



# MINUTES

## BANANA SHIRE COUNCIL ORDINARY MEETING

Meeting Date: Wednesday 11 December 2019  
Venue: Council Chambers, 62 Valentine Plains Road, Biloela  
Time: 1.00 pm

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### 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 20 November 2019

### 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

### 7.5 Reception of Deputations by Appointment

### 8.0 Corporate & Community Services

#### 8.1 Corporate Services

8.1.1 Financial Report P/E 30/11/19

8.1.2 Resolutions Actions Report

8.1.3 Major Capital Projects – Monthly Actual Expenditure as at 18/11/19

#### 8.2 Community

8.2.1 RADF 2019-20 Funding Round

## **9.0 Infrastructure Services**

### **9.1 Infrastructure Services**

#### **9.1.1 Infrastructure Monthly Report**

#### **9.1.2 Resolutions Actions Report**

#### **9.1.3 Major Capital Projects – Monthly Actual Expenditure as at 18/11/19**

## **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 18/11/19**

### **10.2 Development & Environmental Services**

#### **10.2.1 Flood Hazard Area Designation for the Purposes of Implementing the National Construction Code**

#### **10.2.2 COM002-18/19 – Request for Negotiated Decision – Combined Development Application for Material Change of Use for Public Facility – Other (Solar Farm) and Reconfiguring a Lot (10 lease areas) – Impact Assessment located at Tomlins Road and Dodsons Road, Dixalea, Hibbs Road, Goovigen and Dodsons Road, Ulogie described as Lot 39 RN395, Lot 28 RN211, Lot 18 RN371, Lot 37 RN1147, Lot 29 RN210, Lot 32 RN194 and Lot 33 RN210**

#### **10.2.3 Banana Transfer Station – Compulsory Acquisition of Native Title Rights & Interests – Lot 1 SP255534, Part of Lot 2 RP293566 and Adjoining Road**

#### **10.2.4 Department of Natural Resources, Mines & Energy – Stock Route Capital Works Funding**

#### **10.2.5 Request to Reduce Building Fee for Swimming Pool**

#### **10.2.6 Temporary Local Planning Instrument – Reducing Risk of Development in Muirs Road, Mount Murchison Flood Hazard Area**

## **11.0 Executive Services**

### **11.1 Executive Services**

#### **11.1.1 Resolutions Actions Report**

#### **11.1.2 W4Q Capital Projects – Monthly Actual Expenditure as at 18/11/19**

#### **11.1.3 Member for Flynn – Building Better Regions Fund Drought Round**

## **12.0 Close of Meeting**

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## 1.0 Opening of Meeting

The meeting commenced at 1.01pm

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## 2.0 Attendance including Apologies & Leave of Absence

Councillors – Mayor Nev Ferrier and Crs Snell, Brennan, Semple, Leo and Boyce  
Officers – Acting Chief Executive Officer, Director Corporate & Community Services & Director Infrastructure Services

Moved Cr Snell, seconded Cr Leo and carried: That Cr Middleton be granted leave of absence for today's meeting.

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## 3.0 National Anthem & Prayer

Following the National Anthem, Reverend Andrew Purcell and accompanying Ministers led Council in Prayer.

On behalf of the Ministers Fellowship Reverend Purcell presented a cheque for \$1,645 to the Mayor to be used to assist drought affected residents. The money was donated by attendees at the Carols by Candlelight held in Biloela.

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## 4.0 Confirmation of Minutes

Minute No: OM004556

### **Recommendation:**

*That the minutes of the Ordinary Meeting held on 20 November 2019 be taken as read and confirmed.*

***Moved: Cr Leo***

***Seconded: Cr Snell***

***Carried***

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## 5.0 Mayor's Report / Minute

The Mayor reported on the following –

- The recent CQROC delegation to Canberra which he took part in
  - Sunwater meeting being held tomorrow at Baralaba
  - A request received for an allocation of water to be made available to grow hay to assist drought affected farmers
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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

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## 7.0 Declaration of Interest on Matters on the Agenda

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

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## 8.0 Corporate & Community Services

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### 8.1.1 FINANCIAL REPORT– PERIOD ENDING 30 NOVEMBER 2019

**Date:** 11 November 2019

**Author:** Dave Steger - Manager Financial Services

**File ID:** 2306

**Letter ID:**

**Attachment:** Statement of Comprehensive Income - Actual v Budget to 30 November 2019; Statement of Financial Position – Actual v Budget to 30 November 2019; Statement of Cash Flows - Actual v Budget to 30 November 2019; Statement of Changes in Equity to 30 November 2019; Account Balances, Cash Position and Rates Report to 3 December 2019.

**Minute No:** OM004557

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This report is a legislative requirement.

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#### **Resolution:**

***That Council receives the Financial Report as tabled for the period ending 30 November 2019.***

***Moved: Cr Leo***

***Seconded: Cr Boyce***

***Carried***

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## Report

### 1. Introduction

The purpose of the Financial Report is to give Management and Council an overview of the organisation's financial performance for the period ending 30 November 2019.

It is presented in a format which compares the year to date to the 2019/2020 budget. The year to date budget is 41.67% of the amended budget. The financial analysis contained in this report compares; either year to date expenditure with the equivalent budget to date expenditure or, in the case of rates, year to date expenditure with an appropriate cash flow position.

### 2. Report

#### Comprehensive Income Statement:

Council recorded an operating deficit of \$1,581,640 in November. The result is approximately \$2.2 million less than the 2018-19 October surplus and a result of significantly higher 2018-19 revenue in the contracts and recoverable works area.

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The main points to consider from this month's report are:

- At the end of November, net rates are 0.81% (approximately \$146,000) below the budgeted cash flow position.
- The other main areas of revenue are below the year-to-date cash flow position: fees and charges – down by 3.62%; operating grants – down by 1.63%; interest revenue – down by 23.98% (fixed term deposit maturity due in late December) ; contract and recoverable works – down by 17.68% (RMPC and Main Roads works completed but not yet claimed); and other income – up by 130.32% (Timing of licence fees for health & environment, insurance receipts not budgeted and revenue received for retention payments returned to Council that were held in Trust).

At the end of November, Council had spent approximately \$1.802 million more on RMPC and Main Roads Contract works than it has claimed. At the same time last year a concerted effort was made to ensure that claims were submitted in a timely manner. The success of this effort resulted in a surplus in November 2018 (\$606,042) as opposed to a deficit in November 2019.

- Total operating expenditure is 0.04% above the year to date budget position. The contributing factors are:
  - Employee benefits – 5.34% above year-to-date budget. This is likely a reflection of the 5% budgeted vacancy efficiency not being able to be realised in the first half of the financial year.
  - Materials and Services – 1.24% (approximately \$424,000) below the year-to-date budget position.
  - Finance Costs are 11.971% below the year-to-date cashflow position. This is a timing issue (when the quarterly loan payments are made).

#### Capital Expenditure:

Capital expenditure – see separate report.

### **3. Conclusion**

The budgeted position is a \$2.15 million operational deficit. Council officers review the financial performance regularly to ensure the Council is within the established budget. A longer term action in progress is to address the budgeted deficit issue for the future years.

### **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 best possible operating result for Council.

#### **4. Risk Assessment**

N/A

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

**Date:** 4 December 2019  
**Author:** Thomas Upton – Acting Chief Executive Officer  
**File No:**  
**Letter No:**  
**Attachment:** Resolutions Action Report  
**Minute No:** OM004558

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### **Resolution:**

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

*Moved: Cr Leo*

*Seconded: Cr Semple*

*Carried*

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### **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:** 4 December 2019  
**Author:** Venkata Peteti - Director Corporate & Community Services  
**File No:**  
**Letter No:**  
**Attachment:** Capital Expenditure Report  
**Minute No:** OM004559

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#### **Resolution:**

*That Council note and receive the Major Capital Expenditure Report as at 18 November 2019 for Corporate & Community Services.*

*Moved: Cr Leo*

*Seconded: Cr Brennan*

*Carried*

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#### **Report**

Providing a report on Council's Major Capital Expenditure as at 18 November 2019 for Corporate & Community Services.

Refer attachment.

## 8.2.1 RADF 2019-20 FUNDING ROUND NOVEMBER 2019

**Date:** 25 November 2019  
**Author:** Shanna Muston, RADF Liaison Officer (RLO)  
**File ID:** 2455  
**Letter ID:**  
**Attachment:** RADF Assessment Summary  
**Minute No:** OM004560

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### **Resolution:**

***That Council approve the funding recommendation as follows:***

- 1. Applicant – The Ideas Distillery  
Outcome – Recommended totalling \$1940***
- 2. Applicant – Banana Shire Historical Society  
Outcome – Recommended totalling \$3000***
- 3. Applicant – Greg Huglin  
Outcome – Recommended totalling \$3000  
Special Condition – That it be investigated as to if interested community members could attend the workshop.***
- 4. Applicant – Katrina Elliott  
Outcome – Recommended totalling \$3000***
- 5. Applicant – Owen Anderson  
Outcome – Recommended totalling \$1000***

***Moved: Cr Boyce***

***Seconded: Cr Snell***

***Carried***

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### **Report**

Five applications were received for the November round of the 2019-20 Regional Arts Development Fund (RADF) Program.

The applications were assessed by members of the RADF Assessment Panel:

1. Dominique Tan
2. Alan McTaggart
3. Len Neale
4. Sarah Larsen
5. Amy Holcombe (unavailable)
6. Cr Terri Boyce and
7. Cr Brooke Leo

The funding recommendations have been recorded as a result of the panel's assessments.

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This is the first round of 2019-20 RADF grants with a balance of \$37,212 available for community grants.

The recommendations presented are within the budget available.

Five applications are recommended for funding at a total amount of \$11940.

Applicant	Funding Category	Project Title and Brief	Total Project Cost	Grant Requested	Recommendation
The Ideas Distillery	Skills Development	<b>CQ Shopfront</b> CQ Shopfront Project aims to support artists in Central Queensland to develop sustainable business models and commercially viable products.	\$74666	\$1940	Recommended: \$1940  Note: applicant outside of Banana Shire, delivering local project.
Banana Shire Historical Society	Skills Development	<b>Workshop on Significance</b> Engage Dr. Melanie Piddocke to conduct workshop on significance and prepare a significance Assessment report on the collection at Greycliffe Homestead.	\$9546	\$3000	Recommended: \$3000
Greg Huglin	Skills Development	<b>Filmmaking Workshop Incursion Fostering Youth Engagement</b> Greg Huglin delivers a one-day filmmaking workshop incursion to engage and build up the filmmaking capacity of Banana Shire Youth.	\$9057	\$3000	Recommended :\$3000
Katrina Elliott	Skills Development	<b>The Art Gallery Biloela Hospital</b> The Art Gallery will give opportunities to artist and emerging artists in the Banana Region while transforming a cold, clinical environment into welcoming public spaces that encourage, enrich and empower everyone who uses them.	\$12063	\$3000	Recommended: \$3000  Note: applicant outside of Banana Shire, delivering local project.
Owen Anderson	Individual Professional Development Grant	<b>Woodwork with Geoff Hannah</b> Create marquetry designs on one or several panels which at a later date may be incorporated as a feature panel on a project such as a clock, mirror or similar.	\$2391	\$1000	Recommended: \$1000

Cr Boyce and Cr Leo are Council's representative on the RADF Assessment Panel.

