The new adopted infrastructure charges for the remaining four stages of the approved development are outlined in Table 3.

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Table 3 - Charges Resolution (No.1) 2015 as it relates to approved stages 3 to 6

Column 1 Land Use	Column 2 Infrastructure Network	Column 3 Area 1 – adopted charge per lot per infrastructure network	Stages 3 – 6 (34 Lots, including 2 drainage reserve lots)
Industry	Water / Sewer	\$12000.00	\$408,000.00
	Parks	\$ 2545.00	\$ 86,530.00
	Transport (if in the Valley View Drive / Dawson Highway Transport zone)	n/a	n/a
Total Charge			\$494,530.00

Therefore, in accordance with the SPA, Council has the power to issue an amended infrastructure charges notice for the balance of approved stages 3 to 6 in the order of \$494,530.00.

(ii) State Planning Policy

The current single State Planning Policy (SPP) supersedes the host of State Planning Policies that were applicable to the development at the time of its original approval. The current SPP was released in December 2013 and has undergone two amendments – the most recent amended SPP commenced on 29 April 2016 and is applicable to the assessment of this request.

Part E of the SPP contains interim development assessment (DA) requirements that the development must be assessed against due to the 2005 Planning Scheme having preceded the release of the SPP. These requirements ensure that current State interests are appropriately considered in the assessment of this request because the Planning Scheme has not yet integrated the single SPP.

Table 4 identifies the current State interests that are applicable to the subject site and whether consideration of the Interim DA requirements is necessitated by the SPP's assessment triggers. The applicable State interests were determined based on the Queensland Government's SPP interactive mapping system.

Table 4 – Assessment of SPP

STATE INTEREST	TRIGGERS	APPLICABLE
Water Quality: <ul style="list-style-type: none"> Climatic regions – stormwater management design objectives 	Receiving waters —a development application for any of the following: (1) a material change of use for urban purposes that involves a land area greater than 2500 square metres that: (a) Will result in an impervious area greater than 25 per cent of the net developable area; or (b) will result in six or more dwelling; or (2) <u>reconfiguring a lot for urban purposes that involves a land area greater than 2500 square metres and will result in six or more lots; or</u> (3) Operational works for urban purposes that involve disturbing more than 2500 square metres of land.	Applicable – refer to section under Table 4.
Natural Hazards, Risk and Resilience: <ul style="list-style-type: none"> Flood hazard area – Local Government flood mapping area; and Bushfire hazard area (Bushfire prone 	A development application for a material change of use, reconfiguring a lot or operational works on land within: (1) <u>a flood hazard area</u> , or (2) <u>a bushfire hazard area</u> , or (3) a landslide hazard area, or (4) a coastal hazard area.	(1) Flood hazard – N/A —the subject site is not mapped as being flood affected under the Planning Scheme and therefore the State interest as it

STATE INTEREST	TRIGGERS	APPLICABLE
area)		relates to a Flood Hazard Area is not applicable. (2) Bushfire hazard - Applicable – Refer to Table 5 below.

The approved development will be capable of complying with the interim DA requirements relating to Water Quality when subsequent development permits for operational works are obtained for each remaining stage. While the development approval did not cite an approved stormwater management plan, the approval's requirement for operational works will ensure stormwater quality management is appropriately designed in accordance with the SPP as it relates to Water Quality.

The interim DA requirements for Natural Hazards, Risk and Resilience (Bushfire Hazard Area) have been addressed in Table 5.

Table 5: Assessment of interim DA requirements for Natural Hazards, Risk and Resilience

INTERIM DA REQUIREMENTS	BUSHFIRE HAZARD AREA - RESPONSE
(1) avoids natural hazard areas or mitigates the risks of the natural hazard to an acceptable or tolerable level	Complies – In accordance with the Bushfire Prone Land Overlay, Banana Shire Planning Scheme Map No. NDIS-1, the subject site is mapped as Low Bushfire Severity. The approved development is a logical expansion of an urban area where the natural hazard risk is to an acceptable level (the subject site and surrounding area are clear of large tracts of mature vegetation).
(2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities	Complies – The proposed development does not unduly burden disaster management response or recovery capacity and capabilities. Development is located and designed to enable the self-evacuation of future occupants.
(3) directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties	Complies – The approved development is for Reconfiguring a Lot; the subdivision will not increase the low severity of the bushfire hazard over the subject site or increase the potential for damage on the subject site or to other properties.
(4) avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard	Complies – The approved development does not involve the storage or release of hazardous materials, which in turn avoids risks to public safety and the environment.
(5) maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard	Complies – The approved development involves two lots dedicated as drainage reserves, which seeks to maintain the natural processes of the environment to the most appropriate extent possible. In this sense, the low hazard risk remains to an acceptable level.