## Considerations

### 1. Corporate Plan

2.1(a) Develop partnerships and relationships with the community, business and government.

2.1(c) Encourage healthy and happy communities through provision, encouragement or support of a range of wellbeing services and facilities including community resources, arts and culture, recreation and sport, commemorations, communication facilities, festivities and events.

### 2. Policy and Legal Implications

N/A

### 3. Financial and Resource Implications

2019-20 RADF Funding Summary		
Item	Income	Expenditure
Total 2019-20 RADF Funding	37212	
Returned Funds	0	
Approved Grants		0
<b>Budget Available</b>	<b>37212</b>	<b>0</b>

### 4. Risk Assessment

N/A

## 9.0 Infrastructure Services

### 9.1.1 MONTHLY COUNCIL REPORT – INFRASTRUCTURE SERVICES

**Date:** 5 December 2019  
**Author:** Chris Whitaker – Director Infrastructure Services  
**File ID:**  
**Letter ID:**  
**Attachment:**  
**Minute No:** OM004561

#### **Resolution:**

*That Council receive the December 2019 Infrastructure Services Monthly Council Report as presented.*

*Moved: Cr Semple*

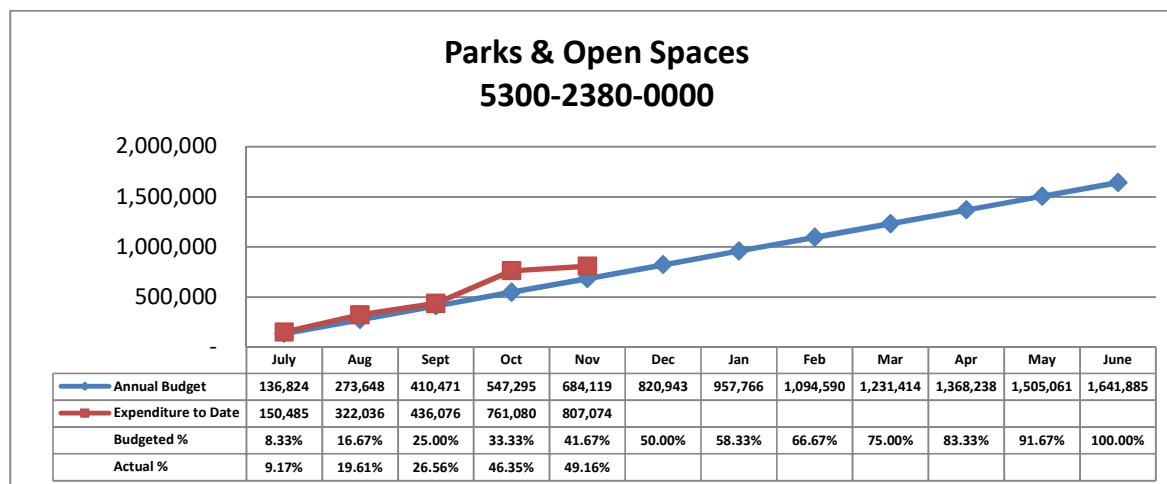
*Seconded: Cr Brennan*

*Carried*

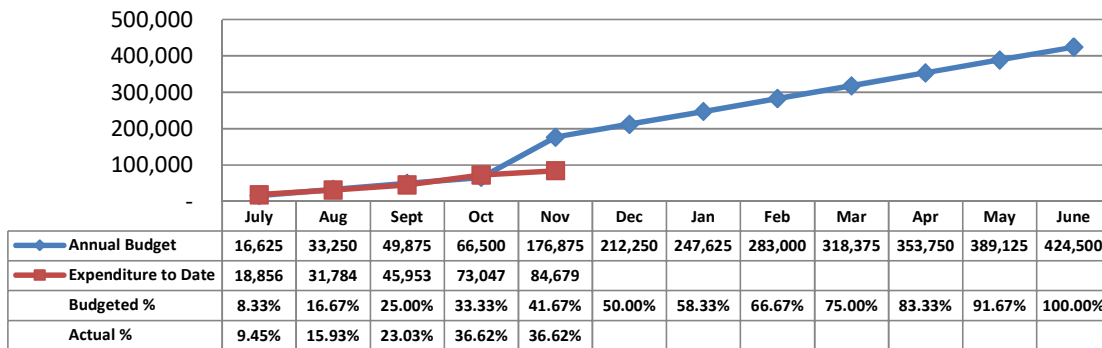
#### **Report**

This month's Council report by Infrastructure Services details the following actual expenditure:

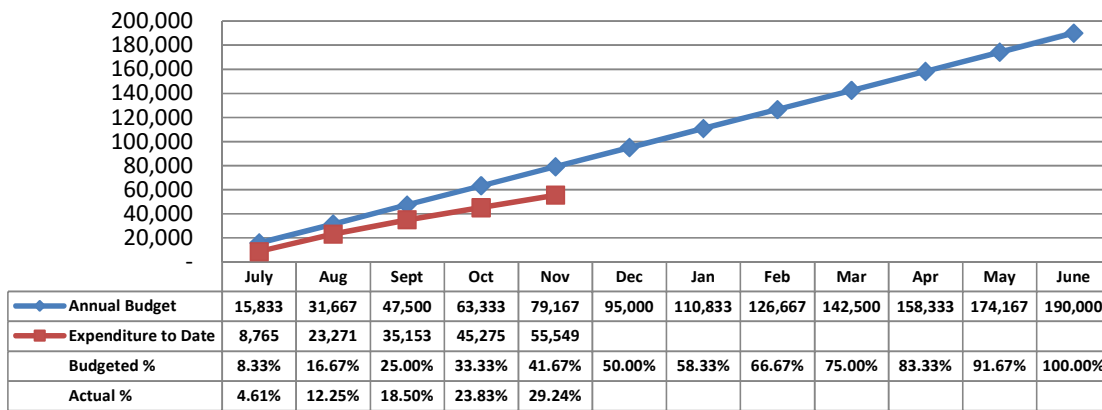
- Parks & Open Spaces
- Public Toilets
- Street Cleaning
- Street Lighting
- Bikeways and Footpaths Maintenance
- Roads Bridges and Drainage Maintenance
- RMPC



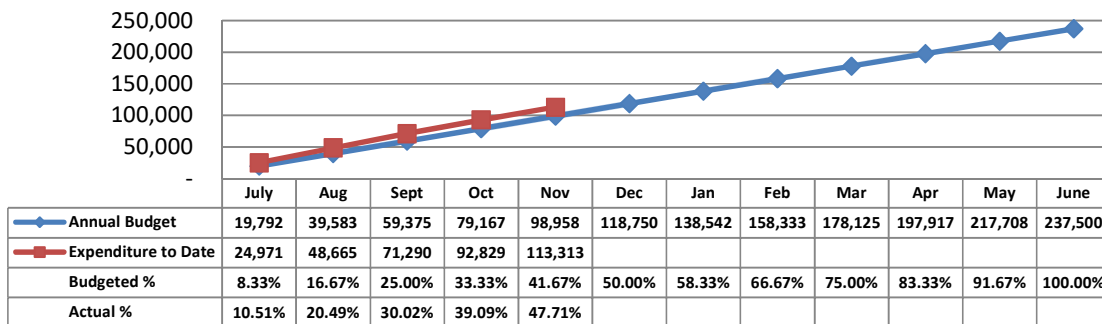
### Public Toilets 5320-2380-0000



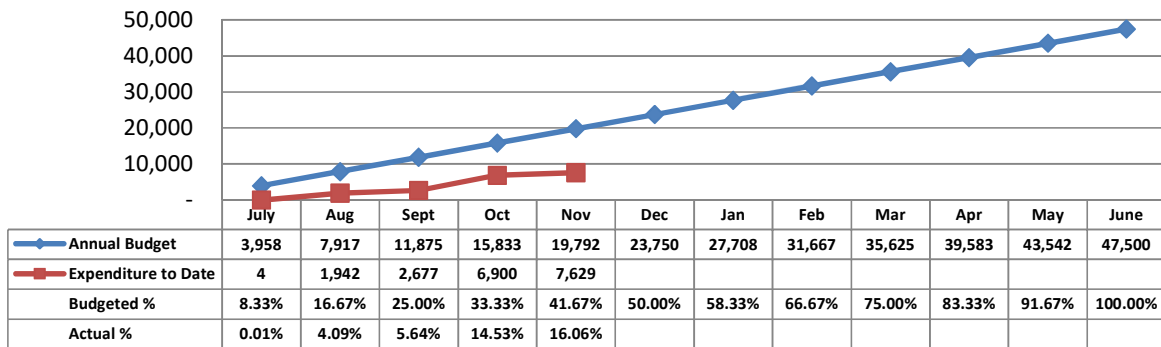
### Street Cleaning 5360-2380-0000



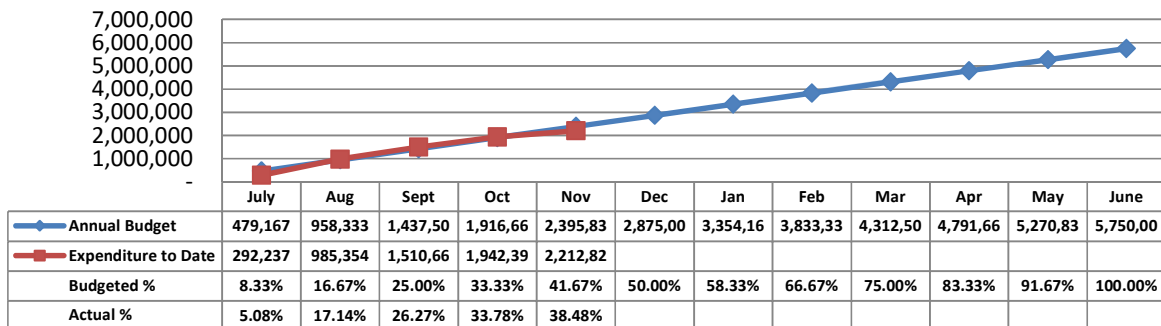
### Street Lighting 5380-2380-0000

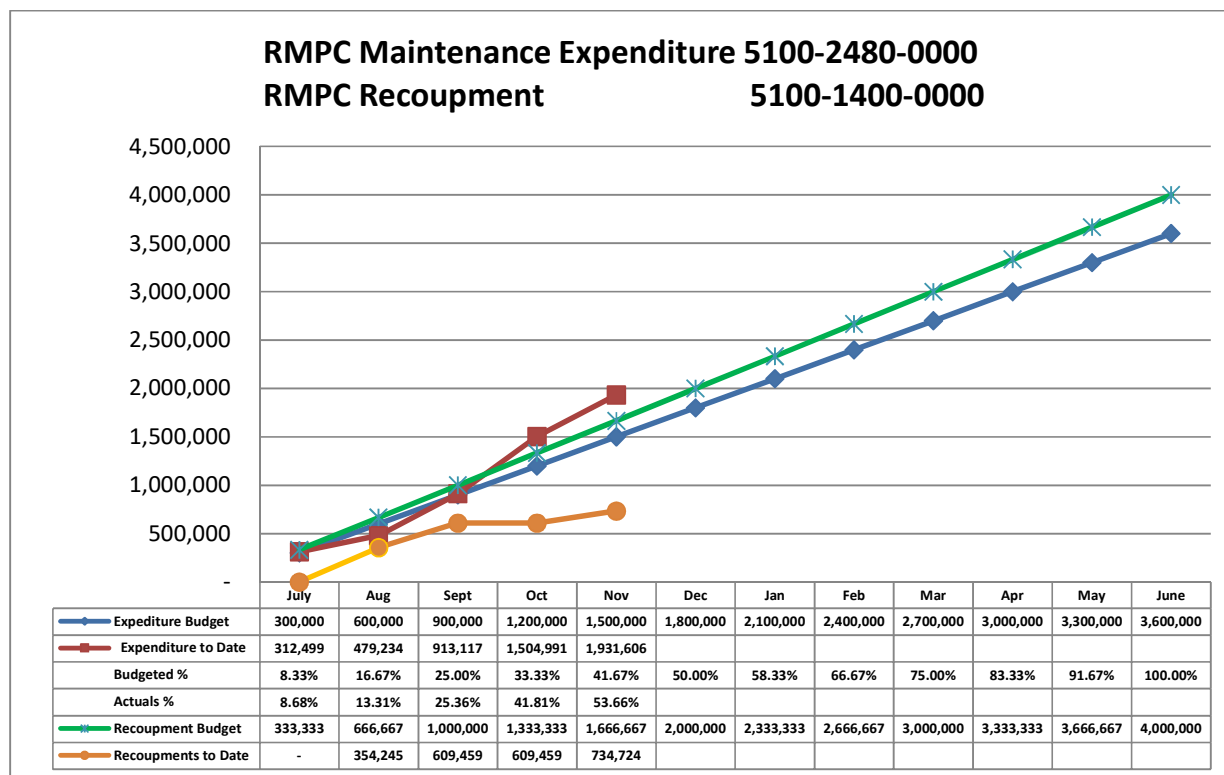


### Bikeways & Footpaths 5420-2480-0000



### Roads Bridges & Drainage 5200-2480-0000





## Considerations

### 1. Corporate Plan

Maintaining Council's infrastructure relates to Council's 'Corporate Objective 5 – Plan and deliver effective and efficient infrastructure services'.

### 2. Policy and Legal Implications

The delivery of this program will be managed in such a way as all appropriate/applicable polices/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 2019/20 is shown on the included graphs.

#### **4. Risk Assessment**

The primary risk factors and control measures that would impede the full delivery of the maintenance 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

These risks are constantly being monitored, reviewed and addressed.

## 9.1.2 ACTION REPORT ON PREVIOUS COUNCIL RESOLUTIONS – INFRASTRUCTURE SERVICES

**Date:** 6 December 2019  
**Author:** Chris Whitaker - Director Infrastructure Services  
**File No:**  
**Letter No:**  
**Attachment:** Resolutions Action Report  
**Minute No:** OM004562

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### **Resolution:**

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

*Moved: Cr Brennan*

*Seconded: Cr Semple*

*Carried*

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### **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



Director Council Services attended the meeting

### 9.1.3 MAJOR CAPITAL PROJECTS – MONTHLY ACTUAL EXPENDITURE – INFRASTRUCTURE SERVICES

**Date:** 4 December 2019  
**Author:** Chris Whitaker - Director Infrastructure Services  
**File No:**  
**Letter No:**  
**Attachment:** Capital Expenditure Report  
**Minute No:** OM004563

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#### **Resolution:**

*That Council note and receive the Major Capital Expenditure Report for Infrastructure Services as at 18 November 2019.*

*Moved: Cr Brennan*

*Seconded: Cr Semple*

*Carried*

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#### **Report**

Providing a report on Council's Major Capital Expenditure as at 18 November 2019 for Infrastructure Services.

Refer attachment.

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Leo - Westside pipeline Moura-Theodore Road - DIS advised no operational works application has been lodged with Council and he will investigate.

## 10.0 Council Services

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### 10.1.1 ACTION REPORT ON PREVIOUS COUNCIL RESOLUTIONS – COUNCIL SERVICES

**Date:** 4 December 2019  
**Author:** Chris Welch, Director Council Services  
**File ID:**  
**Letter ID:** N/A  
**Attachment:** Resolutions Action Report  
**Minute No:** OM004564

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#### **Resolution:**

*That the Resolutions Action Report for Council Services as presented be noted and received.*

*Moved: Cr Snell*

*Seconded: Cr Boyce*

*Carried*

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#### **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 – COUNCIL SERVICES

**Date:** 4 December 2019  
**Author:** Chris Welch - Director Council Services  
**File No:**  
**Letter No:**  
**Attachment:** Capital Expenditure Report  
**Minute No:** OM004565

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### **Resolution:**

***That Council note and receive the Major Capital Expenditure Report for Council Services as at 18 November 2019.***

***Moved: Cr Snell***

***Seconded: Cr Brennan***

***Carried***

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### **Report**

Providing a report on Council's Major Capital Expenditure as at 18 November 2019 for Council Services.

Refer attachment.

## 10.2.1 FLOOD HAZARD AREA DESIGNATION FOR THE PURPOSES OF IMPLEMENTING THE NATIONAL CONSTRUCTION CODE

**Date:** 29 January 2020  
**Author:** Chris Welch, Manager Environment and Planning  
**File No:**  
**Letter No:**  
**Attachment:** 1 – 2011 Floodplain Resolution (DW-ID#706841)  
2 – Baralaba-Dawson River (ID#1518166)  
3 – Biloela-Callide Creek (ID#1518170)  
4 – Dululu Wowan-Dee River (ID#1518172)  
5 – Goovigen Jambin-Callide Creek (ID#1518179)  
6 – Moura-Dawson River (ID#1518180)  
7 – Taroom-Dawson River (ID#1518182)  
8 – Thangool-KariboeCreek (ID#1518183)  
**Minute No:** OM004566

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### **Resolution:**

***That Council resolve under Section 13 of the Building Regulation 2006 to:-***

- A. Designate those parts of Banana Shire identified by the Banana Shire Flood Assessment as affected in the modelled 1% Annual Exceedance Probability (AEP) plus allowance for climate change as a flood hazard area.***
- B. Declare a defined flood level equivalent to the 1%AEP plus allowance for climate change for all properties identified on the Flood Study Defined Event Maps (Attachments 2 – 8).***
- C. Declare maximum flow velocity of water for:***
  - (a) Baralaba – 0.75m/sec***
  - (b) Biloela – 3.05m/sec***
  - (c) Dululu – 10.58m/sec***
  - (d) Jambin – 1.57m/sec***
  - (e) Taroom – 2.43m/sec***
  - (f) Thangool – 0.80m/sec***
  - (g) Theodore – 4.11m/sec***
  - (h) Wowan – 11.56m/sec***
- D. Declare freeboards of:***
  - (a) Habitable floor levels – 500mm above the defined flood level***
  - (b) Non-habitable floor levels – 300mm above the defined flood level***
  - (c) On-site sewerage treatment, services infrastructure (including electricity, gas, water supply, sewerage and telecommunications) and storage areas for potential contaminants – 300mm above the defined flood level***
  - (d) All other development – 0mm above the defined flood event***
- E. Declare a finished floor level of Class 1 buildings of:***
  - (a) Habitable floor levels – 500mm above the defined flood level***
  - (b) Non-habitable floor levels – 300mm above the defined flood level***

**(c) On-site sewerage treatment, services infrastructure (including electricity, gas, water supply, sewerage and telecommunications) and storage areas for potential contaminants – 300mm above the defined flood level**

**Moved: Cr Snell**

**Seconded: Cr Semple**

**Carried**

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## **Report**

The current Banana Shire and Taroom Shire Planning Schemes do not include any provisions addressing the design and construction of buildings in flood hazard areas. This will be addressed in the draft planning scheme being prepared for the whole of Shire, however in the interim there is a void of regulation on this significant risk issue.

The National Construction Code provides some measures in this regard but relies on being called up for building applications in a designated flood hazard area. Banana Shire Council does not currently have any such designations and only the 2011 Floodplain Resolution (Attachment 1) declaring flood levels for Taroom and Theodore only.

The Hydrological Assessment Report prepared as part of Stage 2 of the Dawson River Flood Study includes mapped extents for modelled flood events up to and including a 0.05%AEP occurrence. The State generally accepts that a 1%AEP plus allowance for climate change as adequately addressing flood risk management for development purposes. Council has the opportunity to use this information as the basis for designating a flood hazard area for the purposes of the National Construction Code which is supported by recommendations of the Floodplain Management Plan accepted by Council by resolution in October 2018.

The *Building Regulation 2006* allows a local government to designate part of its area as a flood hazard area by resolution. The designation must declare

- (i) The defined flood level;
- (ii) The maximum flow velocity of water;
- (iii) Any inactive flow or backwater areas;
- (iv) A freeboard that is more than 300mm;
- (v) The finished floor level of class 1 buildings in all or part of the flood hazard area;

The Floodplain Management Plan prepared as Stage 4 of the Dawson River Flood Study recommends adopting a defined flood level based on the 1%AEP plus allowance for climate change as identified for each locality in the study area. The adoption of an event level instead of a height level allows flexibility to account for the differing heights of the same type of event across the various localities.

The Building Regulation seeks to identify water velocity so that individual constructions can be designed to withstand hydrostatic pressure from flowing flood water. The KBR study has identified the following velocities for different hazard zones within each town. For the purposes of the Building Regulation, the maximum velocity will be declared but will not be applied uniformly across each town. Individual sites can be assessed at the time of building application based on the data available from the flood study and a design velocity established for each situation.

Hazard Zone	Max Velocity									
	Baralaba	Biloela	Dululu	Jambin	Taroom	Thangool	Theodore	Wowan	Moura	Goovigen
1	0.52	1.28	7.98	N/A	0.62	0.61	N/A	11.27	N/A	N/A
2	0.43	1.51	9.72	N/A	0.83	0.61	0.70	11.56	N/A	N/A
3	0.53	1.75	9.83	0.47	1.14	0.64	0.93	11.08	N/A	N/A
4	0.64	2.02	10.58	0.97	1.42	0.66	1.18	9.76	N/A	N/A
5	0.73	2.53	6.96	1.57	2.04	0.80	1.86	7.58	N/A	N/A
6	0.75	3.05	N/A	N/A	2.43	N/A	4.11	3.24	N/A	N/A

There are no identified inactive flow or backwater areas and no declaration of such areas is recommended.