Overall, the approved development is generally consistent with the applicable elements of the current SPP.

(iii) Central Queensland Regional Plan 2013

The Central Queensland Regional Plan (CQRP) took effect from 18 October 2013 and is therefore relevant to the assessment of this request due to the location of the subject site within its regional plan boundaries.

CQRP identifies preferred regional outcomes, policies for achieving these outcomes, and the State's intent for the future spatial structure of the region, including Priority Agricultural Areas (PAA), Priority Living Areas (PLA) and priority outcomes for infrastructure. The site is included in the PLA and is consistent with the CQRP's intent to consolidate urban growth and urban development/business opportunities in the PLA.

In particular, the approved development will enhance the availability of readily developable industrial land within the PLA. This supports the Regional Plan's preferred outcomes for consolidating industrial development in highly accessible urban locations, as well as advancing the economic base of the PLA. In turn, the proposal is considered consistent with the policy position of the Regional Plan as it relates to Biloela and the Banana Shire Council area.

(1) (c) If submissions were made about the original application—the submissions

Not applicable. The original development application was code assessable and did not require public notification as part of the development assessment process. Therefore, no submissions were made about the original application.

(1) (d) Any notice about the request given under section 373 to the entity

Under section 373 of the SPA, a notice was issued by DILGP on 3 April 2017 in response to the request. DILGP considered the proposed change to the development approval and advised that it has no objection to the change being made.

(1) (e) Any pre-request response notice about the request given to the entity.

Not applicable. A pre-request response notice was not sought by the applicant prior to the request being made.

Conclusion

On the basis of the above assessment, it is considered that the request to change development approval RAL010-11/12 be approved.

To reflect the requested change to Condition 27, it is recommended that an Amended Decision Notice for Development Permit RAL010-11/12 for Reconfiguring of a Lot (1 into 42 lots) Raedon Street, Biloela (formerly Lot 1 on SP231274) should be issued.

In accordance with the current Council laws and policies, it is also recommended that an Amended Adopted Infrastructure Charges Notice for Development Permit RAL010-11/12 for Reconfiguring of a Lot (1 into 42 lots) Raedon Street, Biloela (formerly Lot 1 on SP231274) should be issued. The amended adopted infrastructure charge should be based on the *Charges Resolution (No. 1) 2015* as it relates to the remaining stages 3 to 6 of the approved development.

Delegations/Authorisations

The Chief Executive Officer of Banana Shire Council is delegated the power to issue an amended Decision Notice Approval and an amended Adopted Infrastructure Charges Notice pursuant to the relevant sections of the SPA.

The Chief Executive Officer of Banana Shire Council delegated power to the Director Council Services, Manager Environment & Planning to take action as an 'Assessment Manager' under the relevant sections of the SPA under which this application was processed, and under which the Decision Notice will be issued.

Under normal operating procedures, applications with submissions or involving policy sensitive matters (as determined by the Director Council Services) are considered by Council for determination.

Communication

The applicant will be advised of Council's decision in accordance with the requirements of the Sustainable Planning Act 2009.

Considerations

1. **Corporate Plan**
This report and recommendation is consistent with the intent of the Banana Shire Council Corporate Plan 2014-2019.
 2. **Policy and Legal Implications**
The application was processed in accordance with the relevant provisions of the Sustainable Planning Act 2009 (SPA).
 3. **Financial and Resource Implications**
The development conditions include the appropriate development requirements. Future rate revenue will be a positive outcome for Council financial position.
 4. **Risk Assessment**
Not applicable – the approved development remains the same as at date of original decision on 22 May 2013.
-

Development & Environmental Services Miscellaneous

Cr Leo referred to the over-expenditure of a project that wasn't brought to Council prior to proceeding with additional expenditure and asked if a mechanism can be put in place to prevent this in the future. Discussion was held and CEO advised the matter has been addressed at an Executive Management Team meeting.

Cr Leo advised that Trucks owned by Seymours are parking in the vicinity of the Moura washdown bay and is causing some issues. Resolved that Council approach Seymours and make relevant enquiries.

Cr Brennan referred to the sealing of Blanches Road and advised he is disappointed that Council has now had to put 10 crossings across the road to supply water connections to houses. DCS advised it was poor communication between departments and is being addressed.

Cr Sample advised the Banana Hotel Motel still has a poly pipe going to the Banana camp. DCS advised an officer has previously inspected and the pipe had been removed. Cr Leo also advised this property owner has pushed some rubbish onto Council land. Discussion was held.

It was resolved that the SPERS penalties be an agenda item for discussion at the May workshop.

Cr Boyce asked about requiring concrete slabs for a caravan park at Cracow. DCS advised he will investigate and report back to Council.