Freeboard is the difference between a water level and floor level and where used in flooding is intended to allow for fluctuations in a maximum flood level caused by intermittent occurrences such as bow waves from passing boats and vehicles. While the Building Regulation identifies a standard freeboard of 300mm, it has become common practice to apply a 500mm freeboard to habitable areas of buildings to provide increased immunity in more sensitive areas. The draft planning scheme will set the following freeboards:

- (a) habitable floor levels - 500mm;
- (b) non-habitable floor levels - 300mm;
- (c) on-site sewage treatment, services infrastructure (including electricity, gas, water supply, sewerage and telecommunications) and storage areas for potential contaminants - 300mm;
- (d) all other development - 0mm;

These heights should be adopted for the proposed flood hazard area to provide guidance for new building work in flood areas and consistency between the current and proposed planning schemes. These heights will also apply to finished floor levels for Class 1 buildings.

### Recommendation

That Council designate the extent of the 1% AEP (plus climate change) modelled flood event as a flood hazard area for the purposes of the Building Regulation as an immediate measure to protect new building works from the effects of flooding. The designation is to include:

- (i) a defined flood level equivalent to the 1%AEP plus allowance for climate change for all properties identified on the Flood Study Defined Event Maps;
- (ii) a maximum flow velocity for each study area of:
  - (a) Baralaba – 0.75m/sec
  - (b) Biloela – 3.05m/sec
  - (c) Dululu – 10.58m/sec
  - (d) Jambin – 1.57m/sec
  - (e) Taroom – 2.43m/sec
  - (f) Thangool – 0.80m/sec
  - (g) Theodore – 4.11m/sec
  - (h) Wowan – 11.56m/sec

(iii) freeboards of:

- (a) habitable floor levels - 500mm;
- (b) non-habitable floor levels - 300mm;
- (c) on-site sewage treatment, services infrastructure (including electricity, gas, water supply, sewerage and telecommunications) and storage areas for potential contaminants - 300mm;
- (d) all other development - 0mm;

(iv) finished floor levels for Class 1 buildings of:

- (a) habitable floor levels - 500mm;
- (b) non-habitable floor levels - 300mm;
- (c) on-site sewage treatment, services infrastructure (including electricity, gas, water supply, sewerage and telecommunications) and storage areas for potential contaminants - 300mm;

## **Considerations**

### **1. Corporate Plan**

Strategic Direction 1.1

To ensure Council demonstrates leadership and is accountable to internal and external key stakeholders, including the community through transparent and inclusive decision making processes and effective service delivery and operations.

k. Manage the whole of the local government area through effective and efficient planning and development management.

Strategic Direction 2.1

To deliver our shared future and cultural vision, which is encapsulated by the following:-

j. Manage disaster management and preparedness by developing community resilience, understanding the flood zone and patterns, the impact on property and the cost to the community and Council.

### **2. Policy and Legal Implications**

The recommendation aligns with the provisions of the Building Regulation 2006.

### **3. Financial and Resource Implications**

N/A

### **4. Risk Assessment**

Adopting this resolution will reduce the risk of new approved development being unduly exposed to flood hazards.

### 10.2.3 BANANA TRANSFER STATION – CUMPULSORY ACQUISITION OF NATIVE TITLE RIGHTS & INTERESTS – LOT 1 SP255534, PART OF LOT 2 RP293566 AND ADJOINING ROAD

**Date:** 3 December 2019  
**Author:** Chris Welch, Director Council Services  
**File ID:**  
**Letter ID:**  
**Attachment:** 1 - Notice of Intention to Acquire Native Title Rights (ID 1478579)  
2 – Notice of Objection (ID 1519796)  
**Minute No:** OM004567

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#### **Resolution:**

*That Council resolve to proceed with the compulsory acquisition of Native Title Rights & Interests of Lot 1 SP255534, part of Lot 2 RP293566 and adjoining road, and authorise the Chief Executive Officer of Council to prepare and forward the required application and supporting documentation to the Department of Natural Resources, Mines and Energy.*

**Moved:** Cr Leo

**Seconded:** Cr Snell

**Carried**

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#### **Report**

The purpose of this report is to:-

- (a) advise Council regarding the service of the Notice of Intention to Acquire Native Title Rights and Interests and report as to the date and manner of service of the Notice; and
- (b) advise particulars of objections received by Council; and
- (c) advise particulars of informal approaches received by Council; and
- (d) advise particulars of information provided in response to objections and informal approaches received by Council; and
- (e) consider the grounds of objection to the taking of the land and/or native title rights and interests; and
- (f) acknowledge that the land/native title rights and interests are still required for the purposes of the proposed compulsory acquisition; and
- (g) record that it remains necessary for Council to proceed with the compulsory acquisition in order to secure the land required for the relevant purpose; and
- (h) resolve to proceed with the compulsory acquisition and authorise the chief executive officer of Council to prepare and forward the required application and supporting documentation to the Department of Natural Resources, Mines and Energy.

At Council's meeting of 22 May 2019, it was resolved to delegate to the chief executive officer the relevant powers which must be exercised as part of the compulsory acquisition process under the *Acquisition of Land Act 1967*, including the service of the Notice of Intention to Acquire Native Title Rights and Interests for waste management facility (refuse transfer station) purposes.

The Notice of Intention to Acquire Native Title Rights and Interests was served on:

- (a) Lynette Gail Blucher, Viola Joy Sheridan, Robert Kerry Toby (Jnr), Lynette Ann Anderson, Lillian May Harrison, Rodney John Jarro, Margaret Jennifer Kemp, Kevina Fay Suey, Philip Obah, and Kentyn Obah on behalf of the Gaangalu Nation People, Federal Court No QUD33/2019, NNTT No QC 2012/009, under cover of a letter dated 31 May 2019; and
  - (b) Queensland South Native Title Services Ltd (as representative Aboriginal body in relation to the Land) under cover of a letter dated 31 May 2019.
-



A copy of the Notice of Intention to Acquire Native Title Rights and Interests is attached to this report (Attachment 1).

In response to the service of the Notice of Intention to Acquire Native Title Rights and Interests on the parties:

- (a) Council received, and was served with, an objection in writing dated 7th July 2019 by Margaret McLennan, barrister at law, on behalf of the parties representing the Gaangalu Nation People to the proposed taking of native title rights and interests, a copy of which is attached to this report (Attachment 2);and
- (b) Council did not receive, and was not served with, any objection in writing on behalf of Queensland South Native Title Services Ltd; and
- (c) Council did not receive any informal approach or comment about the proposed taking of native title rights and interests; and
- (d) the chief executive officer (or his delegate) met with representatives of the objectors on 17 July 2019 to discuss the objection; and
- (e) following that meeting, the objection was subsequently withdrawn by the legal representative of the objectors, by email of 26 November 2019.

It remains necessary for Council to proceed with the compulsory acquisition of native title rights and interests in order to secure the land identified in the Notice of Intention to Acquire Native Title Rights and Interests for waste management facility (refuse transfer station) purposes.

### **Recommendation**

It is recommended that Council –

- (a) adopt this report regarding the proposal to acquire all existing native title rights and interests (if any) in the land described as lot 3 on SP 307541 and comprising an area of 4.422 hectares (“the Land”) for waste management facility (refuse transfer station ) purposes.
- (b) after due consideration of the objection to the acquisition of all existing native title rights and interests in the Land, and the subsequent withdrawal of that objection, confirm that the Land is still required for waste management facility (refuse tip) purposes.
- (c) proceed with the compulsory acquisition of all existing native title rights and interests in the land described as lot 3 on SP 307541, and that the chief executive officer execute the necessary application for compulsory acquisition and forward the application and all required supporting documentation to the Department of Natural Resources, Mines & Energy in accordance with the requirements of the *Acquisition of Land Act 1967* and relevant native title legislation.

### **Considerations**

**1. Corporate Plan**

N/A

**2. Policy and Legal Implications**

This outcome will satisfy Council’s obligations under the land purchase agreement resolving native title issues.

**3. Financial and Resource Implications**

N/A

**4. Risk Assessment**

N/A

**10.2.2 COM002-18/19 - REQUEST FOR NEGOTIATED DECISION – COMBINED DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR PUBLIC FACILITY – OTHER (SOLAR FARM) AND RECONFIGURING A LOT (10 LEASE AREAS) – IMPACT ASSESSMENT LOCATED AT TOMLINS ROAD AND DODSONS ROAD, DIXALEA, HIBBS ROAD, GOOVIGEN AND DODSONS ROAD, ULOGIE DESCRIBED AS LOT 39 RN395, LOT 28 RN211, LOT 18 RN271, LOT 37 RN1147, LOT 29 RN210, LOT 32 RN194 AND LOT 33 RN210**

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**Date:** 21 November 2019  
**Author:** Rentia Robertson, Town Planner  
**File ID:** COM002-18/19  
**Letter ID:**  
**Attachment:** Attachment 1 – Amended Assessment Manager Conditions (ID1518447)  
Attachment 2 – Proposal Plans (ID1504850)  
Attachment 3 - Original Decision Notice (ID1510147)  
Attachment 4 - Original Report (ID1510404)  
Attachment 5 – Advice Agency Conditions (ID1463362)  
Attachment 6 - Applicants response to submission (ID1504735)  
Attachment 7 – Applicants Representations (ID1517148)  
**Minute No:** OM004568

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**Resolution:**

*That Council approve the request to change and existing approval (permissible change) made by Edify C/- RPS on 21 November 2019 for Development Permit COM002-18/19 - Combined development application for Material Change of Use for Public Facility – Other (Solar Farm and Reconfiguring a Lot (10 lease areas) (Impact Assessable) located at Tomlins and Dodsons Road, Dixalea, Hibbs Road, Goovigen and Dodsons Road, Ulogie, described as Lot 39 RN395, Lot 28 RN211, Lot 18 RN271, Lot 37 RN1147, Lot 29 RN210, Lot 32 RN194 and Lot 33 RN210 to the extent detailed below:*

*Council agrees to amend the following aspects of the Decision Notice:*

*Council agrees to amend Condition 5 (Amended Plans) in accordance with the following:*

***Amended Plans***

- 5. Submit an amended Project Proposal Plan that excludes solar array panels or other improvements from any areas identified as land degradation features in Figures 7, 8, 9 or 10 of the approved Land Condition Assessment including suitable buffers. Council may accept solar arrays over areas which are rehabilitated prior to establishing the structures subject to satisfactory evidence being provided to Council of the rehabilitation.***

- A. Council agrees to amend Condition 10 (Building and other works) in accordance with the following:***

***Building and other works***

10. The maximum height of any building must not exceed 10 meters above natural ground level. This does not include any support towers for the proposed transmission line **or switchyards.**

**B. Council agrees to amend Condition 11 (Building and other works) in accordance with the following:**

**Building and other works**

11. Proposed earthworks are limited to the establishment of building pads, hardstand areas, internal roads, vehicle parking areas, **and** minor re-profiling of land beneath the solar arrays **and trenching.** A development permit is required for all Operational Works.

**C. Council agrees to amend Condition 12 (Building and other works) in accordance with the following:**

**Building and other works**

12. ~~All habitable buildings must be located a minimum of 40 metres from any electricity transmission line.~~  
All habitable buildings must be located a minimum of
- a) 20m for a transmission lines up to 132 kilovolts;
  - b) 30m for a transmission lines between 133 kilovolts and 275 kilovolts;
  - c) 40m for a transmission lines exceeding 275 kilovolts from any electricity transmission line.

**D. Council agrees to amend Condition 14 (Setbacks) in accordance with the following:**

**Setbacks**

14. Screen landscaping in accordance with Condition 62 below is established to a mature height for a distance of 20 metres from the site boundaries adjoining Lots 30 and 31 on RN210 and Lot 40 on RN396 prior to installation of solar farm infrastructure on Lot 29 on RN210, Lot 32 on RN194 and Lot 39 on RN395 respectively where visible from a residence on an adjoining site **as determined by an approved landscape and visual assessment prepared in consultation with adjoining landholders.**

**E. Council agrees to amend Condition 16 (Setbacks) in accordance with the following:**

**Setbacks**

16. Project infrastructure is setback 50 metres from the top of the bank of ~~waterways~~ **watercourses** and 27 metres from the edge of vegetation mapped under the Vegetation Management Act 1999.

**G. Council agrees to delete Condition 17 (Setbacks)**

**Delete:**

- ~~17. Except where in conflict with the advice provided by Powerlink (as attached), a 20-metre vegetated buffer is provided adjacent to all easements for electricity transmission lines.~~

**H. Council agrees to amend Condition 18 (Setbacks) in accordance with the following:**

## **Setbacks**

18. All improvements are to be located outside any bushfire hazard area and associated impact buffers identified on the State's Development Assessment Mapping System **or where infrastructure is proposed in the bushfire hazard area, the applicant must prepare and submit to Council, a Bushfire Management Plan prepared by qualified professional to adequately mitigate against the risk from bushfire.**

- I. Council agrees to amend Condition 21 (Road work and access) in accordance with the following:

### **Road work and access**

21. ~~The developer is to maintain the upgraded sections of Tomlins and Dodsons Roads for the life of the development to the appropriate standard in the CMDG.~~  
**The upgrades required by Condition 19 are to be designed for a 20 year design life to the maximum Design Equivalent Standard Axles (DESA's during peak construction) to the appropriate standard in the CMDG. The developer will be responsible for the maintenance of storm water, pavement and seal to the design life including rehabilitation of the road should pavement fatigue or rutting occur. A pavement and road assessment shall be performed on an annual basis and submitted to council confirming the condition of the road reflects the expected condition at that stage of the design life. Prior to the end of the maintenance period should the assessment reveal a substandard condition the applicant shall be responsible for rehabilitating the roads to the expected condition.**

- J. Council agrees to amend Condition 44 (Stormwater Quality) in accordance with the following:

### **Stormwater Quality**

44. Grass cover is to be established across all areas of the development site, excluding internal roads, vehicle parking and hardstand areas **once construction is complete for the respective stage area** ~~prior to construction~~ and maintained for the duration of the use.

- K. Council agrees to amend Condition 57 (Amenity) in accordance with the following:

### **Amenity**

57. In the event that panels become 'out-of-sync' (i.e. not tracking the sun such that the panels are perpendicular to the sun), the affected panels are to be repaired as soon as reasonably practicable; or removed; or adjusted to remain in a fixed stowed position (so that potential for reflection is minimised for any sensitive receptors) until the repair is completed. **This does not apply to panels being fixed to provide protection from damage associated with an imminent storm activity forecast for the area.**

- L. Council agrees to amend Condition 65 (Landscaping) in accordance with the following:

### **Landscaping**

65. Any **existing** significant trees to be retained are to be protected during construction.

- M. Council agrees to amend Condition 74 (Site rehabilitation) in accordance with the following:

## Site rehabilitation

74. Bank guarantees are to be provided to Council at the commencement of construction of each stage of development to be held against the cost of rehabilitating the site post-operation. The amount of the bank guarantee is to be agreed between the developer and Council, is to represent a reasonable estimation of costs. ~~and is to be indexed annually. The value of the bank guarantee is to be reviewed annually.~~

*Factors influencing the review of the value of the bank guarantee will include, but not be limited to:*

- a) The extent of development of the site at any given time*
- b) Indexation of any previously agreed costs*
- c) Changes to technology or legislation that may increase or decrease the cost of rehabilitation.*

*The bank guarantee is to be returned to the applicant on successful rehabilitation of the site post-operation.*

*and Issue the relevant Notice under the Planning Act 2016.*

**Moved: Cr Leo**

**Seconded: Cr Brennan**

**Carried**

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## Report

Applicant:	Edify Energy
Owner/s:	Maynard Assets, GA & A Maynard, DG Dunn, AP & JM Fenech
Subject Site:	Lot 39 RN395, Lot 28 RN211, Lot 18 RN271, Lot 37 RN1147, Lot 29 RN210, Lot 32 RN194 and Lot 33 RN210
Application Lodged:	11 January 2019
Planning Scheme:	Banana Shire Planning Scheme
Zone and Overlays:	Rural Zone - Catchment Overlay, Bushfire Overlay - medium severity, Utility Gas Power Overlay, Agricultural Land Class Overlay (Class A, C1 & C2)
Applicable Codes:	Rural Zone Code, Development Standards Code, Economic Resources Overlay Code, Natural Disaster Overlay Code
Referral Agencies:	Powerlink (Advice Agency)
Submissions:	11
Summary:	The proposal is consistent with the overall intent and provisions of the Banana Shire Planning Scheme and the <i>Planning Act 2016</i> .

## Background

Council issued a Development Permit for combined development application for Material Change of Use for Public Facility – Other (Solar Farm and Reconfiguring a Lot (10 lease areas) (Impact Assessable) located at Tomlins and Dodsons Road, Dixalea, Hibbs Road, Goovigen and Dodsons Road, Ulogie, described as Lot 39 RN395, Lot 28 RN211, Lot 18 RN271, Lot 37 RN1147, Lot 29 RN210, Lot 32 RN194 and Lot 33 RN210 by Decision Notice(ID1510147) dated 29 October 2019. This decision notice was issued by Council's ordinary meeting (OM004518).

The proposal involves the construction and operation of a large scale solar farm over parts of Lot 39 RN395, Lot 28 RN211, Lot 18 RN271, Lot 37 RN1147, Lot 29 RN210, Lot 32 RN194 and Lot 33 RN210. The solar farm is to be constructed to have a project footprint of approximately 2,188ha,

leaving a total balance of 1,802ha over the lots. The developed portion of the land is to be leased long term (up to 40 years) and on cessation of the use, the land is to be remediated to its prior use of rural activities.

On 21 November 2019 the applicant lodged a request for a Negotiated Decision. The applicant's representations and request for a Negotiated Decision are about the following matters:

- Condition 5 – to be amended
- Condition 10 – to be amended
- Condition 11 – to be amended
- Condition 12 – to be amended
- Condition 14 – to be amended
- Condition 16 – to be amended
- Condition 17 – to be deleted
- Condition 18 – to be amended
- Condition 19 – to be amended
- Condition 21 – to be deleted
- Condition 28 – to be deleted
- Condition 44 – to be amended
- Condition 57 – to be amended
- Condition 65 – to be amended
- Condition 74 – to be deleted

### Public Notification

The original application was subject to Public Notification.

There were a total of eleven (11) properly made submissions for the original application; six in favour of the proposal and five opposed.

Consideration of submitters views about the original application form part of the assessment of this request.

The details / grounds of submissions for the application and how the proposed changes may affect submitters' views are summarised in the following table:

Details / Grounds of Submission	Comment / Response
Issue	Response
The submitters identified that the high quality soils that comprise the development area are susceptible to movement and construction may lead to instability and erosion of the site.	The proposed construction method of driving the mounting poles into the soil reduces the initial exposure to risk or erosion. The proposal can be conditioned to require sediment and erosion control in both construction and operation stages of the development. The potential impact of soil movement on the construction is an operational matter for the proponent.
The submitters are concerned that damage to panels and/or battery failure would allow contamination of waterways from chemicals, impacting on water supply in the district	The damage to panels and battery failure is an operational matter for the proponent. The developer will be bound by the general obligations under the Environment Protection Act to not willingly or knowingly be responsible for contamination of the environment and will be open to prosecution should they fail to discharge that obligation. The proposal can be conditioned

Details / Grounds of Submission	Comment / Response
Issue	Response
	to require the provision and implementation of an environmental management plan to address these concerns.
The submitters are concerned that the proposal will result in less rainfall reaching the ground and waterways, impacting on reef regrowth areas and endangered ecosystems.	The submitters have failed to provide any evidence of solar farms interfering with rainfall patterns. Run-off from the panels will continue to discharge directly to ground as is currently the case. Evaporation of water from the panel surfaces is considered to be negligible given that the panels are mounted at an angle which will encourage water to run off rather than be sitting long enough to evaporate.
The submitters are concerned that erosion will not be able to be effectively managed by grass cover alone.	The proposal can be conditioned to require sediment and erosion control in both construction and operation stages of the development. The method of such control can be assessed for effectiveness at the time approval is sought for an erosion and sediment control plan.
The creation of a 'heat' island could affect the quality of soils underneath the panels.	The submitters have failed to provide sufficient information to support this position.
The matter of biosecurity and weed management needs to be considered.	The proposal can be adequately conditioned to enable appropriate management of the risk of weed spread and biosecurity compromise.
The proposal could result in changed wind weather patterns impacting soil, temperature and rainfall	The submitters have failed to provide sufficient information to support this position.
There will be an increased risk of fire through electrical faults, construction, maintenance and mowing	The proposal is located predominantly on areas of no or low bushfire risk. Management of fire risk during operation of the solar farm is a matter for the proponent.
The submitters are concerned about the effect the project will have on livestock through stress from the additional traffic, noise and electromagnetic fields.	The submitters have failed to provide sufficient information to support this position.
Vibrations from the use of pile-driving to install the mounting frames will impact on stock and amenity of residents.	The proposal can be conditioned to restrict any off-site impacts from vibration.
Due to dust and stress livestock may be less willing to utilise areas adjacent to the solar farm, putting pressure on other areas of paddocks which can lead to erosion and added management costs.	The proposal can be conditioned to control the potential impacts of dust nuisance off-site.
A large scale project like this has the ability to affect land values	This is not a planning consideration.
The submitters are concerned that privacy will be affected by the construction, maintenance and operational workers.	The proposal can be conditioned to maintain privacy through the proposed vegetation screening. The conditions would stipulate that this screen be established to mature height prior to development occurring adjacent to any dwelling
The submitters are concerned that workers on the site will be able to determine when the adjoining residences are vacant or attended	There is no information available that indicates theft increases when development occurs on adjoining site. The visual buffer noted above will