Cr Ferrier referred to the laying of pipes in the Taroom Main Street. DCS advised contractors will need to be engaged for it to happen this financial year. It was resolved this be further discussed and considered.

Cr Sample asked if Council has received a report on the Taroom Swimming Pool and the DCS advised 'yes' Council has but he hasn't had a chance to read it. DCS advised it's been identified that the main issue is the filtration pump size, i.e. it is not of sufficient size for the size of the pool. Further advised the cost to rectify the problem is cheaper than expected.

DCS advised of some concerns with the Moura Pool, i.e. collapse of a pipe, some grouting etc and that the final report on the pool is due this week.

The Director Council Services left the meeting.

11.0 Executive Services

11.1.1 ACTION REPORT ON PREVIOUS COUNCIL RESOLUTIONS – EXECUTIVE SERVICES

Date: 19 April 2017
Author: Ray Geraghty – Chief Executive Officer
File No:
Letter No:
Attachment: Resolutions Action Report
Minute No: OM003743

Resolution:

That the Resolutions Action Report for Executive Services as presented be received.

Moved: Cr Middleton

Seconded: Cr Leo

Carried

Report

This report is to advise Council of the outstanding matters currently being dealt with by the organisation.

Considerations

1. **Corporate Plan**
N/A
2. **Policy and Legal Implications**
Policy and legal implications will be addressed through each matter.
3. **Financial and Resource Implications**
Budget impacts will be addressed in resolving each matter.
4. **Risk Assessment**
N/A

11.1.2 WULLI WULLI ILUA – BALANCE OF CLAIM AREA (PART B)

Date: 18 April 2017
Author: Denis Carr, Manager Governance and Risk
File No: 2766
Letter No: 119930
Attachment:
Minute No: OM003744

To be considered at a Closed Council Meeting

This report is CONFIDENTIAL under Section 275 of the Local Government Regulation 2012, which permits a Council meeting to be closed to the public on the following basis:

Proposed Recommendation

That the meeting be closed to the public pursuant to section 275(1)(e) and (f) of the Local Government Regulation 2012 as it is necessary to do so to discuss:

- (e) contracts proposed to be made by Council.*
 - (f) defending legal proceedings involving the Council.*
-

Resolution:

That Council –

- 1. consent to a determination of native title in the Wulli Wulli People Claim (Part B) (QUD6006/2000) substantially in the terms of the draft consent determination considered by Council with such amendments as may be required to enable the consent determination to be made by the Federal Court.***
- 2. delegate to the Chief Executive Officer the power to negotiate and agree to such changes to the draft consent determination referred to in paragraph 1 of this resolution, as are required to enable the Federal Court to make the consent determination.***
- 3. enter into the Revenue Sharing ILUA between the State of Queensland and the Council, Desmond Dodd, Robert Bond, Robert Clancy, Drew Millar, Neil Saltner, Marjorie Reid, Elizabeth Law, Elizabeth Blucher, Annette Fuller, Celeste Williams, Ivan Saltner, Jeffrey Williams, Brian Clancy, Jill Wilson and Elliot Anderson on their own behalf and on behalf of the Wulli Wulli People and the Wulli Wulli Nation Aboriginal Corporation ICN8263 in the terms of the draft ILUA considered by Council.***

Moved: Cr Snell

Seconded: Cr Boyce

Carried

Report

Council has been provided with a 'commercial-in-confidence' report.

11.1.3 2016/17 EXECUTIVE SERVICES OPERATIONAL PLAN ASSESSMENT AS AT 31/03/2017

Date: 20 April 2017
Author: Ray Geraghty – Chief Executive Officer
File No:
Letter No:
Attachment: Operational Plan
Minute No: OM003745

Resolution:

That Council receive Executive Services' third quarter assessment of the 2016/17 Operational Plan.

Moved: Cr Leo

Seconded: Cr Snell

Carried

Report

Executive Services third quarter assessment of 2016/17 Operational Plan is attached.

Executive Services Miscellaneous

Cr Semple advised that the Goovigen Progress Association is reluctant to take out a lease over the Goovigen Sports Ground. Discussion was held and it was resolved that Cr Semple discuss the Association's concerns with Council's Manager Administration and Community.

Cr Brennan left and returned the meeting during discussion of the above matter.

Cr Ferrier advised all of the Kilburnie Homestead Open Day on Saturday, 29 April 2017.

Cr Ferrier advised that the meeting with officers from Ken O'Dowd's office will now happen on Wednesday, 3 May 2017.

The CEO reminded Council of the LGAQ Elected Member Update tomorrow at this office and Cr Brennan advised he is an apology.

12.0 Close of Meeting

Meeting closed at 11.45 am.

To be confirmed at 24 May 2017 Ordinary Meeting.

MAYOR

CHIEF EXECUTIVE OFFICER