Details / Grounds of Submission	Comment / Response
Issue	Response
by women only, leading to increased risk of theft.	assist in reducing the ability of workers to determine if the adjoining residences are not fully attended.
The submitters are concerned about a loss of amenity from dust, lighting of night operations and noise of construction and maintenance	The proposal can be conditioned to control the potential impacts of dust nuisance off-site. A similar condition can be imposed to prevent night operations.
The proposal will increase potential for road traffic incidents from increased traffic on narrow roads.	The proponent has indicated that an upgrade of Dodson's Road will be undertaken. Conditions provided by Infrastructure Services will require the upgrade of both Tomlins and Dodson's Roads to Rural Minor Collector standard.
Increased traffic will affect the road standard, requiring increased maintenance.	The proposal can be conditioned to require continual road surface assessment, with maintenance and repairs to be the responsibility of the proponent for the life of the project.
Impact of glare and glint on visual amenity of adjoining property.	The proposal can be conditioned to reduce visual impacts through the proposed vegetation screening. The conditions would stipulate that this screen be established to mature height prior to development occurring adjacent to any dwelling. A condition can also be imposed to require all surfaces to have a non-reflective or matte finish.
Concern about width, extent and maturation of visual vegetation buffer	In a recent successful appeal for a solar farm near Kingaroy, the Court imposed a condition requiring only a 26m setback (16m vegetation and 10m cleared) between the property boundary and solar panels where an adjoining house was 120m from the common boundary. In this instance, the neighbouring house is approximately 100m from the boundary. The proposed 30m setback aligns with the Court condition and could be further strengthened to require 20m of vegetation adjoining the site boundary with a 10m cleared area between the vegetation and solar panels. The conditions would stipulate that this screen be established to mature height prior to development occurring adjacent to any dwelling.
The submitter is concerned about the implications of electromagnetic fields could have on our health.	There is no supporting information provided by the submitter that such impacts occur.
Loss of good quality agricultural land	This matter is addressed in detail below in the response to the Economic Resources Overlay.
If the task of restoring the land to a usable state at the end of life or closure of project falls to the council, the cost will be significant.	The proposal can be conditioned to place the onus of rehabilitation on the developer, with a bank guarantee to protect Council should the operator become insolvent.
Inefficient process as development would be unable to store electricity as battery storage has no proven reliability.	This is an operational issue, not a planning matter.
No control to require rehabilitation to rural	The proposal can be conditioned to require



Details / Grounds of Submission	Comment / Response
Issue	Response
use after solar farm ceases	rehabilitation.
Planning system reform is required to protect agricultural land from solar farms	This is a State matter outside of Council's jurisdiction.
State-wide solar code required	This is a State matter outside of Council's jurisdiction.
Inaccuracies and conflicting information reporting on size of proposal	The application consistently identifies a total lease area for the development of 2,133ha and a built infrastructure footprint of 1,993ha. The only inconsistency is associated with the description of the total area of all the lots making up the development site with the planning report identifying 3,136ha and the engineering and ecologist reports identifying 3,623ha. Council records indicate a total area of all subject lots of 3,601ha but as this discrepancy has no direct implications for the development area it is considered to be an issue of little relevance.
The proposal will result in lost beef production, negatively impacting on the meat processing industry from lost throughput.	Conservative stocking rates across the subject site are 1 head per 2.4ha. The lease area of 2,133ha equates to lost production of approximately 890 head annually. Indications are that the Teys processing plant slaughters approximately 200,000 head annually and the lost production from the lease area represents less than 0.5% lost production.
Development in district is too closely settled for this type of development	ABS data for this locality indicates a total of 115 houses (some not actively being used) in an area of 1,217 square kilometres. This equates to one house per 11.5 square kilometres.
More suitable sites elsewhere	The planning scheme does not identify any requirement that development only occur on sites when no other suitable sites are available.
Potential impacts from substation operation and necessary buffering from residences.	The application does not include any information on the voltage of the proposed substation but it is assumed that its connection to the 275kV transmission line will require the substation to have equivalent voltage. The drafting of the new planning scheme has been required to establish buffers of 50m around high voltage substations. The nearest residence to the proposed substation location is almost 2 kilometres away.
Improved work opportunities for locals and improved business conditions	This is not a town planning consideration.
Soil quality of site is poor and best only for grazing	This matter is addressed in detail below in the response to the Economic Resources Overlay.
The site is isolated and not visible to many.	The proposal can be conditioned to mitigate potential visual impacts. The conditions would stipulate that this screen be established to mature height prior to development occurring adjacent to any dwelling.
Solar Farms do not emit carbon dioxide; they generate clean, green electricity over a long period which contributes to making Australia	This is not a town planning consideration.

Details / Grounds of Submission	Comment / Response
Issue	Response
a cleaner and healthier society.	

## Referral Agencies

The Powerlink as an Advice Agency was a referral agency for the development application. The referral agency requirements for the original decision are summarised below:

Referral Agency	Details of Response
Powerlink	<ul style="list-style-type: none"> <li>• The development must be carried out generally in accordance with the reviewed plans</li> <li>• The statutory clearances set out in the <i>Electrical Safety Regulation 2013</i> must be maintained during construction and operation. No encroachment within the statutory clearances is permitted.</li> <li>• Compliance with the terms and conditions of the easement.</li> <li>• Compliance with the generic requirements in respect to proposed works in the vicinity of Powerlink Queensland infrastructure.</li> </ul>

## Internal Referral Comments

The request was referred internally on 15 January 2019 (ID 1452576) and 29 May 2019 (ID 1478224).

Infrastructure Services – Comments received 16 January 2019 (ID 1452744) and 30 May 2019 (ID 1478974) and the 26 November 2019 ID1518095.

Environmental Health – Comments received 22 January 2019 (ID 1454109) and 29 January 2019 (ID 1455478).

Environmental Sustainability – Comments received 20 June 2019 (ID 1482684).

Water and Sewerage – Comments received 16 January 2019 (ID 1452744) and 30 May 2019 (ID 1478974).

Building & Plumbing – Comments received 17 January 2019 (ID 1453374) and 19 June 2019 (ID 1482367).

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

## Infrastructure Charges

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

## Assessment

The assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.

The assessment and recommendations on the matters raised in the Applicant's representations about the original Decision Notice are provided below.

Condition 5 (Amended Plans)

The applicant has requested amendments to Condition 5 to enable the option to utilise the smaller areas (eg M\_Rill\_11, M\_Gully\_9, M\_Gully\_12, M\_Gully\_13) by filling and or rehabilitate these areas so that it could be used for solar arrays areas without causing any additional impacts to the land degradation.

Response

Council has no objection to amend the condition to include solar arrays over areas which have been rehabilitated prior to establishing the structures.

Condition 5 to be amended as follows:

5. Submit an amended Project Proposal Plan that excludes solar array panels or other improvements from any areas identified as land degradation features in Figures 7, 8, 9 or 10 of the approved Land Condition Assessment including suitable buffers. **Council may accept solar arrays over areas which are rehabilitated prior to establishing the structures subject to satisfactory evidence being provided to Council of the rehabilitation.**

Condition 10 (Building and other works)

The applicant has requested amendments to Condition 10 which requires the maximum, height of any building must not exceed 10 meters above natural ground level. The applicant is requesting to allow for the switchyard structures an exemption from the 10m height requirement. This will allow a flexibility regarding the height of the switchyard structures and to accommodate the slab height thereof.

Response

Council has no objection to amend the condition as the proposed switchyard facility represents a minor percentage of overall development and will be subject to building approval. The size and dimensions of the switchyard will be determined at detail design stage.

Condition 10 to be amended as follows:

10. The maximum height of any building must not exceed 10 meters above natural ground level. This does not include any support towers for the proposed transmission line **or switchyards.**

Condition 11 (Building and other works)

The applicant has requested amendments to Condition 11 which requires earth works to be limited to building pads, hard stand areas and internal roads, vehicle parking areas and minor re-profiling of land beneath the solar arrays. The applicant requested that trenching for underground cables be included with this condition.

Response

Council has no objection to include trenching to the proposed earthworks.

Condition 11 to be amended as follows:

11. Proposed earthworks are limited to the establishment of building pads, hardstand areas, internal roads, vehicle parking areas, **and** minor re-profiling of land beneath the solar arrays **and trenching**. A development permit is required for all Operational Works.

Condition 12 (Building and other works)

The applicant has requested amendments to Condition 12 which requires that all habitable buildings be setback at a minimum of 40 metres from any electricity transmission line. The request has come about as some electricity lines will be 66KV or less, and does not require a 40 meter setback in these instances, however for electricity lines 66KV and over the 40 meter setback is to apply.

Response

As the voltage of the transmission line where unknown to Council at the time of creating the conditions, Council worked from the requirements for the highest voltage as per the Major Utilities Overlay. This overlay requires a minimum set back of 40metres. However the draft planning scheme is proposing the following separation distances for a sensitive land use to be maintained from the substation or major electricity infrastructure (AO20.9 Rural Zone):

- a) 20m for a transmission lines up to 132 kilovolts;
- b) 30m for a transmission lines between 133 kilovolts and 275 kilovolts;
- c) 40m for a transmission lines exceeding 275 kilovolts

The applicant stated that some electrical lines on the site may be less than 66KV, and therefore requests that the setback of 40m only applies for where the electrical line is 66KV or over. Based on the draft planning scheme's setback requirements officers recommend setbacks that align with those proposed for the draft planning scheme.

Condition 12 to be amended as follows:

12. **All habitable buildings must be located a minimum of**
- a) 20m for a transmission lines up to 132 kilovolts;**
  - b) 30m for a transmission lines between 133 kilovolts and 275 kilovolts;**
  - c) 40m for a transmission lines exceeding 275 kilovolts**
- from any electricity transmission line.**

Condition 14 (Setbacks)

The applicant has requested amendments to Condition 14 which requires that screen landscaping be established prior to installation of the solar farm infrastructure. The applicant has requested that a visual assessment be undertaken of likely locations of where the solar arrays and structures could be seen from adjoining residences and establish the vegetation at the commencement of the construction phase.

Response

The intention of this condition was to have the landscaping at mature height before commencement of construction of the solar farm, where it could be visible from a residence on an adjoining site. The process of providing the landscaping can commence at any given time, as long as it is has reached matured heights prior to construction. The timing of when the landscaping reaches maturity as proposed by the applicant is not supported as the applicant can start landscaping any time before construction.

Condition 14 is clear in regards to what is expected from the applicant and due to the expected visual impacts from the proposed solar farm and its infrastructure, the landscaping is to be at mature height before construction can commence. It is recommended that condition 14 be amended to include the requirement for a visual assessment.

Condition 14 to be amended as follows:

14. Screen landscaping in accordance with Condition 62 below is established to a mature height for a distance of 20 metres from the site boundaries adjoining Lots 30 and 31 on RN210 and Lot 40 on RN396 prior to installation of solar farm infrastructure on Lot 29 on RN210, Lot 32 on RN194 and Lot 39 on RN395 respectively where visible from a residence on an adjoining site **as determined by an approved landscape and visual assessment prepared in consultation with adjoining landholders.**

Condition 16 (Setbacks)

The applicant has requested amendments to Condition 16 which requires clarification on the term 'waterway' and 'watercourse' that's been use in the context of this condition.

Response

Council agrees with the request and is to replace the wording 'waterway' with 'watercourses', as the water course means a river, creek or stream in which water flows permanently or intermittently and includes the bed and banks and any other element of a river, creek or stream confining or containing water.'

Condition 16 to be amended as follows:

16. Project infrastructure is setback 50 metres from the top of the bank of ~~waterways~~ **watercourses** and 27 metres from the edge of vegetation mapped under the Vegetation Management Act 1999.

Condition 17 (Setbacks)

The applicant has requested that Condition 17 be deleted, which requires vegetated buffers to be provided adjacent to all easements for electricity transmission lines.

Response

Council has no objection to the deletion of this condition. As some transmission lines are already in existence, it would be unreasonable to expect this developer to screen those lines. The proposed transmission line is only visible from within the development site or a no-through road giving no access to any lots outside the development area. It is unreasonable to insist on such screening to protect public amenity.

Condition 17 is to be deleted.

17. ~~Except where in conflict with the advice provided by Powerlink (as attached), a 20 metre vegetated buffer is provided adjacent to all easements for electricity transmission lines.~~

Condition 18 (Setbacks)

The applicant has requested amendments to Condition 18 which requires that all improvements are to be located outside any bushfire hazard area. The applicant requests that condition 18 be amended to allow for a bushfire management plan to be implemented as an alternative to locating outside the bushfire hazard areas.

Response

Council has no objection to the proposed change and agrees to the proposed amendment and is to include the following wording: " that the plan is to be submitted to Council".

Condition 18 to be amended as follows:

18. All improvements are to be located outside any bushfire hazard area and associated impact buffers identified on the State's Development Assessment Mapping System

And insert the following:

**or where infrastructure is proposed in the bushfire hazard area, the applicant must prepare and submit to Council, a Bushfire Management Plan prepared by qualified professional to adequately mitigate against the risk from bushfire.**

Condition 19 (Roadwork and access)

The applicant has requested amendments to Condition 19 which requires upgrades to the roads and the opportunity to negotiate the extent of the upgrades. Applicant requested the wording be included **"or as agreed to by council."**

Response

In reviewing condition 19, no change is required to the wording as the change is already reflected in the Decision notice.

Condition 21 (Road work and access)

The applicant has requested that Condition 21 which requires the applicant to maintain the upgraded sections of Tomlins and Dodson Road for the life of the development be deleted. The applicant states that once the solar farm is operational it will not generate substantial traffic regarding volume or type that will impact the road in such a way that ongoing maintenance from the applicant is required for these sections of the roads.

Response

Council objects to the deletion of this condition and propose to amend this condition, given the costs associated with road maintenance that is to be expected during the construction stages of the development and the 43 year life span of the development. The development is proposed to be staged giving the applicant the flexibility to develop the project over time. This could have impacts on the roads as a result of construction vehicles utilizing the roads during the different stages of the development. Further to this it is anticipated that during the lifespan of the development, the road and the upgraded sections would require general maintenance and resealing. Based on this, the applicant is to consider the following:

- If the development was not occurring Council would not upgrade the road
- As the road is not suitable for an increase in heavy vehicles interacting with existing road users (an expected 9264 HV's over the 8 month construction period ) the road needs to be upgraded appropriately.
- Regardless of the amount of staff using the road after the construction stage of the development the road will need to be maintained at a much larger cost to Council due to it being a sealed road for a larger road hierarchy than if the development was not to occur. This cost should be covered by the developer or maintained by the applicant.

Condition 21 is to be amended as follows:

21. **The upgrades required by Condition 19 are to be designed for a 20 year design life to the maximum Design Equivalent Standard Axles (DESA's during peak construction) to the appropriate standard in the CMDG. The developer will be responsible for the maintenance of storm water, pavement and seal to the design life including rehabilitation of the road should pavement fatigue or rutting occur. A pavement and road assessment shall be performed on an annual basis and submitted to council confirming the condition of the road reflects the**

**expected condition at that stage of the design life. Prior to the end of the maintenance period should the assessment reveal a substandard condition the applicant shall be responsible for rehabilitating the roads to the expected condition.**

Condition 28 (Road work and access)

The applicant has requested amendments to Condition 28 which requires a bank guarantee for an equivalent to 110% of the value of the road upgrade works (it is noted that a typo error has occurred in this representation as the original condition states 10%). The applicant considers this as unreasonable or relevant as the works will be completed prior to commencement of construction and operation and requested that this condition be deleted.

Response

Council does not support the applicant's reasoning for the request. The bond is required to protect against inferior or substandard roadwork and is not linked to commencement of the use. It relates specifically to the road construction and would be returned to the developer upon satisfactory construction of the road. Condition 28 is to remain.

- 28.** Prior to undertaking any road upgrade works identified in the conditions of this development permit, provide a bank guarantee for an amount equivalent to 10% of the value of the road upgrade works.

Condition 44 (Stormwater Quality)

The applicant has requested amendments to Condition 44 which requires that grass cover is established prior to construction over all areas of the development site.

Response

Council agrees with the request to have this condition amended as it seems unreasonable to have the grass cover established prior to construction, as the grass cover could be destroyed and or damaged during the construction stages. It seems reasonable to have the grass cover established for each stage once construction has been completed for that stage of the development.

Condition 44 is to be amended as follows:

- 44.** Grass cover is to be established across all areas of the development site, excluding internal roads, vehicle parking and hardstand areas **once construction is complete for the respective stage area** prior to construction and maintained for the duration of the use.

Condition 57 (Amenity)

The applicant has requested amendments to Condition 57 which requires "out of sync" solar panel to be repaired as soon as reasonably practicable. The applicant requested that the condition also includes situations like storm events that can cause the panels to be out of sync.

Response

Council has no objection to amend this condition as the solar panels are designed to follow the sun as it moves in an east- western direction on the rotating axes. If a storm event is forecast the panels are to be stored in a vertical position to minimise possible damaged to the panels and also to allow for the rain water to flow down without being obstructed. In amending the condition it will allow the panels to be in a fixed position during a storm event, but also to allow the panels to be in an 'out of sync' position due to a storm event.

Condition 57 to be amended as follows:

57. In the event that panels become 'out-of-sync' (i.e. not tracking the sun such that the panels are perpendicular to the sun), the affected panels are to be repaired as soon as reasonably practicable; or removed; or adjusted to remain in a fixed stowed position (so that potential for reflection is minimised for any sensitive receptors) until the repair is completed. **This does not apply to panels being fixed to provide protection from damage associated with an imminent storm activity forecast for the area.**

Condition 65 (Landscaping)

The applicant has requested minor wording changes to Condition 65 which requires that any significant existing trees are to be retained and protected.

Response

Council has no objection to the proposed changes in the wording of this condition.

Condition 65 is to be amended as follows:

65. Any significant **existing** trees to be retained are to be protected during construction.

Condition 74 (Site rehabilitation)

The applicant has requested that Condition 74 be deleted, which requires the submission of a bank guarantee to cover the cost of rehabilitation of the site once the use ceases. The applicant requested that this condition be deleted as it is their understanding that the rehabilitation commences at the same time as the development commences, and therefore the rehabilitation would be completed once the development is completed, therefore the bank guarantee is not required.

Response

Council does not support the deletion of this condition, and agrees to change the wording of this condition so that it is clear what is expected regarding the bank guarantee. The value of the bank guarantee is to cover the overall site rehabilitation upon cessation of the use. As the development is expected to have a life period of 43 years, the applicant is to rehabilitate the land as far as practical to the condition the site was prior to the approved use commencing on the land. The bank guarantee is required to act as a bond for Council to ensure that there are sufficient funds available for the rehabilitation of the site should the developer not be able to fulfil this action upon the cessation of the use. Given the lengthy period of 43 years for the use, the bond is to take into consideration possible changes that may come into effect to ensure sufficient funds are available for a successful rehabilitation. Should the developer fulfil the rehabilitation stage satisfactory, then the bond would be returned to the developer/applicant.

Condition 74 to be amended as follows:

74. Bank guarantees are to be provided to Council at the commencement of construction of each stage of development to be held against the cost of rehabilitating the site post-operation. The amount of the bank guarantee is to be agreed between the developer and Council, is to represent a reasonable estimation of costs. **~~and is to be indexed annually. The value of the bond is to be reviewed annually.~~**

**Factors influencing the review of the value of the bond will include, but not be limited to:**

- a) The extent of development of the site at any given time
- b) Indexation of any previously agreed costs
- c) Changes to technology or legislation that may increase or decrease the cost of rehabilitation.

**The bank guarantee is to be returned to the applicant on successful rehabilitation of the site post –operation.**



## **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 PA.

The Chief Executive Officer of Banana Shire Council delegated power to the Director Council Services, and Manager Environment and Planning to take action as an 'Assessment Manager' under the relevant sections of the PA 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 Planning, Strategy and Sustainability) are considered by Council for determination.

## **Communication**

The applicant will be advised of Council's decision in accordance with the requirements of the *Planning Act 2016*.

## **Considerations**

### **1. Corporate Plan**

This report and recommendation is consistent with the intent of the Banana Shire Council Corporate Plan 2016-2021.

### **2. Policy and Legal Implications**

The application was processed in accordance with the relevant provisions of the Planning Act 2016 (PA). Appeal rights apply to the applicant and to submitters.

### **3. Financial and Resource Implications**

N/A

### **4. Risk Assessment**

N/A

## 10.2.4 FUNDING OPPORTUNITY FOR STOCK ROUTE CAPITAL WORKS

**Date:** 29 January 2020  
**Author:** Chris Welch, Manager Environment and Planning  
**File No:**  
**Letter No:** 1516421  
**Attachment:**  
**Minute No:** OM004569

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### **Resolution:**

*That Council resolve to apply for funding under the Department of Natural Resources, Mines and Energy's 2020-21 Capital Works program for funding to upgrade watering facilities at the 'Ranban' reserve between Rannes and Banana.*

**Moved: Cr Leo**

**Seconded: Cr Boyce**

**Carried**

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### **Report**

The Department of Natural Resources, Mines and Energy has called for expressions of interest for project funding for the 2020-21 program for upgrades and maintenance of facilities for travelling stock on the State's stock route network.

Council's Rural Services Coordinator has identified an opportunity at what is known as the Ranban facility between Rannes and Banana. This site is part of a circular network that Council has developed to allow stock to travel from Bauhinia, through Woorabinda, Baralaba, Banana, Theodore, Moura and back to Bauhinia.

The Ranban reserve currently has an historic bore that, anecdotally, has good water and pressure, but the reserve has limited facilities to provide access to the water for stock. It is proposed to seek funding to allow the reserve to be developed to install:

- Two 35,000 litre galvanised tanks;
- Two 7 metre troughs;
- A solar-powered submersible pump;
- Site fencing and ancillary plumbing and earthworks.

These improvements will build drought resilience in the stock route network, particularly this circuit in which Council has committed a significant amount of time and resources in developing.

### **Considerations**

- 1. Corporate Plan**  
Strategic Direction 4.1  
c. Monitor, understand and plan for pressure on Council's infrastructure created by existing and new development
  - 2. Policy and Legal Implications**  
N/A
  - 3. Financial and Resource Implications**
-

Will require staff resources to organise and/or undertake works

**4. Risk Assessment**

N/A

## 10.2.5 REQUEST TO REDUCE BUILDING FEE FOR SWIMMING POOL BEING \$616.00

**Date:** 4 December 2019  
**Author:** Gerard Irwin – Plumbing & Building Inspector  
**File ID:**  
**Letter ID:** 1519144  
**Attachment:**  
**Minute No:** OM004570

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### **Resolution:**

*That Council refuse the request to reduce building fees as outlined in Document 1519144 and not set a precedent.*

*Moved: Cr Snell*

*Seconded: Cr Brennan*

*Carried*

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### **Report**

Council received a letter on 29 November 2019 requesting a reduction in building fees for the construction of an above ground swimming pool. The application fee for this item is \$616.00. The property owner is a pensioner with a debilitating autoimmune disease as outlined in the letter (i.e. Doc.1519144). The pensioner's doctor has advised that hydrotherapy would help with the severe joint pain and exercise.

Council sets fees and charges at a level that recovers the costs of providing the services required and this is reviewed annually.

Careful consideration is required as Banana Shire has a percentage of pensioners and persons with disabilities, and if approved a precedent will be set for all pensioners and disability needs persons within the shire to request a reduction in fees.

### **Considerations**

1. **Corporate Plan**  
N/A
  2. **Policy and Legal Implications**  
N/A
  3. **Financial and Resource Implications**  
If approved Council will see a reduction in revenue to cover costs associated with development applications.
  4. **Risk Assessment**  
N/A
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Plumbing Officer left the meeting

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## 10.2.6 TEMPORARY LOCAL PLANNING INSTRUMENT – REDUCING RISK OF DEVELOPMENT IN MUIRS ROAD, MOUNT MURCHISON FLOOD HAZARD AREA

**Date:** 29 January 2020  
**Author:** Chris Welch, Director Council Services  
**File No:**  
**Letter No:**  
**Attachment:** 1 – Temporary Local Planning Instrument 01/2019 Muirs Road Hazard Mitigation (ID 1519954)  
**Minute No:** OM004571

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### **Resolution:**

#### ***That Council:***

- 1. adopt Temporary Local Planning Instrument 01/2019 Muirs Road Flood Hazard Mitigation (TLPI) effective immediately and remaining in effect for two years or until the commencement of a new planning scheme whichever is the sooner; and***
- 2. undertake the necessary publication of notices advising of the effect of the TLPI as required by the Minister's Guidelines and Rules.***

***Moved: Cr Brennan***

***Seconded: Cr Semple***

***Carried***

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### **Background**

At Council's ordinary meeting of 23 October, Council resolved to adopt the draft Temporary Local Planning Instrument 01/2019 Muirs Road Flood Hazard Mitigation to address the significant risk to residents from significant flood hazard associated with releases of water from Callide Dam during extreme rainfall events. The draft TLPI was presented to the Minister for State Development, Manufacturing, Infrastructure and Planning seeking approval from the State to adopt. By letter of 28 November 2019, the Minister has advised Council that he is satisfied that the TLPI complies with the *Planning Act 2016* and providing consent to Council to proceed to adoption.

The process of final adoption requires a resolution from Council to that effect and requires that Council:

- a) publish a notice advising of the adoption of the TLPI; and
- b) provide a copy of the published notice and a certified copy of the TLPI to the State;

The published notice must include:

- a) the date that the TLPI was adopted;
- b) the date it commences; and
- c) the date it will cease to have effect.

The TLPI should be adopted and be effective immediately to reduce Council's exposure to risk. The TLPI should remain in effect for the maximum period of two years permitted by the *Planning Act 2016* or until the adoption of a new planning scheme, whichever occurs sooner.

### **Recommendation**

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That Council adopt the TLPI effective immediately and remain in effect for two years or until the commencement of a new planning scheme whichever is sooner; and

That Council undertake the necessary publication of its decision and provide the required advice to the State.

## **Considerations**

### **5. Corporate Plan**

Strategic Direction 2.1

j. Manage disaster management and preparedness by developing community resilience, understanding the flood zone and patterns, the impact on property and the cost to the community and Council.

### **6. Policy and Legal Implications**

The draft TLPI has been prepared in accordance with the statutory requirements of the *Planning Act 2016*

### **7. Financial and Resource Implications**

N/A

### **8. Risk Assessment**

The draft TLPI reduces the exposure to risk associated with flood hazard in the Muirs Road area.

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Planning Officer left the meeting

## **General Business – Council Services**

**Cr Boyce** asked about the timeline for demolition of the old amenities building at the Taroom Pool. Discussion held and DCS to determine if the building is a risk.

**Mayor** advised of a request from Alaire Water Co-op to purchase 2 megalitres of high priority water from Council for domestic and stock purposes (document number 1516250).

**Minute No:** OM004572

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### **Resolution:**

***That Council sell 2 megalitres of high priority water from Theodore's existing water allocation to Alaire Water Co-op for domestic and stock purposes.***

***Moved: Cr Boyce***

***Seconded: Cr Snell***

***Carried***

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## 11.0 Executive Services

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### 11.1.1 ACTION REPORT ON PREVIOUS COUNCIL RESOLUTIONS – EXECUTIVE SERVICES

**Date:** 3 December 2019  
**Author:** Tom Upton – Acting Chief Executive Officer  
**File No:**  
**Letter No:**  
**Attachment:** Resolutions Action Report  
**Minute No:** OM004573

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#### **Resolution:**

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

*Moved: Cr Leo*

*Seconded: Cr Semple*

*Carried*

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#### **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 MAJOR CAPITAL PROJECTS – MONTHLY ACTUAL EXPENDITURE – W4Q PROJECTS

**Date:** 4 December 2019  
**Author:** Tom Upton, Acting Chief Executive Officer  
**File No:**  
**Letter No:**  
**Attachment:** Capital Expenditure Report W4Q Projects  
**Minute No:** OM004574

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### **Resolution:**

*That Council note and receive the Major Capital Expenditure Report for the W4Q projects as at 18 November 2019.*

*Moved: Cr Semple*

*Seconded: Cr Brennan*

*Carried*

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### **Report**

Providing a report on Major Capital Expenditure for the W4Q projects as at 18 November 2019 for Council Services.

Refer attachment.



### 11.1.3 MEMBER FOR FLYNN – BUILDING BETTER REGIONS FUND DROUGHT ROUND

**Date:** 9 December 2019  
**Author:** Tom Upton – Acting Chief Executive Officer  
**File ID:**  
**Letter ID:** 1515597  
**Attachment:**  
**Minute No:** OM004575

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#### **Resolution:**

*That Council resolve to nominate for funding under the Building Better Regions Fund Drought Round as follows -*

*Infrastructure Projects Stream      Upgrade of amenities at Glebe Weir, Taroom  
Community Investment Stream      Economic Development Plan for the Shire*

*Moved: Cr Boyce                      Seconded: Cr Leo                      Carried*

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#### **Report**

The Commonwealth Government announced the next round of Building Better Regions Fund on 14 November 2019 to close on 19 December 2019.

This final round has two streams:

1. Community Investment Stream (Round Four) – Drought Support
2. Infrastructure Projects Stream (Round Four) – Drought Support

#### **COMMUNITY INVESTMENT STREAM**

The Community Investment Stream seeks to fund events, plans or capability strengthening activities that will create jobs, drive economic growth and build stronger regional communities into the future. The minimum amount of grant this round is \$5,000 and the maximum amounts is \$1,000,000. For projects over \$20,000 grant funding will be between 50% and 75% of total project costs depending on location.

##### Eligibility

The following entities are eligible for funding under this round:

- Incorporated not for profit organisations
- Local Government
- Non-distributing co-operatives
- Must be in a drought declared area

##### Activities that can be funded:

- Local events and activities
- Strategic planning
- Regional leadership and capability strengthening exercises

#### **INFRASTRUCTURE FUND**

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The Infrastructure Projects Stream funds infrastructure projects that will create jobs, drive economic growth and build stronger regional communities.

The minimum amount of the grant is \$20,000 and the maximum amount of the grant is \$1,000,000. The total funding is between 50% and 75% of the total project cost depending on location.

#### Eligibility

The following entities are eligible for funding under this round:

- Incorporated not for profit organisations
- Local Government
- Non-distributing co-operatives
- Must be in a drought declared area

#### Activities

The activities funded by this funding round include:

- Construction of new infrastructure
- Upgrade of existing infrastructure
- Extension of existing infrastructure
- The replacement of infrastructure where there is a significant increase in benefit

Projects under this program must be investment ready and there is an expectation that Council would be in a position to commence construction within 12 weeks of signing the Deed of Agreement.

At Council's last Workshop Councillors identified a number of projects that may be put forward including the following:

1. Amenities block at Glebe Weir	\$100,000
2. Moura Museum and new Library	Unknown
3. Skywalk	Unknown
4. Lake Callide, Walking Paths and Facilities Development	Unknown
5. Wide Water Development	Unknown

The only project above that is likely to be sufficiently shovel ready to qualify for funding under this round of funding is the amenities development at Glebe Weir. Council may wish to consider expanding the scope of this project to include additional picnic areas and playgrounds given the level of funding available.

Council may also wish to consider funding for a revision of the economic strategy for the shire under the community investments stream.

### **Considerations**

#### **1. Corporate Plan**

Strategic Direction 1.1g

Undertake continuous improvement of Council's processes and services.

Strategic Direction 2.1c

Encourage healthy and happy communities through provision, encouragement or support of a range of wellbeing services and facilities including community resources, arts and culture, recreation and sport, commemorations, communication facilities, festivities and events.

#### **2. Policy and Legal Implications**

Nil

#### **3. Financial and Resource Implications**

There is a co-contribution required for this program of 25% of the total project cost.

**4. Risk Assessment**

Nil

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**12.0 Close of Meeting**

The meeting closed at 2.47pm

To be confirmed 29 January 2020 Ordinary Meeting

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**MAYOR**

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**ACTING CHIEF EXECUTIVE OFFICER**

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